

MARCH 2010



H O N O L U L U R A I L T R A N S I T P R O J E C T



QUARTERLY PROGRESS REPORT



**HONOLULU HIGH-CAPACITY TRANSIT
CORRIDOR PROJECT**

PROGRESS REPORT

For the Quarter Ended March 31, 2010



City and County of Honolulu

Approved by:



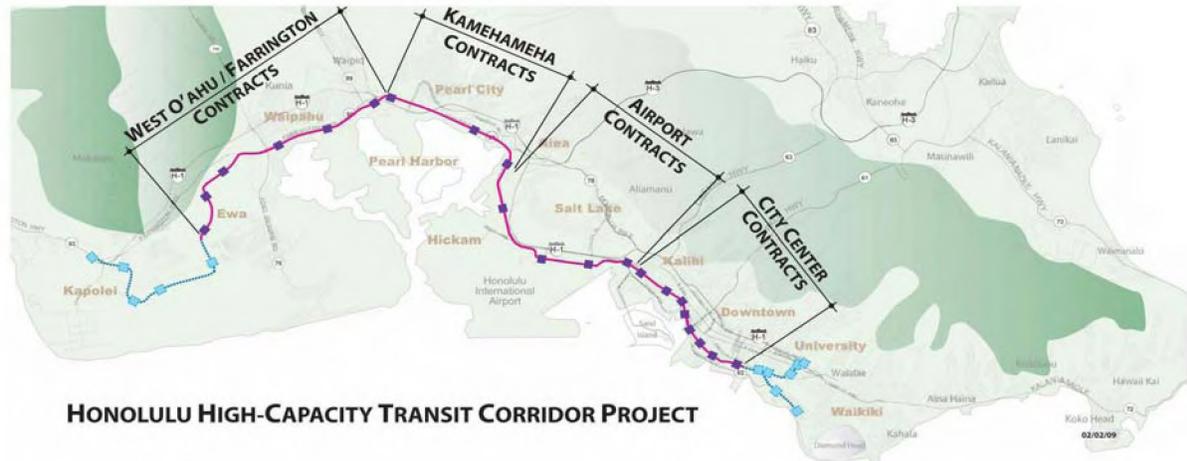
Simon Zweighaft
Chief Project Officer

6/4/10
Date

REVISION 1

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1. Executive Summary



Project activities in March 2010 included preparing the Pre-decisional Final Environmental Impact Statement (EIS) and addressing concerns raised by the Federal Aviation Administration (FAA) over the proximity of the proposed guideway to the existing runway protection zone (RPZ) at the Honolulu International Airport. Options were evaluated, including relocation of runway 4R/22L and refining the alignment in the airport area to avoid the central portion of the RPZ for runway 4R/22L. Coordination with FTA also occurred to advance the Section 106 Programmatic Agreement to obtain signatures by the signatories.

Three active procurements were progressed during this period:

- The Core Systems Contract will include rail vehicles, train control system, communications system, traction power system, fare collection system, and associated equipment. This will be a Design-Build-Operate-Maintain (DBOM) contract and the Core Systems DBOM (Core Systems) Contractor will operate and maintain the fixed guideway system for approximately 10 years. The Request for Technical and Price Proposals has been issued to a priority list of qualified offerors (priority-listed offerors) who are in the process of preparing their proposals. These preparations include submitting questions and alternative technical concepts to the City's specifications for City consideration. Proposals are due in late May.
- The Maintenance and Storage Facility Design-Build (MSF) Contract will include the design, construction and equipping of the maintenance & storage facility and procurement of system wide track. The MSF Contractor will be required to coordinate with the Core Systems Contractor as well as with the West Oahu/Farrington Highway Guideway Design-Build (WOFH) Contractor. Technical and Price Proposals for the MSF Contract were submitted by priority-listed offerors and evaluations of the proposals were underway during March.

HHCTCP Quarterly Progress Report – March 2010

- The contract for the design of the Farrington Highway Stations group will include continuing preliminary engineering (PE) and performing final design under separate NTPs for the Leeward, Waipahu and West Loch Stations. Qualification submittals have been received and are being evaluated by a designated committee.

