

Statement of Ronnie Hakim
Senior Vice President and General Counsel
MTA Capital Construction Company
before the NYC Council Committee on Transportation
June 24, 2009
City Hall
1:00 P. M.

Chairperson Liu and members of the Transportation Committee:

Thank you for the opportunity to provide the Transportation Committee with a progress update regarding the MTA's Security Program work to harden the subway system.

My name is Ronnie Hakim, and I am the Senior Vice President and General Counsel for MTA Capital Construction, the MTA agency that is working on the design, construction and implementation of Capital Construction projects that relate to the MTA's Security Program.

The MTA's Security Program involves a multi-faceted approach to improving the safety and security of the MTA's transit and subway system. Security continues to be of paramount concern and importance and the good news, Chairperson Liu and members of the Committee, is that, as consistently reported by the NY State Comptroller, the system has gotten safer and more secure as each element of the program has been completed.

The construction elements of the Security program that relate to the subway system include projects that involve structural hardening, tunnel hardening, perimeter protection, consequence management (how we get people safely out of the system), and electronic security. To date, the MTA has committed \$236M in structural hardening facilities, another \$61.4M specifically in subway tunnel hardening, \$40M in perimeter protection, \$69.3M in consequence management, \$307M in electronic security – a total over \$713M.

Hardening

All of the first phase of structural and tunnel hardening projects (13 projects) have been completed. The subway hardening program was the first of its kind. Depending on the specific characteristics and surrounding geology of each facility, huge concrete planks and concrete and marine fill were placed on the riverbed to create structural protection to the tunnels. These planks were in large segments weighing over 350 tons. Construction was very complex and involved innovative methods of working in water to successfully place these huge pieces

using sonar like technology. In addition, we worked with the federal government's laboratory facility to create design standards to implement interior hardening and standoff where needed. These important projects are all completed.

Perimeter Protection

In terms of perimeter protection, these are primarily bollard projects that are designed and constructed in accordance with federal security standards. We have completed two (2) Perimeter Protection projects with two (2) other projects are in progress. The last 5th perimeter protection project will be awarded this fall.

Consequence Management

Consequence Management is the term we use to describe the MTA's fire/life/safety projects. These are the projects that focus on improved communications, lighting and signage to make it easier and more effective for passengers to evacuate the system in the event of an emergency. We have completed one (1) fire/life/safety project and the remaining three (3) projects are in progress. Of these remaining projects, one (1) is nearing completion this summer, another will be done by year end, and the last was recently awarded.

Electronic Security

There are two elements of electronic security. There are programs within each MTA agency that deal with cameras and access control devices. Specifically in the subway system, the NYCT Passenger Identification Program has already installed over 2,000 cameras, in over 100 subway stations to monitor movements in and out of the stations.

The other element is the Integrated Electronic Security System Project (IESS) which involves the installation of additional cameras, access control devices and surveillance equipment at a series of critical monitored locations, which feed into new agency command, communication and control centers, including a new MTA Police Central Command center. This project involves equipment installations and software and hardware design, development and integration.

While progress has been made in getting equipment installed in various facilities and to date about 80% of that field installation work is done – there are over 1,400 cameras installed, 800 access control devices done – Lockheed has not been able to pass the required software system tests needed for us to have confidence that everything can work as intended.

As you may be aware, Lockheed Martin sued the MTA at the end of April alleging that the MTA had breached its contract entitling them to terminate further performance. The MTA has denied these allegations and has asserted counterclaims alleging Lockheed's failure to perform and its breach of contract. This case has been assigned a Federal Court judge, and is on a discovery and

motion schedule through the end of the year, with a possible trial date for 1st Q of 2010.

But, we're not waiting. Our goal is to complete the work in a manner that provides MTA with the best technology available to achieve the project's intent – to provide real time alarms and situational awareness at the monitored facilities. We've recently defaulted Lockheed and have just begun discussions with the Sureties regarding a completion plan, but it's too early to comment on the outcome of those discussions and plans.

In closing, I would like to reiterate that the MTA Security Program has already completed or nearly completed all planned subway hardening projects. This is one element of the overall construction program that have structurally hardened critical facilities, improved signage and lighting, enhanced customer communications, and provided needed perimeter protection, in addition to other benefits. These projects have significantly improved the physical security of the MTA's subway transportation network for our customers and employees.

Thank you very much.