

MOTION NO. M2013-113

Contract for Designing, Installing, Testing, and Commissioning a Positive Train Control System

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:	PHONE:
Capital Committee	12/12/13	Recommendation to Board	Ahmad Fazel, DECM Executive Director	206-398-5389
Board	12/19/13	Action	Eric Beckman, Project Director	206-398-5251

PROPOSED ACTION

Authorizes the chief executive officer to assign a contract previously executed with Wabtec Corporation to its subsidiary Xorail, Inc. for the design and installation of a Positive Train Control system on Sounder vehicles and Sound Transit-owned rail right of way in the amount of \$34,064,839, with a 10% contingency of \$3,406,484, for a total authorized contract amount not to exceed \$37,471,323.

KEY FEATURES SUMMARY

- This contract was initially executed with Wabtec Corporation, the parent company to Xorail, Inc.
- Wabtec Corporation has requested that Sound Transit assign this contract to Xorail, Inc., so that that contract control and billing can be handled within the division doing the majority of the work.
- There is minimal financial risk, as Wabtec will guarantee the performance of Xorail, Inc.
- There is no change to the contract scope as a result of the assignment to Xorail, Inc., which includes:
 - Data collection, surveying, mapping and development of a database for the Lakeview Subdivision
 - Production of all required Federal Rail Administration (FRA) plans including the PTC Development Plan, PTC Safety Plan and amendments to the PTC Implementation Plan
 - Installation of wayside equipment along the Lakeview Corridor
 - Installation of all onboard equipment on the Sounder fleet
 - Testing, certification and final FRA approval of the PTC system for certification
 - Training and maintenance support
- All contract terms including pricing and payment will remain unaffected by this change.

BACKGROUND

The Rail Safety Improvement Act of 2008 and other federal regulations require all railroads that carry passenger trains and certain toxic materials to be equipped with Positive Train Control (PTC) technology that is tested, commissioned, and certified by December 31, 2015.

The first step in meeting the deadline for implementation was to file a PTC Implementation Plan with the FRA for review and approval. The PTCIP outlines the strategy and approach of the Agency for meeting the objectives and timeline of the legislation. Sound Transit completed this plan in 2010 consistent with the FRA timeline for doing so and has an approved PTCIP on file. This action for moving forward with PTC on Sounder equipment and Sound Transit owned railway is wholly consistent with that plan.

PTC systems are integrated command, control, communications and information systems for controlling train movements with safety, security, precision and efficiency, issuing movement authorization to train and maintenance-of-way crews and track the location of the trains. They improve railroad safety by reducing the probability of collisions between trains, casualties to roadway workers, damage to equipment, and over speed accidents. They have the capability to stop a train should the locomotive crew be incapacitated. In addition to providing a greater level of safety and security, PTC systems also enable railroad companies to run scheduled operations and provide improved running time, greater schedule reliability, higher asset utilization and greater track capacity.

Sound Transit issued a Request for Proposal to design, install, test, and commission a PTC system for the Sound Transit-owned Lakeview Subdivision of the Sounder commuter rail Tacoma to Lakewood segment.

In March, 2013 through Motion No. M2013-15, the Sound Transit Board executed a contract with Wabtec Corporation to design, install, test, and commission a Positive Train Control system on the Sounder vehicles and on the Sound Transit-owned Tacoma to Lakewood rail segment. Wabtec recently notified Sound Transit that they would like to assign the contract to Xorail, Inc. so that contract control and billing can be handled within its subsidiary doing the majority of the work.

Environmental review, as appropriate, will be completed prior to 60 percent design.

FISCAL IMPACT

There is no fiscal impact for this action. It is a contract reassignment from Wabtec Corporation to Xorail, Inc. (a wholly owned subsidiary of Wabtec).

The Wabtec contract was previously approved under Motion No. M2013-15 for a contract amount not to exceed \$37,471,323. There is no change to the contract amount and the action was within the adopted budget and sufficient monies remain after the approval.

PUBLIC INVOLVEMENT

Not applicable to this action.

TIME CONSTRAINTS

A one month delay would not create a significant impact to the project schedule.

PRIOR BOARD/COMMITTEE ACTIONS

Motion M2013-15: Authorized the chief executive officer to execute a contract with Wabtec Corporation to design, install, test, and commission a Positive Train Control system on the Sounder vehicles and on the Sound Transit-owned Tacoma to Lakewood rail segment in a total authorized contract amount not to exceed \$37,471,323.

Motion M2012-03: Authorized the chief executive officer to approve a provision in the memorandum of understanding with the BNSF Railway Company to cap Sound Transit's share of costs to install a positive train control system between Everett and Tacoma on BNSF right-of-way in an amount not to exceed \$3,900,000.

ENVIRONMENTAL REVIEW

JI 11/26/2013

LEGAL REVIEW

JW 12/06/2013

MOTION NO. M2013-113

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to assign a contract previously executed with Wabtec Corporation to its subsidiary Xorail, Inc. for the design and installation of a Positive Train Control system on Sounder vehicles and Sound Transit-owned rail right of way in the amount of \$34,064,839, with a 10% contingency of \$3,406,484, for a total authorized contract amount not to exceed \$37,471,323.

BACKGROUND:

The Rail Safety Improvement Act of 2008 and other federal regulations require all railroads that carry passenger trains and certain toxic materials to be equipped with Positive Train Control (PTC) technology that is tested, commissioned, and certified by December 31, 2015.

The first step in meeting the deadline for implementation was to file a PTC Implementation Plan with the FRA for review and approval. The PTCIP outlines the strategy and approach of the Agency for meeting the objectives and timeline of the legislation. Sound Transit completed this plan in 2010 consistent with the FRA timeline for doing so and has an approved PTCIP on file. This action for moving forward with PTC on Sounder equipment and Sound Transit owned railway is wholly consistent with that plan.

PTC systems are integrated command, control, communications and information systems for controlling train movements with safety, security, precision and efficiency, issuing movement authorization to train and maintenance-of-way crews and track the location of the trains. They improve railroad safety by reducing the probability of collisions between trains, casualties to roadway workers, damage to equipment, and over speed accidents. They have the capability to stop a train should the locomotive crew be incapacitated. In addition to providing a greater level of safety and security, PTC systems also enable railroad companies to run scheduled operations and provide improved running time, greater schedule reliability, higher asset utilization and greater track capacity.

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There is no change to the contract scope as a result of the assignment to Xorail, Inc., which includes:

- Data collection, surveying, mapping and development of a database for the Lakeview Subdivision
- Production of all required Federal Rail Administration (FRA) plans including the PTC Development Plan, PTC Safety Plan and amendments to the PTC Implementation Plan
- Installation of wayside equipment along the Lakeview Corridor
- Installation of all onboard equipment on the Sounder fleet
- Testing, certification and final FRA approval of the PTC system for certification

- Training and maintenance support

All contract terms including pricing and payment will remain unaffected by this change.

Environmental review, as appropriate, will be completed prior to 60 percent design.

MOTION:


It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to assign a contract previously executed with Wabtec Corporation to its subsidiary Xorail, Inc. for the design and installation of a Positive Train Control system on Sounder vehicles and Sound Transit-owned rail right of way in the amount of \$34,064,839, with a 10% contingency of \$3,406,484, for a total authorized contract amount not to exceed \$37,471,323.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on December 19, 2013.



Pat McCarthy
Board Chair

ATTEST:



Marcia Walker
Board Administrator