MTA Summer '24 Facility Tour

A small group of Commissioners toured several MTA facilities in July. They visited:

- o The MTA Headquarters building;
- o Kirk Bus Division;
- o Lexington Market & Charles Center Metro stations; and,
- o The Operations & Control Center.

Update on BRTC Work Groups -

The Baltimore Regional Transit Commission (BRTC) has created three key work groups focusing on Project & Program Delivery, Staffing, and Rider Experience.

Each group has specific objectives and tasks aimed at enhancing transit operations and services across the region.

Project & Program Delivery Work Group

The Project & Program Delivery Work Group work met and began discussing:

1 **Procurement Issues Analysis**

Objective: To enhance the efficiency and effectiveness of the procurement process. Actions include leading a comparative analysis of MTA's procurement processes, identifying differences and barriers, and recommending changes.

2 **Property Management**

Objective: To ensure optimal management of MTA's properties. Actions include interviewing key personnel, comparing practices with peer agencies, and developing recommendations for property management.

3 **Tort Claims & Liability Insurance Issues**

Objective: Understand issues faced by the MTA and develop suggestions and recommendations for legislative fixes.

4 **Report Development**

Objective: To document findings and provide actionable recommendations. Actions include compiling findings into a comprehensive report, outlining recommendations, and presenting to stakeholders.

Procurement Process – Parity Analysis of Process

Description
Staff will conduct a high-level comparative analysis of MTA's procurement processes with those of other MDOT modes and similar agencies.

Participants
- BRTC Work Group - BRTC Staff - BMC Procurement Advisor - State primary procurement unit staff (MDOT& MTA) - BPW staff - Member(s) of General Assembly

Problem Statement
Staff to the BRTC have preliminarily identified a potential issue regarding differences in the treatment of procurements by MTA than other modal administrations of MDOT. Understanding if this is an issue and if this may create a barrier or bottleneck impeding project and program delivery of needed transit improvements to the region is paramount. Maryland's procurement process is vastly complicated, based on years of evolving state law, regulation, guidance and practice. We have reached out to MTA and BPW for their support and assistance with the common goal of improving MTA's project and program delivery and ensuring the ongoing confidence in and the integrity of the State's Procurement Process. Note that MDOT and the Maryland Port Commission are considered "primary procurement units" (COMAR State Finance & Procurement Article §11-101. MDOT and MDTA are excluded under some provisions regarding "capital expenditures for roads, bridges and highways" in COMAR State Finance & Procurement §12–103, §12–107, §12–202. This could be a broad exemption and include capital expenditures that are for maintenance and services for roads, bridges and highways. Clarity or insight into how COMAR State Finance & Procurement §12–107 (b)(3) and (4) are interpreted is also underway. Capital projects for MTA are defined differently than they are for SHA potentially contributing to more submittals for BPW review. The Work Group will recommend process and procedure changes based on staff findings.

Goal	Conditions for Success
Identify differences in the procurement process facing the MTA and develop strategies to mitigate any barriers or bottlenecks impeding swift project delivery and optimize the procurement process.	- Commitment from stakeholders and participants to identify barriers and bottlenecks - Solid understanding of MTA perspective in state procurement

Governance	What it does	Areas of Opportunity
COMAR State Finance & Procurement §12–103, §12–107, §12–202	- Define the areas of the state procurement law causing the most impactful burdens for MTA and buyers and vendors - Identify strategies to address burdens, and appropriate policy levers for solutions	- Evaluate existing regulatory and policy framework for delegation of authority for procurement in balance with need for requisite oversight

Legislative Precedent

- MDOT and MTA must navigate a complex procurement process that treats each of its business units differently. For MTA this may mean spending more time preparing materials for BPW review than other MDOT modes.

- Staff have begun to examine if this is an issue and if this may create a barrier or bottleneck impeding project and program delivery of needed transit improvements to the region.

- MDOT and the Maryland Port Commission are considered "primary procurement units" (COMAR State Finance & Procurement Article §11-101.

- Additionally, MDOT (SHA) and MDTA are excluded under broad provisions regarding "capital expenditures for roads, bridges and highways" in **COMAR State Finance & Procurement §12−103, §12−107, §12−202**. This appears to be a broad exemption and may include capital expenditures that are for maintenance and services for roads, bridges and highways.

- Clarity or insight into how **COMAR State Finance & Procurement §12−107.(b)(3) and (4)** are interpreted is also underway.

- "Capital projects" for MTA are defined differently than they are for SHA potentially contributing to more submittals for BPW review.

Property Management

Description

Staff will conduct a desk audit and interviews of current property management practices and compare these to peer agencies. Develop a strategic plan for property management that aligns with MTA long term goals.

Problem Statement	Participants
Staff will identify differences, document MTA real estate assets and management practices, and the Work Group will recommend process and procedure changes based on staff findings.	- BRTC Work Group - BRTC Staff - MTA ORE staff - MDOT ORED staff

Goal	Conditions for Success
Understand Real Estate management practices and best practice used by the MTA and develop suggestions for optimization.	- Commitment from stakeholders and participants to outline practices, policy and programs/initiatives - Solid understanding of MTA perspective on Real Estate.

