

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Consumer Protection and Safety Division
Rail Transit Safety Section

Resolution ST-149
January 10, 2013

RESOLUTION

RESOLUTION ST-149 GRANTING APPROVAL OF THE
LOS ANGELES COUNTY METROPOLITAN
TRANSPORTATION AUTHORITY SAFETY CERTIFICATION
PLAN FOR THE P3010 LIGHT RAIL VEHICLE PROCUREMENT

SUMMARY

This Resolution grants the request of the Los Angeles County Metropolitan Transportation Authority for approval of the Safety Certification Plan for its P3010 Light Rail Vehicle procurement dated August 6, 2012.

PROJECT DESCRIPTION

Los Angeles County Metropolitan Transportation Authority (LACMTA or Metro) light rail transit operations consist of the Red, Purple, Blue, Green, Gold, and Expo Lines. The LACMTA rail system carries an average of 350,000 passengers per day.

The P3010 Light Rail Vehicle procurement contract calls for the awarded contractor to design, manufacture, test, and deliver 78 Light Rail Vehicles (LRVs) to Metro, with options to increase the order up to 235 LRVs. In addition to the above responsibilities, the contractor will perform the following tasks:

- Install Metro-furnished equipment.
- Manufacture equipment and systems required for system testing and demonstration.

- Perform combined systems testing of train control, radio, traction equipment, and auxiliary electrical systems on Metro's light rail lines.
- Provide spare parts, special tools, and test equipment as indicated in the contract.
- Furnish technical personnel, instrumentation, and test apparatus required to show compliance of furnished equipment to meet contractual specifications.
- Prepare and furnish final design drawings and data.
- Train designated Metro personnel.
- Provide operations and maintenance manuals.

BACKGROUND

Commission General Order 164-D, *Rules and Regulations Governing State Safety Oversight of Rail Fixed Guideway Systems*, Section 11, *Requirements for Safety Certification Plan*, requires that each Rail Transit Agency (RTA) prepare a project-specific Safety Certification Plan (SCP) for each major project and ensure that all entities involved in design, construction, operation, and maintenance of the project comply with the safety certification process.

The purpose of the SCP is to describe organizational authority and responsibilities, safety certification activities and processes, and documentation requirements and responsibilities. The SCP lists safety critical items and activities that require verification such as safety equipment functionality testing and safety related operational and/or maintenance training. A safety certification verification report (SCVR) is issued by the RTA at project completion as verification of SCP compliance. The SCVR must be approved by Commission staff (staff) before the project (vehicles) can be placed in service.

On August 10, 2012, LACMTA submitted their plan titled "Safety and Security Certification Plan for the P3010 Light Rail Vehicle Procurement" (Attachment A) to staff for review and requested Commission approval. This report is the Safety Certification Plan for the P3010 Light Rail Vehicle Procurement project.

Staff reviewed and analyzed the content of the LACMTA SCP on August 20, 2012 and found that it meets SCP requirements set forth in General Order 164-D and the Commission's Rail Transit Safety Section Program Management Standard Procedures Manual, State Safety and Security Oversight of Rail Fixed Guideway Systems, Section 9.

DISCUSSION

The P3010 LRV procurement is essential to the success of Measure R initiatives, including providing the rolling stock for the opening of the Expo Phase II, Foothill Extension, and Crenshaw rail lines. The primary objective of the source selection is to obtain safe, reliable, high-quality LRVs delivered on time and within budget, and to create new manufacturing and assembly jobs in the United States that can be tied directly to the P3010 Contract.

