

**SOUND TRANSIT  
STAFF REPORT**

**MOTION NO. M2002-119**

**Sole source contract amendment with GETS to furnish signal equipment for Tacoma  
Link/BNSF Crossing**

<b>Meeting:</b>	<b>Date:</b>	<b>Type of Action:</b>	<b>Staff Contact:</b>	<b>Phone:</b>
Finance Committee	10/17/02	Discussion/Possible Action to Recommend	Ahmad Fazel, Link Director <b>Winston Simmonds, Acting Systems Manager</b>	(206) 398-5389 (206) 689-3326
Board	10/24/02	Board Approval Action	Bob Boerwinkle, Link Signals Manager	(206) 689-3346

<b>Contract/Agreement Type:</b>	<b>3</b>	<b>Requested Action:</b>	<b>3</b>
Competitive Procurement		Execute New Contract/Agreement	
Sole Source	3	Amend Existing Contract/Agreement	3
Memorandum of Agreement		Contingency Funds Required	
Purchase/Sale Agreement		Budget Amendment Required	

4 Applicable to proposed transaction.

**OBJECTIVE OF ACTION**

- Approve a sole source contract amendment with GE Transportation Systems Global Signaling to furnish signal system equipment for the Tacoma Link/BNSF Railway crossing.

**ACTION**

- Authorize the Executive Director to execute a sole source contract amendment with General Electric Transportation Systems Global Signaling (GETS) to furnish signal system equipment for the Tacoma Link/BNSF crossing in the amount of \$820,270 for a new total authorized contract amount not to exceed \$919,798.

**KEY FEATURES**

- Purchase signal system equipment for the Tacoma Link/BNSF crossing for the following:
  - Signalized interlocking for freight train movements on the approaches of the crossing, and interlocked power split point derail as specified Federal Railroad Administration's waiver decision May 17, 2001.
  - Upgrade of the highway crossing warning system equipment at Pacific Avenue and 17<sup>th</sup> Street to include new cantilevered poles and flashers.
- GETS is BNSF's sole supplier for railway signal equipment.

## **BUDGET IMPACT SUMMARY**

**Project Description:** Tacoma Link  
**Current Status:** Under Construction  
**Projected Completion Date:** 09/03

<b>Action Outside of Adopted Budget:</b>	<b>Y/N</b>	<b>Y Requires Comment</b>
This Line of Business	N	
This Project	N	
This Phase	N	
This Task	Y	Requires a transfer from uncommitted funds within the contingency phase.
Budget amendment required	N	
<b>Key Financial Indicators:</b>	<b>Y/N</b>	<b>Y Requires Comment</b>
Contingency funds required	Y	Requires a transfer from uncommitted funds within the contingency phase.
Subarea impacts	N	
Funding required from other parties other than what is already assumed in financial plan	N	

N = Action is assumed in current Board-adopted budget. Requires no budget action or adjustment to financial plan

## **BUDGET DISCUSSION**

The total adopted budget for Tacoma Link as amended is \$80.4 million. Within that budget, the activity contemplated within this motion is identified within the Construction phase. A budget line item of \$845,000 was earmarked for the BNSF crossing signals design, procurement and installation. Should the Board authorize the execution of this contract amendment, the total commitment for the design (within the current contract) and for procurement will exceed this budget by \$74,798. Staff proposes to transfer funds from contingency to cover this amount.

It is anticipated that staff will seek Board approval for the installation of this equipment through a separate, future action. Currently, the Tacoma Link project is forecasted to be completed for an amount less than the total project budget. This forecast includes the amount staff estimates for the installation of the crossing signals. Therefore, there is sufficient budget available within the project to cover the anticipated cost of installation of the materials and equipment to be procured under this contract amendment.

## **REVENUE, SUBAREA, AND FINANCIAL PLAN IMPACTS**

The proposed action is consistent with the current board adopted budget and is affordable within the agency's current long-term financial plan and sub-area financial capacity. The action will have no new impacts on Sound Transit resources. An FHWA grant of up to \$248,000 was applied for and approved for the improvement of the grade crossing warning system. This grant can only be used to reimburse expenses associated with the grade crossing warning system portion of the work.

