



January 30, 2019

To: Members of the Board of Directors

From: Jennifer L. Bergener, Managing Director

Subject: Agreement for Viriato Software Purchase

Overview

On December 6, 2017, the Board of Directors approved the submittal of a program of projects for fiscal year 2017-18 State Rail Assistance formula funds. Included in that submittal was a request for funds for the purchase of Viriato rail planning software and maintenance services. Proposals were solicited and received from SMA and Partners Ltd., TRENOLab Srl., and Deutsche Bahn Engineering & Consulting USA, Inc., in accordance with the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency's procurement policies and procedures for sole source procurements for professional and technical services. Approval is requested to negotiate and execute agreements for these services.

Recommendations

- A. Authorize the Managing Director to negotiate and execute Agreement No. L-8-0021 between the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency and SMA and Partners Ltd., Switzerland, in the amount of \$195,480, for Viriato rail planning software and maintenance services.
- B. Authorize the Managing Director to negotiate and execute Agreement No. L-8-0022 between the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency and TRENOLab Srl., in the amount of \$24,000, for Viriato rail planning software and maintenance services.
- C. Authorize the Managing Director to negotiate and execute Agreement No. L-8-0023 between the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency and Deutsche Bahn Engineering & Consulting USA, Inc., in the amount of \$60,000, for Viriato rail planning software and maintenance services.

Discussion

On December 6, 2017, the Los Angeles – San Diego – San Luis Obispo (LOSSAN) Rail Corridor Agency (Agency) Board of Directors (Board) authorized the submittal of a program of projects for fiscal year 2017-18 State Rail Assistance formula funds, which included a request for funding to purchase Viriato rail planning software and maintenance services.

Viriato rail service and operations planning software provides rail operators with a full suite of modules addressing all aspects of the planning process. It is the standard software for rail planning used by the State of California and Metrolink, and the model results are supported by BNSF Railway. Viriato and the accompanying suite of software modules is a joint effort from SMA and Partners Ltd. (SMA), TRENOLab Srl. (TRENO), and Deutsche Bahn Engineering & Consulting USA, Inc. (DBE&C). The software is provided through the purchase of perpetual virtual licenses, ongoing software and database maintenance, and server hosting services. SMA provides the license and maintenance for the Viriato planning software. TRENO provides the license and maintenance for the TRENOanalysis software used for operations analysis, and DBE&C provides database maintenance, administration of the server, and technical support for the Viriato software.

Procurement Approach

The procurement was handled in accordance with the LOSSAN Agency's Board-approved procedures for sole source procurements.

SMA, TRENO, and DBE&C are the exclusive owners of all proprietary rights for the Viriato software and the sole entities able to market and sell the software, support, maintenance, and server hosting services. Therefore, SMA, TRENO, and DBE&C meet the LOSSAN Agency's criteria for sole source procurements, and based on their technical ability and financial status, all three firms are deemed responsible.

SMA, TRENO, and DBE&C's proposals were reviewed by staff from the LOSSAN Agency and the Orange County Transportation Authority's (OCTA) Contracts Administration and Materials Management (Camm) department to ensure compliance with the contract terms and conditions, as well as the technical requirements.

A price review of the proposed pricing from SMA, TRENO, and DBE&C was completed by staff from the LOSSAN Agency and OCTA's Camm department, and it was concluded that the pricing quoted to the LOSSAN Agency for the Viriato software, support, maintenance, and server hosting services is consistent with the pricing quoted to other government agencies. Therefore, the proposed pricing from SMA, TRENO, and DBE&C is deemed fair and reasonable.

Based on the above, it is recommended that contracts are awarded to SMA, TRENO, and DBE&C.

Fiscal Impact

Funding was approved in the LOSSAN Agency's Fiscal Year 2018-19 Business Plan and is funded with State Rail Assistance funds provided by the State of California.

Summary

Based on the information provided, Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency staff recommends that the Board of Directors authorize the Managing Director to negotiate and execute Agreement No. L-8-0021 with SMA and Partners Ltd., in the amount of \$195,480, Agreement No. L-8-0022 with TRENOLab Srl., in the amount of \$24,000, and Agreement No. L-8-0023 with Deutsche Bahn Engineering & Consulting USA, Inc., in the amount of \$60,000, for Viriato rail planning software and maintenance services.

Attachments

None.

Prepared by:

A handwritten signature in black ink, appearing to read 'Roger M. Lopez', with a long horizontal flourish extending to the right.

Roger M. Lopez
Manager, Planning and Analysis
(714) 560-5438