

AGENDA ITEM 9-A
ACTION ITEM

TO: CHAIRMAN JENKINS AND THE VRE OPERATIONS BOARD

FROM: DALE ZEHNER

DATE: MARCH 21, 2008

**RE: AUTHORIZATION TO AWARD A CONTRACT FOR ENGINEERING
AND ENVIRONMENTAL SERVICES FOR THE CHERRY HILL THIRD
TRACK PROJECT**

RECOMMENDATION:

The VRE Operations Board is being asked to recommend that the Commissions authorize the Chief Executive Officer to award a contract to STV/RWA for engineering and environmental services for the Cherry Hill Third Track project in the amount of \$1,833,373, plus a 7% contingency of \$128,336, for a total amount not to exceed \$1,961,709. The VRE Operations Board is also being asked to recommend that the Commissions authorize the Chief Executive Officer to execute any related documents necessary to implement the project.

BACKGROUND:

In compliance with the on-going initiative to construct a third track within the CSX corridor, on October 21, 2005, VRE staff submitted an application for project funding to the Virginia Department of Rail and Public Transportation (DRPT) Rail Enhancement Fund. On December 15, 2005, the Commonwealth Transportation Board approved \$2,500,000 for the Cherry Hill Station/Third Track project. This funding will be used to initiate feasibility and environmental evaluation services.

An RFP was issued on December 20, 2007, for engineering and environmental services for the third track project. The scope of work includes assisting in developing various design options, identifying potentially affected environments, defining the general scope of work, and formulating a project cost estimate and time line.

Proposals were due on February 15, 2008, and three proposals were received. After reviewing proposals and conducting interviews with the firms, staff recommend award to STV/RWA. Upon issuance of a Notice to Proceed, the work will be completed in approximately fifteen months.

FISCAL IMPACT:

Funding is provided from Virginia Department of Rail and Public Transportation (DRPT) Rail Enhancement Fund grant. The remainder of the grant funding has been allocated to other project costs including CSX force account work.

TO: CHAIRMAN JENKINS AND THE VRE OPERATIONS BOARD
FROM: DALE ZEHNER
DATE: MARCH 21, 2008
**RE: AUTHORIZATION TO AWARD A CONTRACT FOR ENGINEERING
AND ENVIRONMENTAL SERVICES FOR THE CHERRY HILL THIRD
TRACK PROJECT**

**RESOLUTION
9A-03-2008
OF THE
VIRGINIA RAILWAY EXPRESS
OPERATIONS BOARD**

WHEREAS, on December 15, 2005, the Commonwealth Transportation Board approved \$2,500,000 in funding for the Cherry Hill Station Third Track project; and,

WHEREAS, an RFP was issued on December 20, 2007, to develop various design options, identify potentially affected environments, define the general scope of work, and formulate a project cost estimate and time line; and,

WHEREAS, on February 15, 2008, three proposals were received and reviewed, with the most responsive being STV/RWA.

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board recommend that the Commissions authorize the Chief Executive Officer to award a contract to STV/RWA for engineering and environmental services for the Cherry Hill Third Track project in the amount of \$1,833,373, plus a 7% contingency of \$128,336 for a total amount not to exceed \$1,961,709.

BE IT FURTHER RESOLVED THAT, the VRE Operations Board recommend that the Commissions authorize the Chief Executive Officer to execute any related documents necessary to implement the project.

AGENDA ITEM 9C
ACTION ITEM

TO: CHAIRMAN JENKINS AND THE VRE OPERATIONS BOARD

FROM: DALE ZEHNER

DATE: MARCH 21, 2008

RE: AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT FOR LEASING TOWER SPACE FOR VHF RADIO COMMUNICATIONS SYSTEM

RECOMMENDATION:

The VRE Operations Board is being asked to authorize the Chief Executive Officer to execute a five-year license agreement with American Tower Corporation for leasing space on the Fairfax Station Tower Site in the amount of \$138,113.

BACKGROUND:

Currently, both VRE and Amtrak communicate with VRE trains via cell phone. As part of VRE's safety and security planning, a void in that communication process was identified given that cellular systems are easily overwhelmed during times of national crisis. In addition, VRE currently does not have the ability to monitor the radio conversations between train crews and dispatchers when the events of an incident may be unfolding. The need for a two-way radio communication system was subsequently identified.

