



Notice of Intended Decision To Enter Into a Sole Source Contract

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This notice of intended decision to enter into a sole source contract is posted in accordance with Section 287.057(5)(c), Florida Statutes and will remain posted for a period of at least three (3) business days.

Commodity or Service Required: Positive Train Control System

Description:

The South Florida Rail Corridor (“SFRC”) is a 72-mile rail corridor between mainline M.P. SX964.9 and SX1037 that is owned by the Florida Department of Transportation (“FDOT”) and dispatched and maintained by contractors, under contract to South Florida Regional Transportation Authority (“SFRTA”). Current rail traffic includes Tri-Rail commuter rail service (operated by SFRTA), CSXT freight service, and Amtrak intercity passenger service. CSXT owns and operates the tracks on either end of the SFRC (north of Dyer Interlocking and south/west of Oleander Junction). CSXT also maintains perpetual exclusive freight easement rights on the SFRC, through a separate agreement between FDOT and CSXT.

SFRTA is responsible for procuring and implementing a Positive Train Control (“PTC”) System no later than December 31, 2018 (the “Deadline”) pursuant to the Rail Safety Improvement Act (“RSIA”) of 2008 § 104, Pub. L. 110-432, 122 Stat. 4854 (Oct. 16, 2008) (codified at 9 U.S.C. § 20157)) and 49 U.S.C. §20157(a)(2)(A)(i)(1). The purpose of this Sole Source Justification is to outline the process and conclusions reached by SFRTA regarding procurement and implementation of the Work, as defined below.

Intended Sole Source:

Xorail, Inc. d/b/a Wabtec Integration Solutions

Price:

\$39,663,857.00

Justification for Sole Source Acquisition:

The following summarizes the decision factors that validate the sole sourcing of the Work to Xorail, Inc. (“Xorail”):

Interoperability: Four (4) Class I Railroads (BNSF, UP, NS and CSXT) established the ITC Committee to develop a comprehensive interoperable technical plan to meet the requirements of RSIA, and the executing statutory rule adopted by the Federal Railroad Administration (FRA), 49 CFR Subpart I (the “PTC Rule”). The ITC Committee developed PTC Interface Control Documents to provide interface standards to allow each of the railroads to

seamlessly operate on one another's property while meeting the statutory requirements of the PTC Rule.

All Class I railroads chose the Wabtec Railway Electronics ("WRE") Interoperable Electronic Train Management System® ("WRE I-ETMS") for implementation of their respective PTC programs, primarily based on WRE's PTC industry experience and the PTC product WRE had already developed in conjunction with BNSF.

UP, NS, and CSXT filed a joint PTC Development Plan based on the WRE I-ETMS, for which FRA granted a Type-Approval (docket number: FRA-TA-2011-02) in 2011 (the "Type-Approved WRE I-ETMS"). In order to provide technical and interoperability compliance with the RSIA, SFRTA will implement a PTC System based on the Type-Approved WRE I-ETMS, as described in SFRTA's PTC Implementation Plan (PTCIP), filed with the FRA.

To comply with the RSIA requirements, SFRTA, as the host railroad, must ensure that the PTC System for the SFRC is interoperable with the Tri-Rail commuter rail service, the CSXT freight service, and Amtrak's intercity passenger service, as well as provide interoperability with other PTC systems for uninterrupted train movements over property boundaries with CSXT on each end of the SFRC.

Additionally, CSXT's exclusive perpetual freight easement over the SFRC would preclude FDOT and SFRTA from implementing any improvements, including PTC, on the SFRC that may negatively impact CSXT's ability to provide freight service.

Current Knowledge of Existing SFRC Signal System: Xorail, formerly known as Southwest Signal Engineering Company, is the Engineer of Record for the railroad signal system on the SFRC. Additionally, Xorail has been the sole signal designer and contractor for both CSXT and SFRTA on the SFRC since the State purchased the SFRC in 1988. Xorail's exclusive knowledge and experience on the SFRC signal system will be crucial for timely mobilization and project execution under the accelerated schedule in order to meet the Deadline. Any other contractor would require Xorail's support for timely integration of the various PTC system segments with the existing SFRC signal system.

Third Party Integration Risk: The PTC System is comprised of the four segments described below. The work, which is the subject of this Procurement includes, Segments 1-4 and is referred to herein as the "Work."

1. The Locomotive Segment refers to a set of independent on-board hardware, software, and devices that interface with locomotive control equipment (i.e. air brakes, train line, etc.) and includes, among other components, a train management computer (TMC), a computer display unit (CDU), a PTC Radio, cellular modem (s), a GPS receiver, and a brake cut-out switch. The Type-Approved WRE I-ETMS product includes the hardware, software, associated integration, etc. that comprises the Locomotive Segment.
2. The Back Office Segment is comprised of a redundant, hosted back office server (BOS) and associated applications, including the CAD system and messaging systems. This segment interfaces with other railroad Back Office Segments (i.e. CSXT, Amtrak), and the other PTC Segments that will be built for SFRTA as part of the PTC System
3. The Wayside Segment consists of those signaling appliances located in the field whose status impacts PTC on-board system operations, along with wayside interface units (WIUs) used to monitor and report their status. Such appliances include interlocking controllers, signal controllers, switch circuit controllers, track circuits, track/route hazard detectors, train defect detectors, or other field devices.
4. The Communications Segment consists of hardware and software components that interface with, and provide connectivity between, the PTC System Segments. The Communications Segment consists of one or more private and commercial communication networks. Its functions allow PTC data traffic to be routed amongst the networks. A private 220 MHz data radio is the primary PTC communication network. The following communications networks may also be part of the

Communications Segment: private 802.11 Wi-Fi; commercial ground based and cellular networks; and commercial satellite networks.

The Type-Approved WRE I-ETMS product is based on Interoperable Train Control (“ITC”) specifications, which are continuously evolving as new features are added. New product hardware and software releases have also been, and continue to be, released. Major hardware and software components of the Locomotive and Back Office Segments are provided exclusively by WRE.

Integration of each Segment, between Segments, and with CSXT and Amtrak PTC systems is crucial in providing a safe and dependable PTC System on the SFRC. A Third Party Integrator, outside of the Wabtec group of companies, would introduce additional implementation and schedule risks. WRE is the exclusive provider of the I-ETMS components and Xorail (d/b/a Wabtec Corp.) is the only contractor capable of providing a turn-key I-ETMS PTC System that includes equipment supply, system design, configuration, installation, testing, and ultimate system integration on the SFRC.

Impact of Indemnification on Schedule: SFRTA, FDOT, and CSXT have had joint discussions pertaining to resolution of indemnification issues associated with the acquisition of spectrum and MeteorComm radios. MeteorComm radios are the only service proven 220 MHZ radios currently available in the U.S. These issues were also reported by SFRTA to the FRA in SFRTA’s PTCIP and Annual Report. SFRTA has expended extensive time and resources in attempting to resolve and/or work around the indemnification issues, including exploring options and negotiating possible solutions regarding these issues. Now, SFRTA has been able to resolve the indemnification issues in a manner that allows this procurement to move forward. SFRTA is now pressed to expeditiously procure a PTC Contractor in order to meet the Deadline.

Failure to file a protest within the time prescribed in Section 120.057(3), Florida Statutes, or failure to file a bond or other security within the time allowed for filling a bond, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.