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November 13, 2018

K. Jane Williams
Acting Administrator
Federal Transit Administration
US Department of Transportation
1200 New Jersey Ave SE
Washington, DC 20590

Submitted electronically

**RE: Pilot Program for Expedited Project Delivery
Notice: Request for Expressions of Interest to Participate
Federal Transit Administration
US Department of Transportation**

Dear Acting Administrator Williams:

I write in response to the Federal Transit Administration’s (FTA) Federal Register notice seeking interest in the Expedited Project Delivery for Capital Investment Grants Pilot Program (pilot program). The Transport Workers Union of America, AFL-CIO (TWU) represents 150,000 workers employed across every transportation sector, including those who earn a living operating and maintaining fixed guideway public transportation systems. We therefore have a vested interest in this proceeding.

As the notice indicates, Section 3005(b) of the FAST Act created a limited, structured pilot program that expedites certain transit projects using public-private partnerships (P3s). In particular, the law creates an expedited delivery process for new fixed guideway capital projects, small starts projects, and core capacity improvement projects that include private investments. The law limits the number of grants available to eight and sets important qualification standards required to be an eligible recipient.

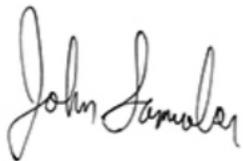
Significantly, Section 3005(b) requires that projects eligible under the pilot program be operated and maintained by employees of an existing provider of fixed guideway or bus rapid transit public transportation in the service area of the project, or if none exists, by employees of an existing public transportation provider in the service area. It also affirmatively states that “[t]he requirements under section 5333 of title 49, United States Code, shall apply to each recipient of a grant” made available by the pilot program.

The TWU fought for these provisions to help ensure that the agreements and investment decisions considered under the pilot program proactively address public interest concerns and protect workers. These considerations are necessary because when private entities take control of public transit delivery, the goals of the private partners can differ from those of public transit riders and the system's workers. For instance, substantial evidence – including from federal sources – show that a primary method by which private entities generate savings is through reducing worker wages and benefits. The public also is exposed to significant risk and financial hazard when private equity partners invest in public transportation because the public ultimately bears financial responsibility for repaying the private partners and control of the asset.

Given this, the protections included in Section 3005(b) help reduce these risks and promote the provision of safe and reliable public transportation services by maintaining stability among the workforce, mitigating turnover, and reducing transaction costs. We are pleased that the FTA notice acknowledges the requirement that local workers perform the operations and maintenance functions of a project supported by this Section, and we urge the agency to ensure that protection and the continuation of 49 USC 5333 protections are applied, as required by the statute.

Given the need for massive investment to bring our infrastructure back from a state of disrepair, some project sponsors are considering the role private partners can play in their projects. We believe the framework provided by Section 3005(b) of the FAST Act, with its focus on workforce continuity, appropriately delineates the private sector's role and maintains strong community-based work standards.

Sincerely,

A handwritten signature in black ink that reads "John Samuelson". The signature is written in a cursive, flowing style.

John Samuelson
International President