On June 15, 2007, the VRE Operations Board approved a contract for the installation of the VHF two-way radio communication system. The system requires the utilization of three tower locations: VRE Alexandria Communications headquarters, Leeland Road VRE Station, and Fairfax Station, VA. This authorization allows the use of cell tower space in Fairfax Station. The remaining two locations will be brought forth to the Operations Board for separate action once lease details have been finalized.

The initial lease will last for a term of five years. Upon completion of the first lease term, VRE has the option to renew the lease for three additional periods of five years each.

FISCAL IMPACT:

Funding has been allocated in the FY 2009 -2014 operating budgets.

TO: CHAIRMAN JENKINS AND THE VRE OPERATIONS BOARD
FROM: DALE ZEHNER
DATE: MARCH 21, 2008
RE: AUTHORIZATION TO EXECUTE A LICENSE AGREEMENT FOR LEASING TOWER SPACE FOR VHF RADIO COMMUNICATIONS SYSTEM

**RESOLUTION
9C-03-2008
OF THE
VIRGINIA RAILWAY EXPRESS
OPERATIONS BOARD**

WHEREAS, the need for a two-way radio communication system was identified; and,

WHEREAS, VRE awarded a contract to Bear Communications Corporation to design and construct the two-way radio communication system; and,

WHEREAS, the American Tower Corporation Fairfax Station Tower Site has been identified as a necessary tower location for the system; and,

WHEREAS, VRE and American Tower Corporation have negotiated terms of a license agreement.

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board authorizes the Chief Executive Officer to execute a five-year license agreement with American Tower Corporation for leasing space on the Fairfax Station Tower Site in the amount of \$138,113.

AGENDA ITEM 9-D
ACTION ITEM

TO: CHAIRMAN JENKINS AND THE VRE OPERATIONS BOARD

FROM: DALE ZEHNER

DATE: MARCH 21, 2008

**RE: AUTHORIZATION TO AMEND EMERGENCY PROCUREMENT
POLICY**

RECOMMENDATION:

The VRE Operations Board is being asked to approve an amendment to the policy on emergency procurement, which substitutes \$50,000 for \$30,000 in regard to the CEO's spending authority.

BACKGROUND:

In November of 2004, the Operations Board approved an emergency procurement policy that allowed purchases to be made in excess of the CEO's authority without prior Operations Board/Commission approval in the event of emergencies, subject to the following conditions:

- The Operations Board Chairman (or the Vice Chairman in the Chairman's absence) must concur that an emergency is indeed present warranting the exception; and,
- All Operations Board members would need to be immediately advised of the purchase as an informational matter; and,
- The Operations Board/Commission would be asked to formally approve the purchase, after-the-fact, at its next regularly scheduled meeting; and,
- Notification requirements must be adhered to as detailed in the Virginia Public Procurement Act (§2.2-4303 F) when this exception is made.

At the time of the approval, the CEO's authority was \$30,000. As a result, the emergency procurement policy applied to any purchases over \$30,000. Since that time, the CEO's authority has been increased to \$50,000 and the policy must, therefore, be amended as shown in the attached resolution.

FISCAL IMPACT: No fiscal impact.

TO: CHAIRMAN JENKINS AND THE VRE OPERATIONS BOARD
FROM: DALE ZEHNER
DATE: MARCH 21, 2008
RE: AUTHORIZATION TO AMEND EMERGENCY PROCUREMENT
POLICY

RESOLUTION
9D-03-2008
OF THE
VIRGINIA RAILWAY EXPRESS
OPERATIONS BOARD

WHEREAS, VRE's Chief Executive Officer has spending authority in an amount not to exceed \$50,000; and,

WHEREAS, all purchases involving an expense of more than \$50,000 require prior Operations Board/Commission approval without exception; and,

WHEREAS, emergencies arise that could necessitate a purchase on an expedited basis involving an expense in excess of \$50,000; and,

WHEREAS, it is in VRE's interest to insure that purchases needed for emergencies are expedited provided that a bonafide emergency is present; and,

WHEREAS, a bonafide emergency can be reasonably ascertained by the Chief Executive Officer with the concurrence of the Operations Board Chairman or the Vice Chairman in the Chairman's absence and after consultation with VRE's legal counsel; and,

WHEREAS, purchases made on an emergency basis must comply with the full disclosure requirements of the Virginia Public Procurement Act.

