



SMART OPERATIONS COMMITTEE AGENDA

April 14, 2010
1:30 p.m.

Santa Rosa Project Office
490 Mendocino Ave., Ste. 103
Santa Rosa, California
Note New Meeting Location

- I. Call to Order
- II. Approval of March 10, 2010, Minutes - **DISCUSSION/ACTION****
- III. Comments from the Public on Non-Agenda Items (Comments limited to 3 minutes)
- IV. General Manager Report (Lillian Hames) – **DISCUSSION**
- V. Operations Committee Recommendation to the SMART Board to Release Rail Vehicle Request for Proposal (John Lackey) – **DISCUSSION/ACTION****
- VI. Next Meeting Date: May 12, 2010, San Rafael Community Center Clubroom, San Rafael – **DISCUSSION/ACTION**
- VII. Adjourn – **ACTION**

DISABLED ACCOMMODATION: if you have a disability that requires the agenda materials to be in an alternate format or that requires an interpreter or other person to assist you while attending this meeting, please contact SMART at least 72 hours prior to the meeting to ensure arrangements for accommodation.

DOCUMENTS: Documents distributed by SMART for its monthly Board meeting or committee meetings, and which are not otherwise privileged, may be inspected at SMART's office located at 750 Lindero Street, Suite 200, San Rafael, CA 94901 during regular business hours.

COMMITTEE OF THE WHOLE: This Committee may be attended by Board Members who do not serve on this Committee. In the event that a quorum of the entire Board is present, this Committee shall act as a Committee of the Whole. In either case, any item acted upon by the Committee or the Committee of the Whole will require consideration and action by the full Board of Directors as a prerequisite to its legal enactment.

* Information will be provided at the meeting, ** Information attached.



**MINUTES OF SMART OPERATIONS COMMITTEE MEETING
March 10, 2010
San Rafael Corporate Center, TAM Conference Room
San Rafael, CA**

I Call to Order

Chairwoman Debora Fudge brought the meeting to order at 1:37 p.m. Other committee members present were:

Al Boro
James Eddie
Charles McGlashan

II Minutes of the February 10, 2010, Operations Committee Meeting

Chairwoman Fudge asked for any comments and/or corrections. There were none. Director McGlashan moved and Director Boro seconded the adoption of the minutes. The motion passed.

III Comments from the Public on Non-Agenda Items

There were no comments.

IV General Manager Report

Lillian Hames said all Committee Members received letters from MCBC and Friends of SMART regarding Vehicle Specification issues. Director McGlashan asked for a summary of those letters.

V Vehicle Specifications Recommendations

John Lackey reminded the committee that the Draft Vehicle Specification was released for industry review on January 20^h and today staff would be describing the RFP process and seeking further guidance on on-board amenities. Staff had received comments from five carbuilders and from members of the public. Mr. Lackey stated after the presentation, at the end of the meeting Staff would like the Committee to complete the last two sheets of the presentation as the recommendation to the Board for its meeting on March 17, 2010.

Dominic DiBrito of LTK Engineering discussed progress to date, information on the solicitation package, key procurements dates and evaluation criteria. Mr. DiBrito mentioned Director Boro had asked last month about how to ensure the proposer would in fact deliver. He described a process that will include a management plan with milestones, design review, inspections and testing. Mr. Lackey mentioned the Board had adopted a Quality Management Policy. Mr. DiBrito discussed the commercial requirements that include milestone payments, liquidated

damages for late delivery, performance bonds and warranty. Jackie Bird stated that carbuilders will be required to show financial stability and capacity with financial statements, etc. Director Boro asked regarding reference check, would expect someone go to the location of those references to see the transit agency/trains for ourselves? Mr. DiBrito said there were provisions to do tours and visit the facilities, if necessary.

Mr. DiBrito discussed in detail the interior vehicle design and showed concepts such as bike area, service bar and bathrooms. Director McGlashan asked about wheelchair access for bathrooms and service bars with a pass through between both cars. Mr. DiBrito stated it was wide enough but it was not easy to pass through. Mr. Lackey stated the Board would need to decide how many seats or percentage would be needed for bike area – but remember it would affect seating.

