

Congress of the United States

Washington, DC 20515

January 27, 2012

The Honorable John L. Mica
Chairman
House Committee on Transportation
and Infrastructure
2365 Rayburn HOB
Washington, D.C. 20515

The Honorable Nick J. Rahall II
Ranking Member
House Committee on Transportation
and Infrastructure
2163 Rayburn HOB
Washington, D.C. 20510

Dear Chairman Mica and Ranking Member Rahall:

We are writing to request inclusion of a proposal in the transit title of the surface transportation authorization bill that would provide flexibility and cost savings for transit systems purchasing new rail cars.

Under current law, procurement of rolling stock, which includes buses and rail cars, must be completed within five years of the date of the original contract. This provision originated as a general federal acquisitions regulation and was codified in SAFETEA-LU for the purpose of stimulating competition between bus manufacturers.

However helpful the provision may be in facilitating competition in the bus manufacturing industry, it is considerably less so with modern rail car purchases. In fact, the provision may have the perverse impact of forcing multiple procurements which could increase by \$325 million the cost of the San Francisco Bay Area Rapid Transit (BART) system's fleet replacement program.

BART is in the early phases of a procurement of 775 rail cars to replace its existing fleet, increase capacity, and provide for expanding operations to San Jose. If BART is required to limit its procurements to what can be achieved in five years, it will be forced to proceed with additional five year procurements.

Providing flexibility for the five year rule to permit bulk purchases of rail cars will lead to a more efficient use of federal, state and local taxpayer dollars for all systems making large rail car purchases. We urge you to incorporate such a change in the authorizing legislation currently before the Transportation and Infrastructure Committee.

Thank you for considering our proposal.



Barbara Lee
Member of Congress



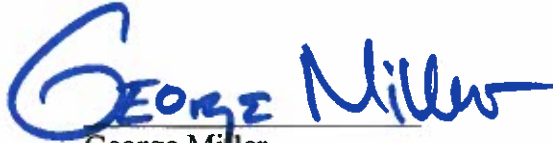
Mike Honda
Member of Congress



John Garamendi
Member of Congress



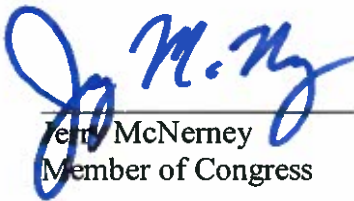
Portney Pete Stark
Member of Congress



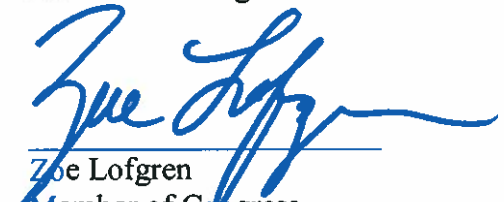
George Miller
Member of Congress



Jackie Speier
Member of Congress



Jerry McNerney
Member of Congress



Zoe Lofgren
Member of Congress