The WOFH Contractor (Kiewit Pacific Company) continued its non-construction mobilization and initial preliminary engineering design activities as identified in its Notice to Proceed (NTP) #1. These activities were restricted to necessary mobilization in preparation for PE work. During the month of March, the City also issued NTPs #1A and #1B which authorized additional preliminary engineering activities and soils testing.

The General Engineering Consultant (GEC), PB Americas advanced the Pre-Decisional Final EIS document and preliminary engineering during this month. They also continued development of the design documents for the Kamehameha Highway Guideway Design-Build (KHG) Contract. The KHG Contract will cover 3.9 miles of the Project between Pearl Highlands and Aloha Stadium, along Kamehameha Highway.

The GEC also continued their efforts to undertake a more definitive “bottoms-up” estimate of the Project costs based on the designs included in the environmental documents.

Other activities occurring during the month included

- Initial preparations for a value engineering (VE) evaluation of the station designs. A VE team leader was selected and VE team members were identified. The study was scheduled to be undertaken in April.
- The Contract Packaging Plan (CPP) was revisited in March and recommendations were made by the GEC for several minor revisions. It is expected that a revised CPP will be completed in May.
- The establishment of various project control procedures was also undertaken with an eye towards preparing a comprehensive set of procedures in the next six months.
- Preparations were begun to undertake an internal risk analysis of the project in order to prepare for anticipated requests for one or more Letters of No Prejudice (LONP) which would allow work without FTA pre-award authority to continue prior a Full Funding Grant Agreement.

2. Current Contract Status

Project Management Services Consultant

Contractor	Infraconsult LLC
Award Date	11/19/2009
NTP Issued	11/19/2009
Contract Completion Date	11/19/2014
Anticipated Completion Date	11/19/2014
Independent Estimate	\$ 35,000,000
Contract Value	\$ 36,727,162
Change Orders to Date	0
Current Contract Value	\$ 36,727,162
Expended to Date	\$ 2,784,354
% Complete	7.6%

The PMSC Contract with InfraConsult LLC (InfraConsult) was executed on November 19, 2009. InfraConsult staff, currently numbering 17 people, are embedded within the City’s Rapid Transit Division (RTD). There are no issues with the PMSC Contract.