There was a discussion about using a third, or middle car, either powered or un-powered. Director Boro asked if initially SMART would not buy the third car, pending a look at ridership projections. Director McGlashan stated he assumed that in order to be FRA compliant SMART needed a high floor vehicle. Mr. Lackey talked about the potential new FRA process for waivers allowing non-compliant vehicles to operate in mixed-use corridors. He said SMART is looking at allowing non-compliant proposals as long as the carbuilder can verify its ability to get the waiver.

Mr. DiBrito stated the three-car train would be 255 feet in length and could fit at the San Rafael Station between Third and Fourth streets. The nose shape was discussed, particularly how it would affect the ability to pass between cars in a three-car configuration.

Bicycle storage was discussed, including recommendations from Friends of SMART and the Bicycle Coalitions.

Chair Fudge asked for comments from the public. Carolyn Glendening, Aide to Director Arnold, read a letter of comments and concerns from Director Arnold. Ben Adair, student of Dominican College, stated a preference for vertical bike storage. Allen Tacy asked that SMART have liberal bike storage – up to 20%. Jack Swearingen, Friends of SMART, questioned the new language allowing non-compliant proposals, saying that demonstrating a vehicle is “equivalent” would be really tough to define. Steve Birdlebough said it would be advantageous to get 4-6 flat end cars so SMART could have them from the first day of service. Walt Strakosh said SMART should consider a carbuilder’s experience and track record when selecting a manufacturer. Bill Kortum asked that SMART double-check car builders that were new to the industry. Ms. Glendening mentioned trains in Europe had seats that reclined differently to avoid imposing on the passenger in back of them.

Decisions from the Committee:

Nose shape – All Directors stated yes for aerodynamic.

Bathrooms – All Directors agreed with consensus of 1 per married pair.

Service Bar (fixed or rolling cart) – All Directors agreed with consensus for a fixed service bar.

Seats - All Directors agreed with consensus: Comfortable, leather-like, 2x2, some tables, seat back tables, flip-up seats in multi-use spaces.

Bicycle Storage – Directors Eddie and Boro said minimum of 10%, Directors McGlashan and Fudge stated a preference of 10-15%. A mixture of hanging style and leaning style, if possible.

Third car arrangement – All Directors agreed the middle car should be an option.

Order size – All Directors agreed with consensus – 18 DMUs, or 9 married pairs, with 3-4 middle cars optional.

FRA compliance – Director Boro said we should stick with compliant vehicles. Other directors preferred allowing compliant and non-compliant proposals.

Buy America – All Directors agreed Buy America is important.

Director McGlashan requested further information about Buy America and requested another slide for this for the Board presentation.

Mr. Lackey asked for clarification regarding the percentage calculation of bike storage. Mr. DiBrito stated the calculation should be number of total bike storage spaces available divided by the number of seats available. Chair Fudge agreed.

Director Boro stated he wanted to see the new Austin DMU vehicle. Mr. DiBrito stated that site visits should be postponed until after SMART received proposals from the industry.

VI Next Meeting Date:

April 14, 2010, Santa Rosa.

VII Adjourn

The meeting adjourned at 4:00 p.m.



MEMORANDUM

DATE: April 14, 2010
TO: Operations Committee
FROM: John Lackey, Capital Projects Director
RE: AGENDA ITEM: V

Staff Report: Operations Committee recommendation to the SMART Board to release Rail Vehicle Request for Proposals

Background

This month, the Operations Committee and the full Board will be asked to approve the release of a Request for Proposals from the vehicle manufacturing industry. The RFP includes specifications for a SMART vehicle that have been developed by LTK Engineering and SMART staff – with advice from the Board and the public – over the past four months. At the direction of the Board, this RFP provides broad latitude for proposers, allowing both FRA-compliant proposals and proposals for non-compliant vehicles that can be shown will meet new FRA guidelines for use in a mixed-freight environment without a requirement for temporal separation or other operating restrictions.

The decision to release the RFP does not commit SMART to purchase any particular vehicle. Furthermore, the flexibility to negotiate final vehicle amenities is preserved throughout the selection and contract negotiation process.

SMART's rail vehicles are a key component of the project, not only because they will be the most visible "brand" of SMART but also because their timely procurement and delivery are necessary to keep the project on schedule for a 2014 startup.

To maintain the integrity of the procurement process, the full text of the RFP will remain a confidential document until its release. However, a summary of its contents will be provided at the Operations Committee meeting.

