



Metropolitan
Transportation
Authority

One Gateway Plaza
Los Angeles, CA
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MTA BOARD
AUGUST 15, 2002

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SUBJECT: BETTERMENT AGREEMENT BETWEEN THE LOS ANGELES TO PASADENA METRO BLUE LINE CONSTRUCTION AUTHORITY AND THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

ACTION: APPROVE BETTERMENT AGREEMENT FOR CARBORNE AUTOMATIC TRAIN PROTECTION EQUIPMENT

RECOMMENDATION

- A. Authorize the Chief Executive Officer to execute a Betterment Agreement No. PCO 130 between the Los Angeles to Pasadena Metro Blue Line Construction Authority (PBLCA) and the MTA in an amount not-to-exceed \$3,111,020:
1. to purchase the 30 carborne Automatic Train Protection (ATP) equipment from Prime Contractor, Kiewit/Washington's subcontractor GE Transportation Systems Global Signaling (GETS GS), and
 2. to purchase the installation of 26 carborne ATP units on the MTA's P2000 Light Rail Vehicles (LRV) by Siemens Transportation Systems (STS), and
 3. to purchase the installation of 52 carborne Train to Wayside Communication (TWC) units, previously procured, on the P2000 LRVs by STS.
- B. Authorize the Chief Executive officer to cancel the MTA's Request For Proposals No. H0250, for the design, delivery, and installation of ATP/TWC equipment.

Requires a 2/3 vote of the Board

RATIONALE

The ATP equipment provides for the safe and convenient operation of the LRVs with cab signal reception that includes overspeed detection and speed limit enforcement, brake assurance monitoring, with both audio and visual annunciators for the operators. By approving the above two recommendations, the MTA will be mitigating the schedule impacts of the MTA's H0250 procurement on the ATP operation of the PBLCA by its Revenue Operations Date (ROD). The present forecast schedule for delivery and installation of the ATP equipment under the H0250 contract is six to twelve months after PBLCA ROD. While MTA's H0250 is a negotiated procurement that has not yet been negotiated, it is doubtful whether sufficient schedule acceleration could be accomplished to match that promised to the PBLCA by its TWC subcontractor

FINANCIAL IMPACT

The funding of \$3,422,122 for this service is included in the FY 03 budget in cost center 8510, Construction Contracts/Procurement under project number 800150, LA Rail Car, line item 53102, Acquisition Equipment. Approval of this action will amend the FY 03 budget to transfer \$3,422,122 from the Capital Fund to the Special Revenue Fund. The \$3,422,122 will then be budgeted as a subsidy in project 400224, task 07.02.

ALTERNATIVES CONSIDERED

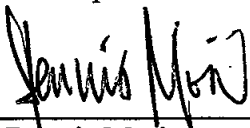
The alternative considered is to continue with the H0250 RFP for design, furnishing, and installation of ATP/TWC equipment as well as installation of PBLCA-supplied TWC equipment. This procurement is still in process with the recommendation for award scheduled for the September 2002 MTA Board meeting. The disadvantage of continuing the H0250 procurement is that the ATP equipment specified cannot be delivered and installed in time for the PBLCA ROD.

DISCUSSION

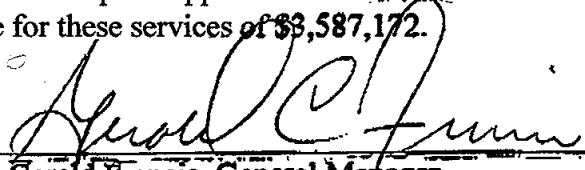
Betterments are changes requested by the MTA to increase the level of service or capacity, appearance, efficiency or function of the Los Angeles to Pasadena Metro Blue Line project over that which is provided for in the project scope as approved by the MTA Board and transferred to the PBLCA in accordance with the state legislation creating the PBLCA. The Betterments clause in the Master Cooperative Agreement No 2000-02 between the two Authorities provides for requests of such betterments by the MTA, obligates the PBLCA, and provides for the determination of the price of such betterments and payment of the price by the MTA. The Master Cooperative Agreement also allows for arbitration should the Authorities have disagreements regarding a "betterment."

COST/PRICE ANALYSIS

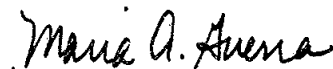
PBLCA has negotiated an amount not-to-exceed \$2,828,200 with its contractor Kiewit/Washington and subcontractors for this effort consisting of \$1,980,220 for the equipment from GETS GS and \$847,980 for the installation by Siemens. The recommended amount of \$3,422,122 includes change orders to PBLCA contracts and subcontracts and an additional ten percent to cover the PBLCA's associated costs plus ten percent for potential changes. The price appears to be fair and reasonable in comparison with the MTA's independent estimate for these services of ~~\$3,587,172.~~



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Project Management



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Roger Snoble
Chief Executive Officer