



U.S. Department
of Transportation

**Federal Transit
Administration**

Headquarters

1200 New Jersey Avenue, SE
Washington, DC 20590

SENT VIA EMAIL

November 18, 2024

Mr. Phillip Eng
General Manager
Massachusetts Bay Transportation Authority
10 Park Plaza
Boston, MA 02116

Subject: Response to Closeout Request for FTA-22-MBTA-CAT1-4 (Additional Oversight of Contractor Worksites)

Dear Mr. Eng:

On October 31, 2024, the Massachusetts Bay Transportation Authority (MBTA) submitted a Corrective Action Plan (CAP) closeout request for **FTA-22-MBTA-CAT1-4 (Additional Oversight of Contractor Worksites)**. The MBTA developed this CAP as part of its response to interim findings issued in Special Directive (SD) 22-9: Managing the Impact of Operations, Maintenance, and Capital Project Requirements on the Existing Workforce from the Safety Management Inspection (SMI) initiated by the Federal Transit Administration (FTA) in April 2022.

Closeout Approval for FTA-22-MBTA-CAT1-4 (Additional Oversight of Contractor Worksites)

MBTA's CAP for **FTA-22-MBTA-CAT1-4** includes 11 action items, approved by FTA on October 21, 2022, to address the following SD 22-9 finding and required action:

- **Finding 4:** MBTA requires additional oversight of contractor work sites.
- **Required Action:** FTA recommends that MBTA review the inspection and resident engineering resources needed to ensure compliance with MBTA safety rules related to the Right of Way to ensure the safety of personnel while in active work zones through additional staffing, contractor resources, or a combination of approaches.

To implement this CAP, between October 1, 2022, and October 31, 2024, MBTA undertook the following CAP action items and submitted documentation regarding their completion:

- Established an advisory group;
- Conducted a strategic planning session for CAP implementation with the advisory group;
- Procured consulting services;

- Assessed short term staffing needs;
- Engaged contractors to enhance compliance with Right of Way rules and procedures;
- Onboarded the selected consultant;
- Conducted a best practices review;
- Reviewed existing contractor oversight policies and procedures;
- Conducted a gap analysis of current MBTA staff and contractors; and
- Incorporated findings into the Recruitment and Hiring Plan.

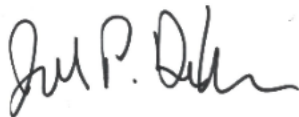
FTA carefully evaluated the submitted documentation and reviewed submissions with MBTA during biweekly meetings on SD 22-9 between October 2022 and October 2024. In September 2024, MBTA delivered the final Recruitment and Hiring Plan, and FTA has verified that the updated contractor oversight policies and procedures were appropriately incorporated into the Recruitment and Hiring Plan.

Based on review of these submissions and the results of verification activity, FTA finds that these completed action items satisfy the requirements of CAP FTA-22-MBTA-CAT1-4 and this CAP may now be closed.

Conclusion

This CAP closure represents a tremendous amount of work, and FTA greatly appreciates your efforts. Please contact our SMI Coordinator, Christian Hernandez, by phone at (213) 552-3494 or by email at Christian.Hernandez@dot.gov with any questions.

Sincerely,



Joe DeLorenzo
Associate Administrator and
Chief Safety Officer
Office of Transit Safety and Oversight

cc: Peter Butler, Regional Administrator, FTA Region 1
Ryan Coholan, Chief Operating Officer, MBTA
Tim Lesniak, Chief Safety Officer, MBTA
Meredith Sandberg, Chief of Quality, Compliance, and Oversight, MBTA
Pat Lavin, Chief Safety Officer, Massachusetts Department of Transportation
Jamie Van Nostrand, Chair, Massachusetts Department of Public Utilities (DPU)
Robert Hanson, Rail Safety Director, DPU