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Previous SMART Board Actions on Rail Vehicle Selection and Procurement:

The SMART Board and its predecessor, the SMART Commission, have a long history of analysis and decisions regarding rail vehicles. The following is a brief summary of that history:

2001: A 16-member Vehicle Advisory Committee is convened to evaluate available vehicle types, including locomotive-hauled trains, FRA-compliant DMUs and non-compliant DMUs. The Committee's recommendation to the SMART Commission is for either locomotive-hauled or FRA-compliant DMU vehicles.

2005: Because of their lower emissions and quieter operation, along with their ability to operate without restriction in concert with freight trains, FRA-compliant DMUs are chosen as the preferred rail vehicle for analysis in the SMART Draft Environmental Impact Report. The Final EIR is certified by the Board in 2006.

2007: Following the failure of Measure R in 2006, a Supplemental Draft EIR is conducted, part of which includes an analysis of non-compliant DMU vehicles for the project. The Final SEIR concludes that use of non-compliant DMUs likely would require strict time separation between passenger and freight operations, and eliminate the opportunity to operate a mid-day train through the corridor. Otherwise, the use of non-compliant DMUs would not add any significant negative impacts to the project. The Final SEIR is certified in 2008.

November 2008: Measure Q passes. Based on SMART's environmental studies, the project can be implemented with either compliant or non-compliant DMUs.

July 2009: At the conclusion of seven months of analysis and discussion, including almost a dozen Board and Committee meetings and site visits to ride DMUs in Portland and San Diego County, the Board directs staff to implement the project using FRA-compliant DMUs.

October 2009: LTK Engineering is selected to perform vehicle and system design services and to assist in the procurement of vehicles for the project.

December 2009: A detailed procurement schedule is provided to the Board. The target date for release of the vehicle RFP is set for April 2010.

January 2010: Draft specifications are issued. Dominic DiBrito of LTK briefs both the Operations Committee and the Board about new developments regarding non-compliant vehicles and Federal Railroad Administration guidelines. The FRA has indicated the likelihood of approving a streamlined process for allowing non-compliant vehicles to operate in mixed-freight environment without temporal separation.

February 2010: With information compiled from two public workshops and other comments from the public, the Operations Committee and the Board work with staff and consultants to list desired on-board amenities in the vehicle specifications.

March 2010: Board directs staff to write SMART's vehicle specifications to allow maximum flexibility, and to allow both FRA-compliant and non-compliant proposers, as long as the non-compliant vehicles can meet the new FRA guidelines. Board concurs with staff and Operations Committee recommendations on vehicle amenities and specifications, contingent on the addition of two key points:

- The documents will require a non-compliant proposer to prove its vehicle can meet new FRA waiver guidelines by the date a contract is signed with SMART, and
- The documents will make Crash Energy Management technology a priority in the selection process.

April 2010: Based on the Board's direction, the RFP now includes the following language:

- "Alternate vehicle designs that meet FRA-specified criteria, currently under development by the Railway Safety Advisory Committee (RSAC) for waiver of the crashworthiness requirements in 49 CFR 238, will be considered. In such cases, an FRA waiver must be granted prior to contract execution."
- "Safety is of the utmost concern. While the FRA does not mandate crash energy management (CEM) features, it is universally recognized that the addition of such features provides an additional level of protection..... Vehicles that comply with FRA structural regulations and feature CEM will be scored higher than those not equipped with CEM features."

Issue Summary

The release of the rail vehicle RFP will keep the vehicle procurement on schedule, but it does not end the process. The next steps in the procurement will be:

- 1) Proposers will have 60 days from the formal release of the RFP (April 22 – June 20) to respond with their technical and price proposals.
- 2) An evaluation panel convened by SMART then will review and rank the proposals.
- 3) Staff will convene negotiations with the firms that are found to have proposed the best vehicles for SMART.
- 4) The Board will be updated on the progress of negotiations throughout the process. Before a Notice to Proceed is approved, a vehicle configuration will be brought to the Board for review.

- 5) A recommended contract is expected by the end of 2010, with approval requested from the Board at the January 2011 Board meeting. A Notice to Proceed would then be issued.

Staff Recommendation

Staff recommends that the Operations Committee recommend to the Board of Directors to direct staff to release the Request for Proposals for SMART rail vehicles as scheduled on April 22, 2010.