## SUMMARY FOR BOARD ACTION

### Summary for Board Action (Year of Expenditure \$000)

#### Action Item: GE Transportation Systems Global Signaling

Tacoma Link	Current Board Adopted Budget (A)	Committed To Date (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
1 Agency Administration	4,552	3,906		3,906	645
2 Preliminary Engineering	6,242	6,242		6,242	-
3 Final Design	6,007	4,449		4,449	1,558
4 Right of Way	2,944	3,566		3,566	(622)
5 Construction	49,498	43,468	820	44,289	5,210
6 Vehicles	9,485	7,993		7,993	1,492
7 System Testing and Startup	760	324		324	436
8 Contingency	928	-		-	928
9 <b>Total Current Budget</b>	<b>80,416</b>	<b>69,949</b>	<b>820</b>	<b>70,769</b>	<b>9,647</b>

#### Phase Budget Detail

10 BNSF Crossing Signals	845	100	820	920	(75)
11 Other Construction	48,653	43,369		43,369	5,284
12 <b>Total Phase</b>	<b>49,498</b>	<b>43,468</b>	<b>820</b>	<b>44,289</b>	<b>5,210</b>

Contract Budget	Current Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
13 BNSF Crossing Signals	100		820	920
14 Contingency				0
15 <b>Total</b>	<b>100</b>	<b>-</b>	<b>820</b>	<b>920</b>
16 Percent Contingency	0%	0%	0%	0%

## M/W/DBE – SMALL BUSINESS PARTICIPATION

The signal system design contract is a sole source contract with the BNSF designated signal designer/supplier for all BNSF signal materials. Due to the nature of this procurement, it was determined that subcontracting was infeasible and improbable. Therefore, M/W/DBE or small business participation is not required for this procurement.

## HISTORY OF PROJECT

Tacoma Link will cross a track of the Burlington Northern Santa Fe's (BNSF) Lakeview Subdivision at Pacific Avenue and 17th street (BNSF milepost 1.28). At that location, there will be two Link tracks. In accordance with federal regulations, a light rail crossing of the General Railroad System requires the light rail system to comply with many FRA regulations, unless a formal waiver petition is presented to and approved by the Safety Board of the Federal Railroad Administration (FRA). A FRA Waiver describes the conditions under which certain normal FRA requirements will be waived.

Sound Transit received the FRA Waiver on May 17, 2002, which describes the conditions ST must meet to receive relief from the specific regulations that do not apply or cannot be met by Tacoma Link. A critical requirement of the Waiver is that ST comply with FRA regulations that apply to the signal system that governs freight and light rail train movements that approach and pass through the crossing. A broad term for the system is an "interlocking."

It was anticipated that ST would execute an agreement with BNSF to design, furnish, and install the signal system for the interlocking. However, ST and BNSF had not completed a construction and operations agreement for the crossing. In order to allow the design of the interlocking to proceed while an agreement was negotiated, BNSF authorized Sound Transit on April 11, 2002, to work directly with GETS to complete the design of the signal system for the crossing. BNSF has stated that GETS is its exclusive supplier for railway signal equipment. Additionally, GETS is signal equipment designer/supplier for two other critical interfaces: Tacoma Link signal system, and Sounder signal improvements for the future Lakewood extension. On July 10, 2002, the Executive Director executed a sole source contract with GETS for design of the signal system for the Tacoma Link/BNSF crossing in the amount \$99,528.

Staff has prepared an independent cost estimate based on the equipment lists received from GETS and have determined the prices to be reasonable compared to the industry and catalog costs. Installation of signal equipment by BNSF on their tracks will be included in the construction and operations agreement for the crossing, which will be presented to the Sound Transit Board for consideration and approval.