NOW, THEREFORE, BE IT RESOLVED that the Operations Board does hereby approve a VRE Emergency Procurement Policy as follows:

- The Operations Board Chairman (or the Vice Chairman in the Chairman's absence) must concur that an emergency is indeed present warranting the exception; and,
- All Operations Board members would need to be immediately advised of the purchase as an informational matter; and,

- The Operations Board/Commission would be asked to formally approve the purchase, after-the-fact, at its next regularly scheduled meeting; and,
- Notification requirements must be adhered to as detailed in the Virginia Public Procurement Act (§2.2-4303 F) when this exception is made.

In case of emergency, a contract may be awarded without competitive sealed bidding or competitive negotiation; however, such a procurement shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of a particular contractor shall be included in the contract file. The public body shall issue a written notice stating that the contract is being awarded on an emergency basis, and identifying that which is being procured, the contractor selected, and the date on which the contract was or will be awarded. This notice shall be posted in a designated public area or published in a newspaper of general circulation on the day the public body awards or announces its intention to award the contract, whichever comes first, or as soon thereafter as practicable. Public notice may also be published on the Department of General Services' central electronic procurement Web site and other appropriate Web sites.

AGENDA ITEM 9-E
ACTION ITEM

TO: CHAIRMAN JENKINS AND THE VRE OPERATIONS BOARD

FROM: DALE ZEHNER

DATE: MARCH 21, 2008

**RE: AUTHORIZATION TO ADVERTISE THE SALE OF KAWASAKI
RAILCARS AND ISSUE AN RFP FOR THE PROCUREMENT OF
GALLERY CARS**

RECOMMENDATION:

The VRE Operations Board is being asked to authorize the VRE Chief Executive Officer to advertise the sale of thirteen Kawasaki railcars and to issue a request for proposals (RFP) for the procurement of 10 Gallery-style cars.

BACKGROUND:

VRE was recently approached by two agencies regarding the potential sale of our Kawasaki cars. While not actively in the market to sell the cars, this interest presented an opportunity that VRE staff felt was important to consider. As such, a request to advertise the sale of the Kawasaki cars is being requested. In addition, because offers cannot be fully considered without information on how (schedule and price) the cars could be replaced, the Operations Board is also being asked to allow for the issuance of a procurement for replacement cars.

Sale of Kawasaki Cars

There are several reasons the sale of the Kawasaki cars are being considered and are as follows:

1. Fleet standardization - by the end of 2008, VRE will be operating 61 Sumitomo Gallery cars, 30 Pullman Gallery cars, and 13 Kawasaki Bi-level cars. The majority of the core parts for the Pullman Gallery cars are interchangeable with those for the Sumitomo Gallery cars. With the exception of the underlying air brake systems, the Kawasaki cars required wholly different parts.
2. Upcoming Kawasaki Investments - VRE faces four notable expenses with the Kawasaki cars.
 - a. Window Repairs - all of the windows are Lexan and have been etched by years of washings. The average replacement time for this material is between four and five years. The estimated cost to replace the windows with glass is \$275,000, parts and labor, and is currently budgeted in the FY 2008 capital program.
 - b. Truck Re-qualification - the car manufacturer recommends that trucks be fully re-qualified after seven years. The cost to re-qualify the trucks on all 13 cars is estimated to cost between \$1,950,000 - \$2,600,000, parts and labor, and is not fully funded.
 - c. Arm Rest Replacement - the aisle armrests have worn to the point where the underlying metal frame is exposed. This situation has resulted in snagged clothing claims and could result in a personal injury. The estimated cost to replace the aisle arm rests is \$70,000, parts and labor, and is currently budgeted in the FY 2009 capital program. If the window arm rests are also replaced, it is estimated to cost an additional \$60,000, which is currently not budgeted.
 - d. Repair Seat Head Pads - the seats are designed with what is known as a crash pad on the back of each head rest. This is to provide cushioning in the event of a crash, if a passenger is thrown forward. Each crash pad has a ticket holder sewn onto it that has been damaged over the years when passengers use them as hand holds to pull themselves up from their seats. The estimated cost to repair the seat head pads is \$120,000 and is currently not budgeted.
3. Timing - it is a unique market circumstance that has caused two different agencies to approach us about our willingness to sell these cars. It is unlikely that this type of competitive environment will exist again in the future.