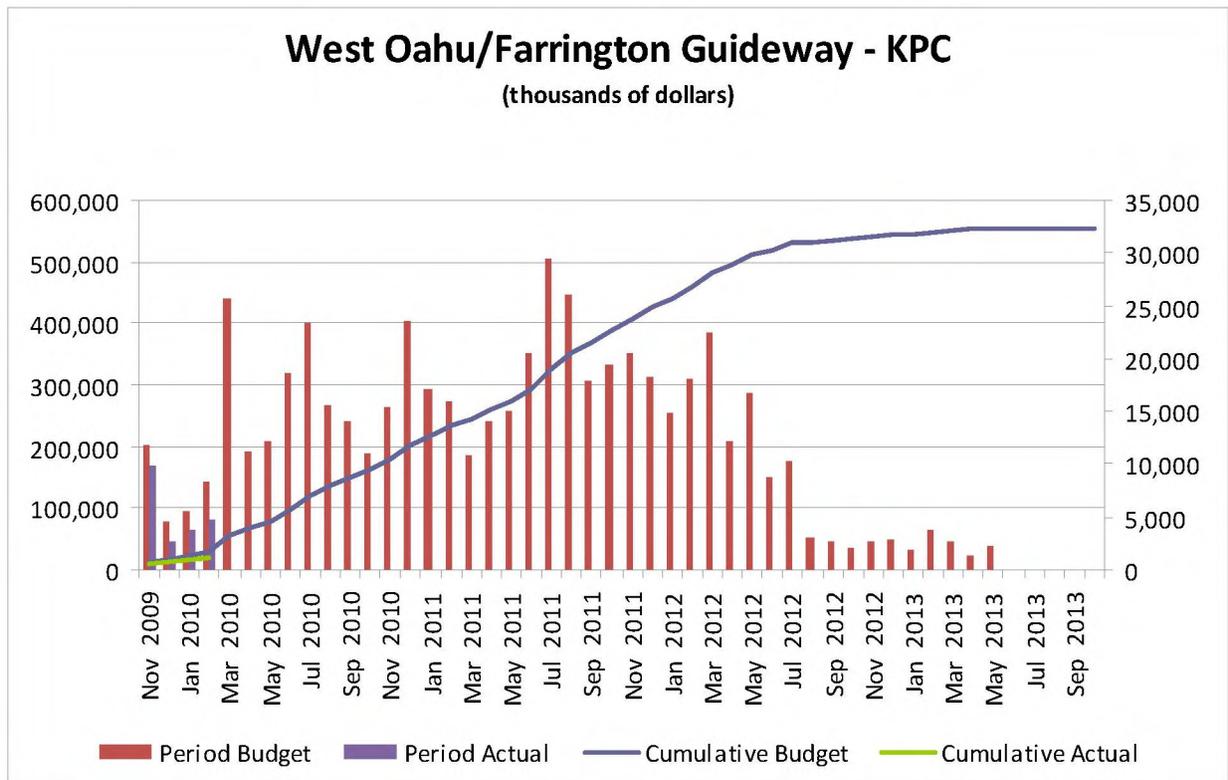
General Engineering Consultant I

Contractor	PB Americas
Award Date	8/24/2007
NTP Issued	8/24/2007
Contract Completion Date	6/30/2010
Anticipated Completion Date	12/31/2010
Independent Estimate	\$ 70,500,000
Contract Value	\$ 85,000,000
Change Orders to Date	\$ 30,900,000
Current Contract Value	\$ 115,900,000
Expended to Date	\$ 102,069,974
% Complete	88%

The GEC Contract with PB Americas, Inc. was executed in August 2007 and most recently was amended on January 22, 2010 (Amendment #3) for an additional \$12,900,000 for continued work on the EIS and PE. Included in the \$12,900,000 amount is \$4,000,000 in ARRA funds for PE work from FTA Grant HI-96-X001. The GEC expended the \$4,000,000 during the quarter and covered 55 FTEs (approximately 165 employees). RTD is working on GEC Contract Amendment #4 to cover estimated costs to June 30th. There are no issues with the GEC Contract.

West Oahu / Farrington Highway Guideway Design-Build (WOFH) Contract

Contractor	Kiewit
Execute Contract	11/17/2009
NTP(s) Issued	
NTP 1	12/1/2009
NTP 1a	3/11/2010
NTP 1b	3/23/2010
Contract Completion Date	7/7/2013
Anticipated Completion Date	3/18/2014
Engineers Estimate	\$555,363,000
Contract Value	\$482,924,000
Change Orders to Date	\$0
Current Contract Value	\$482,924,000
Expended to Date	\$21,121,000
% Complete	0.044



Status

Project continues with Kiewit Pacific Company (KPC) operating under the allowable tasks shown in Notice to Proceed Nos. 1, 1A and 1B. These NTP's allow KPC to work on preliminary surveys, site investigations, sampling under KPC's soil boring program and progressing on their design to the interim design phase. Current obstacles are the Record of Decision for the EIS and the subsequent processing of FFGA and LONP that must occur to

start construction. The City is also waiting for the approval of the project NPDES permit from the Department of Health. The permit application has a 30 day review time to be completed on or before May 10. The permit is required to proceed with the potholing and boring programs.

- The contractor continued their hub office tenant improvements with move-in scheduled for April.
- Hawaiian Electric requested that the contractor perform their rearrangements, scope discussion underway.
- Meetings are held bi-weekly between the GEC and RTD staffs to discuss status and issues
- Action item list which includes the action item, responsible person and due date is reviewed at the beginning of each meeting.

Submittals and Request for Information (RFI) Status

- To date 31 contract submittals have been received and 8 are presently in review by the RTD/GEC staff.
- KPC has requested additional information from the City/GEC in 54 RFI's. At the end of the reporting period there were 5 RFI's in process.

Potential Change Log

- To date the RTD/GEC has identified 15 potential changes to the contract. The GEC is evaluating each item for impact to cost, schedule and quality. To date no action has been taken on these items.

Payment

- Payment to Contractor to date is less than anticipated in the proposal. This is mainly due to the revised NTP dates. However KPC has had their February pay request delayed due to issues with their submitted baseline schedule. The revised baseline schedule is now being reviewed by the GEC.