**Prior Board or Committee Actions  
and Relevant Board Policies**

Motion or Resolution Number	Summary of Action	Date of Action
Contract RTA/LR 69-02 (Executive Director Authority)	Tacoma Signal Design of BNSF Lakewood Subdivision Interface with Tacoma Light Rail	7/02

**CONSEQUENCES OF DELAY**

There is a lead-time of approximately 16 weeks to furnish the signal systems equipment required for the interlocking portion of the material. Delivery of the Pacific Avenue and 17<sup>th</sup> Street grade crossing warning equipment has a lead-time of 12 weeks. In order to avoid incurring additional costs for a temporary grade crossing warning system, a February 2003 delivery is required for installation by BNSF when the new double diamond special track work is also scheduled to be installed. The current purchase schedule leads to a June 27, 2003 completion of BNSF work that allows July and August for integrated testing and startup of Link. A delay of approval for this contract amendment reduces the integrated test time and could jeopardize the September 2003 Tacoma Link operations startup.

**REGIONAL PARTNERSHIP AND COOPERATION**

The City of Tacoma provided the highway grade crossing diagnostic document identifying the warning system crossing needs.

**PUBLIC INVOLVEMENT**

N/A

**LEGAL REVIEW**

JDW 10/7/02

## **SOUND TRANSIT**

### **MOTION NO. M2002-119**

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the Executive Director to execute a sole source contract amendment with General Electric Transportation Systems Global Signaling (GETS) to furnish signal system equipment for the Tacoma Link/BNSF crossing in the amount of \$820,270 for a new total authorized contract amount not to exceed \$919,798.

#### **Background:**

Tacoma Link will cross a track of the Burlington Northern Santa Fe's (BNSF) Lakeview Subdivision at Pacific Avenue and 17th street (BNSF milepost 1.28). At that location, there will be two Link tracks. In accordance with federal regulations, a light rail crossing of the General Railroad System requires the light rail system to comply with many FRA regulations, unless a formal waiver petition is presented to and approved by the Safety Board of the Federal Railroad Administration (FRA). A FRA Waiver describes the conditions under which certain normal FRA requirements will be waived.

Sound Transit received the FRA Waiver on May 17, 2002, which describes the conditions Sound Transit must meet to receive relief from the specific regulations that do not apply or cannot be met by Tacoma Link. A critical requirement of the Waiver is that Sound Transit comply with FRA regulations that apply to the signal system that governs freight and light rail train movements that approach and pass through the crossing. A broad term for the system is an "interlocking".

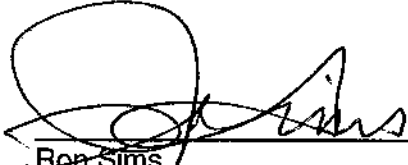
It was anticipated that Sound Transit would execute an agreement with BNSF to design, furnish, and install the signal system for the interlocking. However, Sound Transit and BNSF had not completed a construction and operations agreement for the crossing. In order to allow the design of the interlocking to proceed while an agreement was negotiated, BNSF authorized Sound Transit on April 11, 2002, to work directly with GETS to complete the design of the signal system for the crossing. BNSF has stated that GETS is its exclusive supplier for railway signal equipment. Additionally, GETS is signal equipment designer/supplier for two other critical interfaces: Tacoma Link signal system, and Sounder signal improvements for the future Lakewood extension. On July 10, 2002, the Executive Director executed a sole source contract with GETS for design of the signal system for the Tacoma Link/BNSF crossing in the amount \$99,528.

This proposed action is to amend the contract with GETS to furnish the signal system equipment for the Tacoma Link/BNSF crossing, in the amount of \$820,270 (including taxes) for a new total authorized contract amount not to exceed \$919,798. Staff has prepared an independent cost estimate based on the equipment lists received from GETS and have determined the prices to be reasonable compared to the industry and catalog costs. Installation of signal equipment by BNSF on their tracks will be included in the construction and operations agreement for the crossing, which will be presented to the Sound Transit Board for consideration and approval.

**Motion:**

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the Executive Director is authorized to execute a sole source contract amendment with General Electric Transportation Systems Global Signaling (GETS) to furnish signal system equipment for the Tacoma Link/BNSF crossing in the amount of \$820,270 for a new total authorized contract amount not to exceed \$919,798.

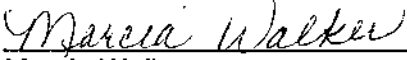
APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on October 24, 2002



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Ben Sims  
Board Chair

ATTEST:



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Marcia Walker  
Board Administrator