Governance	What it does	Areas of Opportunity
MDOT MTA manages their real estate portfolio through the Office of Real Estate (ORE). This office is divided into two major sections: • Property Acquisition and • Property Management. The MDOT Office of Real Estate and Economic Development (ORED) also facilitates Transit Oriented Development (TOD) projects, generates tax revenue for the State by disposing of excess departmental real estate, and provides real estate-related policy development and oversight.	The office handles all requests related to: • Rail Crossings: Requests to cross MTA freight rail lines. • Vendor Inquiries: Requests to sell products on MTA property. All vendor inquiries need to go through MTA's procurement process, which could take 3 to 6 months. • Entry Agreements: Requests to enter onto MTA property. The entire process can take 2 to 3 weeks. • Parking Requests: Requests to use MTA parking lots. All requests require insurance, but the requirements may change based on usage.	Identify strategies to address burdens, and appropriate policy levers for solutions

Tort Claims & Liability Issues

Description
The Maryland Transit Administration (MTA) faces significant insurance and liability cost implications due to its exclusion from the Maryland Tort Claims Act (MTCA). This exclusion creates unique challenges for the agency in terms of financial risk, budgetary management, and public perception.

Problem Statement	Participants
This exclusion creates unique challenges for the agency in terms of financial risk, budgetary management, and public perception. **The Maryland Tort Claims Act** and the **Local Government Tort Claims Act** govern liability for all other State agencies and local and municipal governments, **with a $400,000 liability limit**. MTA's liability for damages is instead governed by **Section 7-702 of the Transportation Article**. This results in different liability limits and insurance requirements for MTA compared to other state agencies. Maryland's Tort Claims Act (MTCA) limits the amount of compensation that can be recovered from the state and its employees for injuries resulting from a single incident to $400,000 per victim and $800,000 per incident. The MTA has no cap.	- BRTC Work Group - BRTC Staff - MTA

Goal	Conditions for Success
Understand issues faced by the MTA and develop suggestions and recommendations for legislative fixes.	- Commitment from stakeholders and participants to address legislative fixes. - Understanding the issues and risks associated with this situation

Governance	What it does	Areas of Opportunity
MDOT MTA	The potential for large, unpredictable payouts can strain the MTA's budget. Funds that could be used for operations, maintenance, and improvements might instead be diverted to cover legal costs and settlements. The unpredictable nature of potential lawsuits makes long-term financial planning more difficult for the MTA.	Identify legislative fixes to address burdens, and appropriate policy levers for solutions

Tort Claims & Liability Issues

- The Maryland Transit Administration (MTA) faces significant insurance and liability cost implications due to its exclusion from the Maryland Tort Claims Act (MTCA).

- This exclusion creates unique challenges for the agency in terms of financial risk, budgetary management, and public perception. The following sections will explore the key impacts of this exclusion on the MTA's operations and finances.

- This is a new topic to the workgroup.
- Staff are preparing background for the work group's next meeting on this issue.

Staffing Work Group

The Staffing Work Group's purpose is to help MTA build a skilled, dedicated, and motivated workforce, empowering employees to deliver exceptional service and drive continuous improvement. The initial effort will be to update the 2022 Salary and Staffing report.

Salary Structure Impact

Examine MTA's salary structure and its impact on recruitment and retention at all levels. Lead the working group through a process that assesses how competitive and fair the compensation is compared to the market.

Benchmarking Models

Benchmark peer personnel classification and compensation models to identify best practices and areas where MTA can improve its own systems. Review policies related to employment incentives and contracts to determine their effectiveness in attracting and retaining talent.

Legislative and Administrative Changes

Identify potential legislative and administrative changes that could enhance MTA's ability to recruit and retain top talent, making the agency a more attractive employer.

Note that collective bargaining is outside of the workgroup's purview.

Staffing Work Group

- Group met in early August
- Staff has been reaching out to survey peer agencies
- Initiated data requests from the MTA
- Continue to gather data from MTA, peer agencies, and APTA as available

Looking ahead:
- Follow-up meeting with partners at MTA
- Begin report production early in month
- Organize data and begin analysis
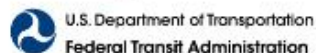- Work group meeting to discuss progress and provide direction

https://www.transitworkforce.org/events_list/making-connections-2024-the-national-transit-workforce-conference-mc24/

Rider Experience Work Group

The Rider Experience Work Group aims to give voice to the needs of MTA's customers, identify programs and policies that improve rider experience, and make legislative and administrative recommendations that benefit both MTA's passengers and the agency itself.

1 **Understanding Current Experience**

Analyze existing performance metrics and identify areas of improvement. Gather feedback from riders. Monitor key performance metrics and service changes.

2 **Identifying Challenges**

Identify MTA's major challenges in current rider experience. Analyze communications and information sharing. Understand the current needs and consider initiatives like transit ambassadors, improved signage, and real-time updates.

3 **Developing Strategies**

Explore cost-effective improvements, such as transit ambassadors. Undertake reviews of proposed service changes. Develop improvement strategies based on identified needs and challenges.

4 **Monitoring and Evaluation**

Develop metrics to monitor the effectiveness of the implemented strategies. Regularly evaluate the impact on rider experience and make necessary adjustments to ensure continuous improvement.

Rider Experience Work Group

- Group has not yet met.
- Staff standing up a webpage to document riders stories based upon a survey.
- That webpage has just been made live and can be found at –
- https://pubicinpput.com/v3304