



Southeastern Pennsylvania  
Transportation Authority

May 28, 2015

NOTICE is hereby given that a Special Meeting of the Board of the Southeastern Pennsylvania Transportation Authority will be held on **Thursday, May 28, 2015, at 3:00 P.M.** at 1234 Market Street, Mezzanine Level, Philadelphia, Pennsylvania to consider the following Resolutions:

**A. Second Amendment to the Contract with Titan Outdoor LLC for Transit and Railroad Advertising Services**

**B. Award of a Contract Pursuant to a Request for Proposals**

**1. To Siemens Industry, Inc., for the purchase of 13 high speed electric locomotives, for a total contract amount (including the option) not to exceed \$154,394,083.**

**C. Authorization to Award a Contract for A Procurement**

**1. To E. R. Stuebner, Inc., for general construction services, for a total contract amount not to exceed \$26,152,000; to Ray Angelini, Inc., for electrical construction services, for a total contract amount not to exceed \$2,432,392; and to Guy M. Cooper, Inc., for mechanical construction services, for a total contract amount not to exceed \$1,020,950, for the provision of all labor, materials, tools and equipment for the Lansdale Parking Garage and Area Improvement Project.**

Pasquale T. Deon, Sr.  
Chairman

5/28/15  
(SPECIAL)

R E S O L U T I O N

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SECOND AMENDMENT TO THE CONTRACT WITH TITAN OUTDOOR LLC  
FOR TRANSIT AND RAILROAD ADVERTISING SERVICES

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WHEREAS, on April 24, 2014 the Board authorized SEPTA to award a contract ("Contract") to Titan Outdoor, LLC ("Titan") under which Titan sells transit and railroad advertising which is placed upon SEPTA's vehicles (interiors and exteriors of buses, trackless trolleys, and light rail vehicles; and commuter railroad cars), facilities and stations; and

WHEREAS, on October 23, 2014 the Board authorized the parties to enter into a first amendment to the Contract to address advertisements with political content and/or that pertain to political activities; and

WHEREAS, in light of recent court decisions pertaining to advertising standards and First Amendment constitutional issues, staff has recommended that SEPTA enter into a proposed second amendment ("Second Amendment") to the Contract with respect to (i) property allocated for advertising being "non-public forums;

and (ii) that SEPTA will retain strict control over the nature of the all new advertisements accepted for posting; and

WHEREAS, under the proposed Second Amendment to the Contract certain advertising content would be prohibited, including, but not limited to, advertisements (i) promoting or opposing a political party, or are political in nature or contain political messages; (ii) expressing or advocating an opinion, position or viewpoint about economic, political, religious, historical or social issues; (iii) contain material that is false or would constitute a tort of defamation or invasion of privacy; (iv) that are intended to be disparaging, disreputable or disrespectful to any persons, groups, businesses or organizations; (v) that are directed at a person or group that is so insulting, degrading or offensive as to be reasonably foreseeable that it will incite or otherwise produce lawless action; (vi) that pertains to illegal activity; (vii) that promotes the sale or use of tobacco; (viii) that threatens the public image of SEPTA; and (ix) promotes the sale of firearms; and

WHEREAS, the proposed Second Amendment will also implement an indemnification clause in favor of SEPTA for any amounts the

Authority is required to pay as a result of defending lawsuits occasioned by advertising; and

WHEREAS, staff requested that the General Manager recommend that the Board authorize SEPTA to enter into the proposed Second Amendment of the Contract with Titan under the terms set forth above and more fully described in the pertinent staff summary; and

WHEREAS, the General Manager made the recommendation.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby authorizes SEPTA to execute the proposed Second Amendment to the Contract for Transit and Rail Advertising with Titan Outdoor, LLC under the terms and conditions set forth above and more fully described in the pertinent staff summary.

FURTHER RESOLVED, that the Board hereby authorizes the General Manager to execute all documents, in form approved by the Office of General Counsel, and to do any and all other things which are necessary and proper in order to effectuate the purpose of this Resolution.

5/28/15  
(SPECIAL)

R E S O L U T I O N

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AWARD OF A CONTRACT  
PURSUANT TO A REQUEST FOR PROPOSALS

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WHEREAS, SEPTA, which has need for the services as described below, has advertised and solicited proposals from firms wishing to propose; and

WHEREAS, SEPTA staff has requested that the General Manager recommend that the Board authorize the award contracts to the firms listed below because said firms were the successful proposers in the areas for which the request for proposals was issued; and

WHEREAS, the General Manager recommended that the Board authorize the award of the contracts.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby authorizes SEPTA to award subject to the following conditions and the General Manager to execute the following contracts, in form approved by the Office of General Counsel, subject to the concurrence of the funding agencies, if required, and contingent upon and subject to the proposers satisfactorily meeting all

requirements of the terms and conditions of the relevant request for proposals, including the provision of any required insurance certificates and full compliance with any applicable Disadvantaged Business Enterprise (DBE) requirements:

1. To Siemens Industry, Inc., for the purchase of 13 high speed electric locomotives to replace the Authority's existing fleet of AEM-7 vehicles that are past their useful life, along with the option to order up to five additional locomotives to be exercised at the sole discretion of SEPTA, with delivery of the base order of vehicles scheduled from June 2018 through November 2018, as described in the staff summary on this subject, for a total contract amount (including the option) not to exceed \$154,394,083, Request for Proposal No. 14-237-JFK - High Speed Electric Locomotives.

05/28/15  
(SPECIAL)

R E S O L U T I O N

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AUTHORIZATION TO AWARD A CONTRACT FOR A PROCUREMENT

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WHEREAS, SEPTA advertised and invited bids for the supplies identified below; and

WHEREAS, the firm listed below was the lowest responsive and responsible bidder to the invitation for bids; and

WHEREAS, staff requested that the General Manager recommend that the Board authorize SEPTA to award the contract identified below; and

WHEREAS, the General Manager made the recommendation to the Board.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby authorizes SEPTA to award and for the General Manager or his designee to execute the contract identified below in form approved by the Office of General Counsel, subject to and contingent upon the concurrence of the funding agencies, if required, and contingent upon and subject to the vendor satisfactorily meeting all requirements of the bid terms and

specifications, including full compliance with any applicable Disadvantaged Business Enterprise requirements:

1. To E. R. Stuebner, Inc., for general construction services, for a total contract amount not to exceed \$26,152,000; to Ray Angelini, Inc., for electrical construction services, for a total contract amount not to exceed \$2,432,392; and to Guy M. Cooper, Inc., for mechanical construction services, for a total contract amount not to exceed \$1,020,950, for the provision of all labor, materials, tools and equipment for the Lansdale Parking Garage and Area Improvement Project, with services to be performed over a period of 548 calendar days after issuance of Notice-to-Proceed, as described in the staff summary on this subject, Sealed Bid No. 15-072-MJP - Lansdale Parking Garage & Area Improvement Project.