

REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
2	1/22/18	Open	Action	01/11/18

Subject: Awarding a Sole Source Contract to Protran Technology for an Enhanced Employee Protection Warning System

ISSUE

Whether or not to approve a sole source contract with Protran Technology for an enhanced employee protection warning system.

RECOMMENDED ACTION

Adopt Resolution No. 18-01-_____, Awarding a Sole Source Contract to Protran for an Enhanced Employee Protection Warning System.

FISCAL IMPACT

Budgeted:	Yes	This FY:	\$	1,018,400
Budget Source:	Capital	Next FY:	\$	42,500
Funding Source:	Federal	Annualized:	\$	367,800
Cost Cntr/GL Acct(s) or Capital Project #:	Capital Project R344	Total Amount:	\$	1,103,400
Total Budget:	\$ 1,103,400			

DISCUSSION

Sacramento Regional Transit District (SacRT) applied for a grant from the Federal Transit Administration's ("FTA's") Office of Safety Research and Demonstration Programs to participate in the testing and development of a new roadway worker protection warning system. In SacRT's grant application to the FTA, SacRT described the scope of the project and expressly stated that SacRT would be working with Protran Technology, a division of Harsco Rail, which is developing this technology and would be installing and testing its system, which is currently in the testing stage, with the grant funds. The federal Common Grant Rules (49 C.F.R. Part 18) require grant recipients to employ procurement procedures that provide for full and open competition, except under very limited circumstances. SacRT's Procurement Ordinance has incorporated the requirement of full and open competition when retaining contractors, suppliers and consultants that will provide goods and services to SacRT that will be funded with federal funds. In this instance, the grant application that SacRT submitted was for a grant that supports the development of new technologies that do not currently exist in the market place, but that will enhance and improve existing transit systems. Now that the grant has been awarded and SacRT has the green light to proceed with the project, SacRT needs to enter into a contract with Protran Technology. Because of the nature of this project, the work that Protran Technology will perform was not competitively solicited and awarding this Contract will require that the Board make a

Approved:

Presented:

Final 01/16/18

General Manager/CEO

Deputy General Manager/COO

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Subject: Approving a Sole Source Contract with Protran for Roadway Worker Protection Equipment

determination that this is a proper sole source award under the requirements of SacRT’s Procurement Ordinance.

Under the terms of the Contract, Protran Technology will install and test an enhanced roadway worker protection warning system. This system is supplied by Protran Technology. The entire project is being funded through the research grant from the FTA’s Office of Safety Research and Demonstration Programs. The grant award was to SacRT for \$870,000 with the requirement that SacRT provide a local match of \$233,400, which it will through in “in kind” services being provided partially by SacRT and partially by Protran Technology, for a project budget of \$1,103,400. The majority of the funding will be used to procure the equipment and software required to install the enhanced roadway worker protection warning system. The project match is through ‘in kind’ services to support the project which includes equipment installation, employee training, system deployment and system testing.

The FTA funded this project to test a specific product from Protran that allows the employee in charge of a rail maintenance crew to establish work zones and track individual maintenance workers without relying on voice communications to do so. This is intended to improve safety by eliminating misunderstandings that can occur through voice communications. The system builds on Protran’s established Roadway Worker Protection System which alerts train operators that they are approaching a work zone, and roadway workers of the approaching train. This project will fund the permanent installation of the basic roadway worker protection system and will test the enhanced system over a period of three years culminating in a final report to the FTA. By funding the basic roadway worker warning system, this project will bring SacRT into compliance with CPUC General Order 175-A which requires a secondary warning system for roadway workers.

Staff recommends that the Board find that it is appropriate to make a sole source contract award to Protran Technology pursuant to Article 1.405.A.1.a of the SacRT Procurement Ordinance and that it award the contract to Protran Technology and direct the General Manager/CEO to execute the Contract.

RESOLUTION NO. 18-01-_____

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

January 22, 2018

AWARDING A SOLE SOURCE CONTRACT TO PROTRAN TECHNOLOGY FOR AN ENHANCED EMPLOYEE PROTECTION WARNING SYSTEM

WHEREAS, Sacramento Regional Transit District (SacRT) applied for a grant from the Federal Transit Administration's (FTA) Office of Safety Research and Demonstration Programs to develop, install and test an enhanced roadway worker protection warning system; and

WHEREAS, SacRT identified Protran Technology, a division of Harsco Rail as the company that would be developing the system that would be installed and tested on SacRT's light rail right of way system; and

WHEREAS, the FTA approved the grant application and has awarded SacRT with an \$870,000 grant to progress the project; and

WHEREAS, SacRT's Procurement Ordinance authorizes SacRT to award a sole source federally funded contract if the proposed contract falls within one of the limited exceptions included in the Procurement Ordinance; and

WHEREAS, Protran Technology will be providing SacRT with an innovative product that currently does not exist on the market place.

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the Board hereby finds that the Contract between SacRT and Protran Technology meets the requirements of SacRT's Procurement Ordinance Article 1.405.A.1.a. and that a sole source contract award to Protran Technology would be allowable under the Procurement Ordinance.

THAT, the Contract for an Enhanced Employee Protection Warning system, between the Sacramento Regional Transit District, therein referred to as "SacRT," and Protran Technology, a division of Harsco Rail, therein referred to as "Contractor," whereby Contractor agrees to provide an Enhanced Employee Protection Warning System, as specified, for an amount not to exceed \$875,000, is hereby approved.

THAT, the General Manager/CEO is hereby authorized and directed to execute said Contract.

ANDREW J. MORIN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary