



Positions (2): SVP, Contracts & Deputy General Counsel, Metropolitan Transportation Authority (MTA)

About:

The **MTA** is North America's largest transportation network, serving a population of 15.3 million people across a 5,000-square-mile travel area surrounding New York City through Long Island, southeastern New York State, and Connecticut. The **MTA** network comprises the nation's largest bus fleet and more subway and commuter rail cars than all other U.S. transit systems combined.

- The **MTA** has begun work on its \$51.5 billion 2020-2024 Capital Program, by far the largest in MTA history.
- 1 trillion in Physical Assets: the MTA is North America's largest public transportation system; the MTA has a \$15.1 billion annual operating budget and owns assets valued at \$1.0 trillion.
- 8.8 million Customers Daily: the MTA system encompasses 736 railroad and subway stations; 2,080 miles of track; 8,889 rail and subway cars; 5,725 buses; 7 bridges; and 2 tunnels.
- Reducing Greenhouse Gases: Thanks to MTA transit, New York is the most carbon-efficient state in the nation. The system prevents 17 million metric tons of pollutants per year, while emitting only 2 million metric tons. This makes MTA the single greatest reducer of greenhouse gases in the United States.
- Expanding Public Art: As part of its public mandate, the MTA runs one of the world's largest, most critically acclaimed public art programs. It includes more than 300 major permanent installations by local and world-renowned artists, along with exhibitions and events, a poetry program, and a roster of performing musicians.
- Active Counterterrorism: Since 9/11, the MTA has been a leader in national security; our "If You See Something, Say Something" public campaign has been adopted across the nation. The MTA Police Department runs special units in conjunction with the interagency counterterrorism task force. The department's K-9 Unit is one of the nation's foremost facilities for K-9 security and Anti explosives training.
- World-Scale Engineering Projects: the MTA oversees some of the nation's largest infrastructure, engineering, and architectural megaprojects, including the immense tunneling and construction work involved in the Second Avenue Subway and the LIRR's eight-track extension into a new train terminal 100 feet below Grand Central Terminal.
- An Innovator in New Technologies: In addition to advancing transportation technologies, the MTA is now at the forefront of many new IT innovations, from customer apps and fare systems to Bluetooth train signaling, vehicle tracking, 3D structural imaging, and cybersecurity.

Benefits:

The **MTA's** provision of safe, clean, efficient public transportation is the lifeblood of the New York City area, one of the world's major economic hubs. It opens employment opportunities for millions of area residents, linking them to jobs miles from their homes. It revives old neighborhoods and gives rise to new business corridors. It links millions of residents and visitors to cultural, educational, retail, and civic centers across the region.

The **MTA** values its employees and MTA employees value their jobs. The average tenure at MTA is 10.4 Years. That's 3x longer than the national private sector average (3.7 years). MTA employee

contributions are more affordable than in large private companies. MTA offers excellent individual, family, and domestic partnership healthcare coverage under the New York State Health Insurance Program (NYSHIP).

Job Summary:

This position is a high-ranking officer of MTA C&D, reporting to the EVP, General Counsel & Contracts Department Head. This position provides legal advice and leads rapid response contracting services to C&D departments, recommending the best contracting strategy for a given project, managing the procurement process, and helping to realize the full benefits of those contracts post award. As a Tower Lead, this position will supervise and be responsible for multiple Business Unit leads, who will lead these activities for all contracts pertaining to a specific category of capital projects: Stations, Signals & Train Control, Infrastructure, Bridges & Tunnels, or Railroads. This position may also supervise and be responsible for Business Units leads of large integrated projects that encompass many of these categories.

Job Duties and Responsibilities Include:

- Responsible for all Business Units and contracts under its tower, from strategy, to drafting, soliciting and procuring, negotiating and awarding and claims and change management.
- Develops strategic and consistent contracts and specifications to reduce risk to budget and schedule. This includes improving the risk allocation between MTA and contractors to ensure that the party most able to 'own' a risk is accountable for its mitigation. Optimizing risk allocation results in lower contract prices.
- Provides contracting strategy advice far ahead of formal procurement process. This includes:
 - Collaborating with Development to develop contracts that address market capacity, procurement and contracting timelines and strategies, issues regarding federal vs. state funding, etc.
 - Collaborating with C&D's engineers and PCEOs to understand vision and draft contracts that are cogent, enforceable, and will deliver desired project benefits
 - Helping drive for heightened utilization of MWBE vendors in all contracts
- Advises Delivery department leaders on contract enforcement, claims management and merit determinations. Manages the claims process, including strategy and prosecution/defense as necessary.
- The holder of this positions must understand, draft and manage innovative construction contracts involving A+B bidding, design-build, progressive-design build and other state of the art construction contracting methods to support the MTA's Capital Programs and must understand the complexities of large infrastructure projects involving transit and rail systems, bridges and tunnels.
- The holder of this position must understand and enforce all the laws, regulations and polices pertaining to public works contracting as well as the requirements of the MTA's funding partners, such as the Federal Transit Administration. Further, the holder of this position will be responsible for drafting, soliciting awarding and managing consultant contracts to support the capital program.
- The holder of this position must have a broad range of substantive knowledge of the law, procurement, construction management (including construction scheduling), and the highly technical subjects of the MTA's projects. Current and upcoming projects require specialized

knowledge and understanding of large infrastructure projects, some involving state or the art and developing technology and complex data, signaling and communications systems.

- The holder of this position will need to manage 3-4 Business Units, each with a lead and 5-7 staff positions, and be able to analyze problems and develop solutions to effectively perform in this position. For example, in a single day the holder of this position will have to review, assess and make decisions related to complex construction issues on important construction projects, represent the agency in complex construction disputes, negotiate significant contracts and/or claims with contractors and designers, negotiate construction, work and condemnation agreements with private property owners, or work with FTA and FRA counsel to address compliance concerns.
- The holder of this position assumes the responsibilities of the EVP & General Counsel in their absence.

Qualifications and Requirements Include:

- Juris Doctor - Law degree, Licenses Admission to the New York State Bar Association.
- Excellent academic credentials.
- At least 10 years in high level legal positions in a law firm, a governmental legal office or a company in-house legal department.
- Significant experience in working on matters involving complex public works projects, construction projects and/or real estate matters and familiarity with relevant local, state and federal laws.
- Significant experience as the lead lawyer on sophisticated public works projects and/or related litigation matters.
- Experience with federal and state procurement laws, rules and regulations.
- Demonstrated initiative, excellent judgment, and ability to work independently on matters of significant size and complexity.
- Ability to manage multiple projects and clients in a fast-paced environment
- Confidence dealing with senior management and sophisticated counterparties.
- Ability to identify creative, business-oriented solutions to legal and business risks.
- Strong interpersonal, analytical, problem solving, organizational, drafting, negotiation and communication skills.
- Proven capability to build and maintain strong client relationships.
- Engineering or Construction Management experience preferred.

This position is being handled directly by DGP Only. To apply, please send your resume to David Gomez at David@davidgomezpartners.com, Kelly Collins at kcollins@davidgomezpartners.com and Carrie Ann Dickson at cdickson@davidgomezpartners.com.