



NYCTRC

NEW YORK CITY TRANSIT
RIDERS COUNCIL

2 BROADWAY, 16TH FLOOR, NEW YORK, NY 10004
(212) 878-7087 • mail@pcac.org

ANDREW ALBERT CHAIR AND MTA BOARD MEMBER
BURTON M. STRAUSS JR. VICE CHAIR

EXECUTIVE COMMITTEE CHRISTOPHER GREIF
STUART GOLDSTEIN • WILLIAM K. GUILD

MEMBERS MARISOL HALPERN
SHARON KING HOGE • TRUDY L. MASON
SCOTT R. NICHOLLS • EDITH M. PRENTISS

LISA DAGLIAN EXECUTIVE DIRECTOR
ELLYN SHANNON ASSOCIATE DIRECTOR
BRADLEY BRASHEARS PLANNING MANAGER
SHEILA BINESH TRANSPORTATION PLANNER
DEBORAH MORRISON ADMINISTRATIVE ASSISTANT

**Statement by Lisa Daglian, Executive Director
R179 Incident and RFP Approach
MTA Headquarters, 2 Broadway, New York, NY 10004
January 21, 2020**

Good morning, my name is Lisa Daglian and I am the Executive Director of the Permanent Citizens Advisory Committee to the MTA, PCAC.

Safety must be the MTA's #1 priority and we're glad that all R179s were taken out of service. Getting them back into service needs to be done cautiously but quickly. It's time to fix the bigger problems while you're at it.

Using low bid is clearly not the best way to do business – we've seen that countless times. Given the R179 debacle, we ask the MTA Board to look at using the same RFP approach to the purchase of rolling stock and other capital procurements that it is using for design-build projects. The Board's October resolution said it succinctly: 'It is a procurement best practice to solicit Design-Build contracts using a competitive RFP process rather than by sealed bids because the competitive RFP process allows the MTA to consider, in addition to price, non-price factors such as delivery schedule, creative design and construction approaches, the experience of the proposer, and negotiated contract terms.' Put simply: there has to be a better way to increase competition and bring other players to the game.

If we're going to make any lemonade out of these lemons, it should be to fix the process and not just the cars. On the subject of fixing things, top of the list should also be changing the debarment rules to reflect the reality of the market – and to have other players want to work with the MTA. As written, Bombardier should already be out – not just for the R179 delays but also on PTC overruns. Yet the MTA Board – which wrote the rules – is flouting them. It's time to turn the emergency rules into regulations that hold contractors responsible but are actionable and practical. Thank you.