

DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA  
May 16, 2018



## Supplemental

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**25-GM-OPT. MARYLAND TRANSIT ADMINISTRATION**  
*Renewal Option: General/Miscellaneous Contract*

**Contract ID:** MARC Access & Capital Agreement Penn Line; MTA-1395  
ADPICS No.: CO339219

**Contract Approved:** 05/29/2013; MDOT Item 21-GM

**Contractor:** National Railroad Passenger Corp (Amtrak)  
Washington, D.C.

**Contract Description:** The contract provides the Maryland Department of Transportation Maryland Transit Administration (MDOT MTA) track access on approximately 76 miles of railroad on the Northeast Corridor (NEC) between Perryville, MD and Washington, D.C. and use of Amtrak's Washington Terminal facility for MARC Penn Line commuter rail services.

**Option Description:** Exercise the sole renewal option for a period of five years. Includes weekend service added through Modification No. 1.

**Modification Description:** The modification provides for the inclusion of the Passenger Rail Improvement and Investment Act (PRIIA). PRIIA cost sharing has been developed to support Amtrak's NEC with each participating state sharing the NEC cost of maintenance. This modification accounts for MDOT MTA's share of the cost sharing.

**Original Contract Term:** 07/01/2013 - 06/30/2018

**Option Term:** 07/01/2018 – 06/30/2023

**Original Contract Amount:** \$279,327,100

**Option Amount:** \$146,791,830

**Modification Amount:** \$130,932,000

**Prior Mods/Options:** \$ 6,461,067 (Modification No.1; BPW 10/16/2013, 11-M-MOD)  
\$ 0 (Modification No.2; DCAR 03/23/2016)  
\$ 0 (Modification No.3; DCAR 03/23/2016)

**Revised Contract Amount:** \$563,511,997

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### **25-GM-OPT. MARYLAND TRANSIT ADMINISTRATION** (*cont'd*)

**Percent +/- Change:**

- +2% (Modification No. 1)
- 0% (Modification No. 2)
- 0% (Modification No. 3)
- +47% (Modification No. 4)
- +53% (Renewal Option No. 1, *this agenda item*)

**Overall Percent +/-:** +101%

**Original Procurement Method:** Sole Source

**Requesting Agency Remarks:** This action represents the exercising of the five-year renewal option with the contractor that was provided for in the original contract, in addition to weekend services added through Change Order No. 1.

Modification No. 4 provides for the inclusion of PRIIA. MDOT MTA's contribution to PRIIA, established by the allocation of cost, has been reconciled to the policy's effective date. The modification delineates this reconciliation and incorporates PRIIA language.

The Northeast Corridor Infrastructure and Operations Advisory Commission (the Commission) was established by Section 212 of the PRIIA of 2008, codified at 49 U.S.C. § 24905 (Section 24905), to create a new forum for collaborative planning and decision-making for the NEC. The Commission has adopted the NEC Commuter and intercity Rail Cost Allocation Policy, which is a cost allocation methodology with respect to certain shared benefit costs of the NEC. The Policy's effective date was October 1, 2015.

In addition to providing track access and allowing the use of its Washington Terminal facility, Amtrak provides services that include policing, security, flagging, train storage, and electric propulsion power. The contract also provides for the funding for joint and sole benefit projects.

MDOT MTA has determined that it is in the State's best interest to exercise the one and only renewal option of this contract. MDOT MTA has determined the prices offered are fair and reasonable for the services to be provided.

Amtrak is committed to maximizing opportunities for disadvantaged business enterprises (DBEs). Since 1971, Amtrak has maintained a supplier diversity program that gives full consideration to the use of minority and women owned business enterprises (M/WBE) and DBEs in all of its business activities, and that includes a commitment to a goal of awarding annually to M/WBEs and DBEs at least 15% of the value of all discretionary contracts and subcontracts. The corporate program follows the guideline of federal regulations issued by the U.S. Department of Transportation. Amtrak confirms that it will comply with its supplier diversity program in the implementation of this Agreement.

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**25-GM-OPT. MARYLAND TRANSIT ADMINISTRATION (cont'd)**

**Fund Source:** *Renewal Option - 100% Special Funds (Transportation Trust Fund)  
Modification No. 4 - 80% Federal; 20% Special Funds  
(Transportation Trust Fund)*

**Approp. Code:** J05H0105

**Resident Business:** No

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**BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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**25-GM-OPT. MARYLAND TRANSIT ADMINISTRATION** (*cont'd*)

**ATTACHMENT I**

	Amount	Term	BPW/DCAR Date	Reason
<b>Original Contract</b>	\$279,327,100	07/01/2013- 06/30/2018	05/29/2013; 21-GM	Original Contract
<b>Modification #1</b>	\$6,461,067	12/07/2013 - 06/30/2018	10/16/2013; 11-M-MOD	Expand the existing service to weekend services and increases the contract value.
<b>Modification #2</b>	\$0	03/23/2016 - 06/30/2018	DCAR 03/23/2016	Language clarification
<b>Modification #3</b>	\$0	03/23/2016 - 06/30/2018	DCAR 03/23/2016	Language clarification
<b>Modification #4</b>	\$130,932,000	07/01/2018 – 06/30/2023	05/16/2018; 25-GM-OPT	The inclusion of PRIIA.
<b>Renewal Option #1</b>	\$146,791,830	07/01/2018 – 06/30/2023	05/16/2018; 25-GM-OPT <i>Supplement</i>	Exercise five-year option. Includes weekend service from Mod#4
<b>Revised Total</b>	\$563,511,997			