The Metro Board approved a Best Value solicitation process to use relevant factors, in addition to price, to identify the Best Value rail car manufacturer responding to their Request for Proposals (RFP). This was done in order to prevent a repeat of the problems experienced with the P2550 LRV procurement, which followed the low-bid procurement methodology and resulted in schedule delays, meager contractor project management, and varying quality. The Source Selection Committee, consisting of key Metro Operations staff, conducted a comprehensive evaluation of the proposals received based on four key factors, weighted in descending levels of relative importance: 1) Experience and Past Performance, 2) Price, 3) Technical Compliance, and 4) Project Management Experience. Metro also used its U.S. Employment Program as a Best Value trade-off analysis factor against the Price criterion. All three proposals were in compliance with RFP requirements and determined to be within the Competitive Range.

Delivery of the 78 base contract LRVs is scheduled to be completed 53 months following a notice-to-proceed being issued to the selected contractor, approximately by August 2016. The Contract contains four options, which, if exercised, will extend the contract three years beyond the base order. The options will be awarded subject to adequate funding and Board approval. The delivery rate is four LRVs per month. The

required delivery dates have liquidated damage assessments that can be imposed for late deliveries.

Staff evaluated the P3010 LRV Procurement Project SCP in accordance with General Order 164-D Section 9, *Requirements for Safety Certification Plan*. The SCP is in compliance with General Order 164-D and staff recommends that the Commission grants approval of the LACMTA SCP.

The selected contractor will be required to develop a safety certification plan and procedure that meets the requirements and implements this LACMTA SCP for the vehicle procurement. Staff will evaluate the contractor final safety certification plan to assure it meets the requirements of the LACMTA Safety Certification Plan and Commission General Orders.

In accordance with General Order 164-D, necessary revisions and updates to the LACMTA SCP will be subject to further staff review and approval. Staff will review and approve updates and revisions to the SCP as the project progresses and more analysis by various agencies, consultants, and contractors is completed and/or introduced. For example, the Safety Certifiable Elements and Sub-elements List, which is currently in "Sample" form, requires revision.

In addition, Staff will require that the following plans are submitted as part of the final LACMTA SCP: Preliminary Hazard Analysis, Threat and Vulnerability Assessment, and System Testing Program. This documentation will be subject to staff review and approval.

NOTICE

On December 3, 2012, this Resolution was published on the Commission's Daily Calendar.

COMMENTS

The draft resolution of the Consumer Protection and Safety Division in this matter was mailed in accordance with Section 311 of the Public Utilities Code and Rule 14.2(c) of the Commission's Rules of Practice and Procedure. No comments were received.

FINDINGS

1. On August 10, 2012, LACMTA submitted the SCP for the P3010 Light Rail Vehicle procurement for staff review and requested Commission approval.
2. The P3010 Light Rail Vehicle procurement is intended to provide the rolling stock for the Expo Phase II, Foothill Extension, and Crenshaw rail lines. The LRV Contractor selection followed a Best Value solicitation process.
3. On August 20, 2012, staff reviewed the SCP and found that it met the requirements set forth by General Order 164-D Section 11 and Program Management Standard Procedures Manual State Safety and Security Oversight of Rail Fixed Guideway System Section 9.
4. The P3010 LRV procurement project SCP will be updated and revised as the project progresses.

THEREFORE, IT IS ORDERED THAT:

1. The request of the Los Angeles County Metropolitan Transportation Authority for approval of the Safety Certification Plan for the P3010 Light Rail Vehicle procurement is granted.
2. LACMTA shall file revisions of the Safety Certification Plan, such as updates to the Safety Certifiable Elements and Sub-Elements List, to staff for review and approval.
3. LACMTA shall submit the following documents as part of the final LACMTA Safety Certification Plan to staff for review and approval: Preliminary Hazards Analysis, Threat and Vulnerability Assessment, and System Testing Program.

4. LACMTA shall submit the Safety Certification Verification Report to CPUC staff as required by the Commission General Order 164-D, Section 12, at least 21 days prior to start of revenue service.
5. This resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed, and adopted by the Commission at its regularly scheduled meeting on January 10, 2013. The following Commissioners voted favorably thereon:

PAUL CLANON
Executive Director

ATTACHMENT A