30 Day Look Ahead

- Release of NTP 1C, to allow KPC to proceed with test and method shaft exploratory work
- The RTD/GEC will implement the use of Contract Management software to manage the contract and subsequent contracts in the overall transit project.
- GEC will develop WOFH specific procedures for various project control functions, including payment and change control
- KPC has established a HUB office in Waipahu and have moved their current staff of 35 to that location. RTD/GEC will work with KPC in the transfer of WOFH project staff to the HUB office.

Summary of Active Contracts and their Values

PMSC1	\$	11,786,062
PMSC2	\$	36,700,000
GEC1	\$	115,900,000
Utility - The Gas Company	\$	45,000
Utility - Chevron Products	\$	45,000
Utility - AT&T	\$	60,000
Utility - Pacific LightNet	\$	40,000
Utility - Oceanic Time Warner	\$	40,000
Utility - Hawaiian Telecom	\$	50,000
Utility - TW Telecom	\$	50,000
PUC Attorney	\$	50,000
Kiewit Pacific	\$	482,924,000
Geolabs	\$	1,218,500
Total	\$	648,908,562

3. Procurement

Contract Packages

Contract #	Description	Advertise	Select	NTP
DB-120	W. Oahu/Farrington Guideway DB (Awarded)	04/03/09	10/21/09	12/01/09
DB-200	Maintenance & Storage Facility DB	07/23/09	04/23/10	06/08/10
DB-320	Kamehameha Guideway DB	03/19/10	09/03/10	10/08/10
DBB-170	W. Oahu Station Construct (3)	12/01/11	03/29/12	01/31/13
DBB-270	Farrington Station Construct (3)	08/23/11	12/20/11	12/27/11
DBB-275	Pearl Highland Sta., Garage	02/17/12	06/15/12	06/16/12
DBB-370	Kamehameha Stations (2) Contract	07/13/12	11/09/12	11/10/12
DBB-450	Airport Utility Relocation	09/22/11	01/19/12	02/28/12
DBB-460	Airport Guideway Construct	03/15/12	07/12/12	07/13/12
DBB-470	Airport Stations (3) Construct	05/04/14	08/31/14	09/01/14
DBB-550	City Center Utility Relocation	11/26/11	03/24/12	03/25/12
DBB-560	City Center Guideway and Ala Moana Station Construct	02/18/13	06/17/13	07/20/13
DBB-570	Dillingham Stations (3) Construct	04/09/15	08/06/15	08/07/15
DBB-572	City Center Stations (3)	04/09/15	08/06/15	08/07/15
DBB-575	Kaka'ako Stations (2) Construct	04/09/15	08/06/15	08/07/15
DBOM920	Core Systems DBOM	08/17/09	07/16/10	08/19/10
FD-140	W. Oahu Stations (3) Design	01/14/10	05/24/10	06/09/10
FD-240	Farrington Stations (3) Design	10/13/09	04/06/10	06/09/10
FD-245	Pearl Highland Sta. Parking Structure & Ramps Design	04/28/10	08/25/10	08/26/10
FD-340	Kamehameha Stations (2) Design	03/26/10	07/23/10	01/20/11
FD-430	Airport Utility & Guideway Design	03/26/10	07/23/10	07/24/10
FD-440	Airport Stations (3) Design	07/13/12	11/09/12	11/10/12
FD-530	City Center Utility, Guideway & Ala Moana Station Design	11/01/10	02/28/11	03/01/11
FD-540	Dillingham Stations (3) Design	06/18/13	10/15/13	10/16/13
FD-542	City Center Stations (3) Designs	06/18/13	10/15/13	10/16/13
FD-545	Kaka'ako Stations (2) Design	06/18/13	10/15/13	10/16/13
MI-930	Project Wide Elevators & Escalators	01/31/11	05/30/11	02/28/12
MM-180	West Oahu/Farrington Station CE&I	08/23/11	12/20/11	12/21/11
MM-380	Pearl Highlands & Kam Stations CE&I	04/28/10	08/25/10	08/26/10
MM-480	Airport Utility & Guideway CE&I	09/22/11	01/19/12	01/20/12
MM-485	Airport & Dillingham Stations CE&I	05/04/14	08/31/14	09/01/14
MM-580	City Center Utility & Guideway CE&I	11/26/11	03/24/12	03/25/12
MM-585	City Center & Kaka'ako Stations CE&I	04/09/15	08/06/15	08/07/15
MM-900	Program Management Support Consultant	08/12/09	10/19/09	10/20/09
MM-905	General Engineering Consultant 1		08/24/07	08/24/07
MM-910	General Engineering Consultant (2)	09/03/09	07/02/10	07/03/10
MM-920	HDOT Coordination Consultant	03/26/10	07/23/10	07/24/10
OF-950	Owner Furnished Plants & Shrubs	08/15/13	12/13/13	12/13/13