Purchase of 10 Gallery style cars

VRE's fleet management plan requires 77 cars for current daily service, including spares. As projected in the budget, future service changes between now and July of 2010, including lengthening trains and adding up to four additional trains,

require a maximum of 100 cars, including spares. As such, information must be gathered on the potential for establishing a fleet sized at 100 cars. Assuming the Kawasaki cars are sold, 10 additional Gallery cars would be required to maintain this fleet size. In any scenario, the 30 Pullman Galleries must remain in service until 2011.

Next Steps

If approved, VRE will advertise the sale of the 13 Kawasaki cars as well as issue a procurement for new Gallery cars. Once proposals for both efforts have been received, VRE will return to the Operations Board with a recommendation regarding the sale, acquisition of new cars, fleet management planning, defeasance of bonds and potential debt financing. At this time, no recommendation can be made as the decision is contingent on both proposals.

FISCAL IMPACT:

None at this time.

TO: CHAIRMAN JENKINS AND THE VRE OPERATIONS BOARD
FROM: DALE ZEHNER
DATE: MARCH 21, 2008
RE: AUTHORIZATION TO ADVERTISE THE SALE OF KAWASAKI RAILCARS AND ISSUE AN RFP FOR THE PROCUREMENT OF GALLERY CARS

**RESOLUTION
9E-03-2008
OF THE
VIRGINIA RAILWAY EXPRESS
OPERATIONS BOARD**

WHEREAS, VRE has been presented with a unique market opportunity to sell its Kawasaki fleet; and,

WHEREAS, such a sale could unify VRE's car fleet and avoid costly repairs; and,

WHEREAS, the demands on the size of VRE fleet can be sustained through the acquisition of ten more Gallery style cars to replace the Kawasaki cars.

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board authorizes the Chief Executive Officer to advertise the sale of thirteen Kawasaki railcars; and,

BE IT FURTHER RESOLVED THAT, the VRE Operations authorizes the Chief Executive Officer to issue a request for proposals (RFP) for the procurement of 10 Gallery-style cars.

AGENDA ITEM 9-F
ACTION ITEM

TO: CHAIRMAN JENKINS AND THE VRE OPERATIONS BOARD

FROM: DALE ZEHNER

DATE: MARCH 21, 2008

RE: AUTHORIZATION TO AWARD A TASK ORDER FOR ENGINEERING SERVICES FOR THE BURKE CENTRE PLATFORM EXTENSION PROJECT

RECOMMENDATION:

The VRE Operations Board is being asked to authorize the Chief Executive Officer to award a task order under the General Engineering Consulting contract to HDR for engineering services for the Burke Centre Platform Extension project in the amount of \$91,600, plus a 10% contingency of \$9,160, for a total amount not to exceed \$100,760.

BACKGROUND:

The VRE Burke Centre station has an existing platform with partial canopy coverage. Due to significant increases in ridership, VRE has initiated a platform extension project in order to accommodate the additional passengers waiting at the station. A further increase in ridership is anticipated due to the opening of the new parking garage later this summer.

With this authorization, the design can be initiated to extend the existing platform by approximately 200 feet. The expansion will accommodate eight-car train sets that will more efficiently and safely serve the station. Upon issuance of a Notice to Proceed, the design work will be completed in approximately four months. After which, a solicitation for construction bids will be issued and brought to the Operations Board for separate action.

FISCAL IMPACT:

Funding is provided from Federal CMAQ funds.

TO: CHAIRMAN JENKINS AND THE VRE OPERATIONS BOARD
FROM: DALE ZEHNER
DATE: MARCH 21, 2008
RE: AUTHORIZATION TO AWARD A TASK ORDER FOR ENGINEERING SERVICES FOR THE BURKE CENTRE PLATFORM EXTENSION PROJECT

**RESOLUTION
9F-03-2008
OF THE
VIRGINIA RAILWAY EXPRESS
OPERATIONS BOARD**

WHEREAS, due to significant increases in ridership, VRE has initiated a platform extension project at the Burke Centre station; and,

WHEREAS, with this authorization, the design can be initiated to extend the exiting platform.

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board authorizes the Chief Executive Officer to award a task order under the General Engineering Consulting contract to HDR for engineering services for the Burke Centre Platform Extension project in the amount of \$91,600, plus a 10% contingency of \$9,160, for a total amount not to exceed \$100,760.