 = Actual date

Maintenance and Storage Facility DB Contract:

- Continuing review of technical documents submitted by the offeror.
- expect to make selection around end of May 2010

CORE Systems DBOM Contract:

- The Core Systems Contract has issued the final addendum to the offerors in April. Due to the large number of RFI's the proposal due date was extended from March to May. Close to 700 RFI's have been replied to. Most RFI's dealt with technical and commercial terms. The next month requires the detailed review of the Core Systems Proposals complete with recommendations, followed by a possible BAFO process. Expect to make selection mid-July 2010.
- Several meetings were spent to review the cost estimate format and the projected cash flow analysis.
- Several utility companies and City departments expressed interest to utilize the new guideway structure for fiber optic cable installations. A meeting was held to show what potential opportunities could exist to accommodate some of their need. HECO expressed a similar desire to install 138 KV feeders on the guideway structure. More detailed studies need to be conducted to ensure that especially train control and communication installations are not being compromised from potential EMI generated by HECO's high voltage transmission lines operating parallel to the trackway. Personnel safety and the method of the cable installation need to be further accessed.
- Reviewed VE proposal on station layouts and analyzed impacts regarding train operations and possible betterments.
- In the second part of May the proposal evaluations will start for the core Systems Contract. Contract award is anticipated in July.
- Finalization of the "Emergency Walkway" design including lighting requirements and system wide implementation for existing and future guideway contracts.
- Complete study on 138 KV installations on guideway structure.
- Complete study to allow fiber optic cable installation by others and what restriction would apply and what method would be acceptable.
- Finalization of interface documentation with all other contracts and the Core Systems Contractor taking the lead role.

Kamehameha Highway DB Documents:

- Part 2 (Technical and Price Proposal) Release Addendum No. 6 was issued to preferred offerors on March 19th
- GEC preparing Addendum No. 7 documents for submittal to RTD for review in early April
- Expect to make selection end August to early September 2010

Stations:

- Selection committee decided on most qualified design firm for the Farrington Station Group. Assembling documents to send to this firm to prepare cost proposal and scope of work.
- Selection committee started evaluations for the West Oahu Station group.
- Held second Pearl Highlands public informational meeting on March 30th.
- Request for Qualifications for other station groups expected to commence shortly.

4. Current Issues & Status

Risk Management

- RTD has had several planning discussions with PB's Will Willson regarding preparing for Risk Management Assessments for the Project. A decision has been made to involve Willson in local risk analyses and to have him as an advisor when FTA initiates their risk assessment program.
- Our intent is to "get a jump" on the process by identifying risks, mitigation strategies and appropriate contingencies prior to the next round of FTA studies. Plans have been made for a project familiarization meeting with the GEC Risk Assessment team in early April.

Value Engineering Study

- Study relative to stations only will be held the week of April 19th to 23rd.
- Completed selection of study members
- Preparing documents to send to study members for their pre-study review

Agreement

- Continue to work on utility construction agreement language for the WOFH Section
- Waiting for meeting with HDOT Deputy Attorney General to discuss agreement language
- Continue to assemble cost information for the utility engineering services agreements for the KHG section.

Roadmap to Final Design

- Continue to update deliverable dates onto the roadmap
- Added one new item onto the roadmap Project Solve site in March

Miscellaneous Items

- Continuing dialog with FAA, FTA and HDOT on the alignment issues in the vicinity of the airport. Coordination meeting with all parties held on March 17th.
- Airport and City Center Preliminary Engineering Drawings are complete and reviewed.
- Quantity take-offs for all packages complete
- PE estimate being finalized
- Construction, engineering and project control procedures for all construction and engineering contracts being developed.

5. ROW

Appraisals

- The 7 appraisals over \$500,000 that were submitted for FTA concurrence are still pending.
- Appraisals completed more than 6 months ago will be “refreshed”. Meetings with the appraisers are underway and the refresh will commence in May.

Exclusionary Waivers

- The outstanding exclusionary waiver request under review is awaiting additional information from the property owner. The owner’s representative anticipates providing the information shortly.
- One hardship acquisition is completed. Lease agreements with tenants that wish to remain at the location until project access is required are moving forward.

Agreements

- University of Hawaii (UH) agreement for Leeward Community College is being modified by City’s Corporation Council and a revised draft will be submitted to UH for their review.
- Department of Education/Waipahu High School is reviewing a draft agreement and anticipates submitting their comments shortly.

Other Activities

- Continuing to secure Consent-to-Enter agreements in support of pre-design efforts for WOFH contract.
- Sending out Consents-to-Enter requests to property owners along the Kamehameha Guideway alignment.
- Determining appraisal schedule for Kamehameha Guideway parcels.
- Continuing on-going communication with property owners impacted by the project.
- Letters sent to property owners potentially impacted to by the airport RPZ avoidance mitigation proposal. As a result, several meetings were held with those property owners.

30 Day Look Ahead

- If the Record of Decision is received:
 - Make offers to WOFH private property owners
 - Begin the relocation process for WOFH displaced owners and tenants
 - Complete license agreement with DHHL for Drum Site, University of Hawaii for Leeward Community College and Department of Education for Waipahu High School
 - Seek executive order for properties under DLNR control.
 - Seek construction easement from DR Horton.
- Begin survey and appraisal work associated with parcels to be affected by the Kamehameha Highway section of guideway.
- Begin developing agreements associated with Kamehameha Highway section of guideway.

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RELOCATION					
	All Sections	Section 1	Section 2	Section 3	Section 4
Residential	20	16	0	0	4
Business	67	5	9	8	45
Non-Profit	1	1	0	0	0
Assessments Complete	2	0	0	0	2
Lease Agreements	2	0	0	0	2
90-day Notice Sent	0	0	0	0	0
30-day Notice Sent	0	0	0	0	0
Relocation Complete	0	0	0	0	0

FULL ACQUISITION					
	All Sections	Section 1	Section 2	Section 3	Section 4
Impacts	40	14	5	6	15
Parcels Needed	40	14	5	6	15
Appraisals in Process	0	0	0	0	0
Appraisals Complete	15	14	0	0	1
Offers	1	0	0	0	1
Acceptance	1	0	0	0	1
Relocation Complete	0	0	0	0	0
Ready for Construction	0	0	0	0	0

PARTIAL ACQUISITION					
	All Sections	Section 1	Section 2	Section 3	Section 4
Impacts	161	17	21	35	88
Parcels Needed	144	16	7	33	88
Appraisals in Process	0	0	0	0	0
Appraisals Complete	2	2	0	0	0
Offers	0	0	0	0	0
Acceptance	0	0	0	0	0
Relocation Complete	0	0	0	0	0
Ready for Construction	0	0	0	0	0

HHCTCP Quarterly Progress Report – March 2010

EASEMENTS					
	All Sections	Section 1	Section 2	Section 3	Section 4
Impacts	12	6	0	1	5
Parcels Needed	12	6	0	1	5
Appraisals in Process	0	0	0	0	0
Appraisals Complete	0	0	0	0	0
Offers	0	0	0	0	0
Acceptance	0	0	0	0	0
Relocation Complete	0	0	0	0	0
Ready for Construction	0	0	0	0	0

TOTAL Parcel Impacts	TOTAL Parcels Needed	TOTAL Appraisals in Process	TOTAL Appraisals Complete	TOTAL Offers	TOTAL Acceptance	TOTAL Relocations Complete	TOTAL Ready for Construction
213	196	0	17	1	1	0	0

6. Quality

Overall Status

The internal review of Draft RTD Quality Management Program (QMP) continues. The QMP is also being checked to assure that it is consistent with the requirements of the Project Management Plan (PMP). RTD Internal Procedures are also being developed to support the implementation of the QMP and other elements of the established PMP.

WOFH Contract

- Final Drafts (Revision C) of KPC Project Quality Management Plan (QMP) and Design Quality Management Plan (DQMP) after additional reviews were submitted to RTD/GEC for final approval.
- RTD/GEC approved the KPC DQMP and QMP on April 2010.
- Training on the approved QMP and DQMP is going-on with KPC/HNTB Management, Design and QA personnel.
- The KPC PQM is developing a “Procedure for Pre-Activity Meeting”, which includes agenda, plans, forms, sign-in sheets, as part of the CQMP and will be required prior to start of any field activity.

MSF Contract

- The QAM performed an in-depth review of the RFP Submittals from the priority-listed offerors to assure that the FTA QA/QC Guidelines are covered in their respective proposals. It was determined the FTA QA/QC Guidelines were covered.

Kamehameha Guideway DB Contract

- QA review of the RFP was completed.

Core Systems DBOM Contract

- The QAM participated in the review of the latest addendum for the Part 2 RFP (Request for Technical and Price Proposals).
- Incorporation of the FTA QA/QC Guidelines to the Part 2 RFP is currently being prepared.

Highlights

- Honolulu Family Festival
- First Hawaiian Auto Show

30 Day Look Ahead

- Pearl Highlands Rail Station Final Community Workshop
- Geotechnical Community Awareness



Auto Show 2010 – Exhibit Interior



Auto Show 2010 – Virtual Train Activity

8. Safety and Security

Current Activities

- Governor of Hawaii issued Executive Order #10-05 to establish HDOT as the State Oversight Agency (see attachment)
- Submitted DRAFT SSMP Rev. 2.0 for PMOC Review
- Working with GEC to develop the Project Construction Safety and Security Plan
- Developed a list of potential guideway safety hazards to be added to the Project Preliminary Hazard Analysis
- Received the Project Preliminary Hazard Analysis Rev. A developed by the GEC for review and comment
- City to order Personal Protective Equipment
- Developed new procedures for Project team ID badges
- Developed new procedures visitor and Alii Place Project office access
- Attended TSA Training Seminar – Suspicious Behavior Recognition

30 Day Look Ahead

- Hold Safety and Security Oversight Review Committee Meeting #13 (04/14/10) to discuss Kiewit Boring Program with 1st Responders (HPD, HFD, EMS)
- Hold RTD-GEC Safety and Security Program Meeting (04/01/10)
- Set up meeting to discuss PMOC safety and security related comments to SSMP, SSCP, and PMP
- Attend Kiewit Mass Safety Meeting (05/03/10) and complete Kiewit Safety Orientation
- Develop EOPs for Alii Place Project Office
- Attend APTA Rail Conference and related safety and security seminars and committee meetings
- Develop work plan for HPD Lieutenant to be assigned half-time to the Project
- Establish Safety and Security Certification Review Committee
- Complete review of Preliminary Hazard Analysis Rev.A
- Support HDOT with development of 49 CFR 659 Designation Submission

9. Environment & Historical

Status

- Publication of Final EIS continues to await resolution of several issues that have been in discussion for the past several months:
 - Section 106 Programmatic Agreement (PA) has been completed although it has still not been signed. FTA is attempting to obtain signatures from SHPD and ACHP. SHPD must await NPS' approval to sign the PA.
 - Section 4(f) (Chapter 5) of the Final EIS was revised and submitted to FTA for review. RTD is awaiting comments from FTA.
 - Awaiting comments from FAA on their review of alternatives studies completed in the vicinity of the airport section.
- Reviewed environmental evaluations conducted by GEC concerning potential transition to Ualena Street near the airport. This information and related text may be inserted into the Final EIS pending FTA approval of the alignment through the RPZ area.
- Reviewed eligibility determination package for submittal to SHPD of age-qualified properties along Ualena Street in the vicinity of the airport.
- Continued preparation of Pre-decisional Final EIS following Ualena Street near the airport pending FTA approval of the alignment through the RPZ area.
- Continued coordination with City's Department of Planning and Permitting (DPP) on TOD and project-related planning issues.
- Participating in KPC's Environmental Taskforce weekly meetings.
- Reviewed documents from KPC on Environmental Compliance Management Plan and environmental training materials.

30 Day Look Ahead

- Complete Pre-decisional Final EIS and transmit to cooperating agencies.
- Revise Pre-decisional Final EIS based on cooperating agency comments.
- Send/receive Ualena Street Determination of Eligibility from SHPD on Ualena Street resources

10. Staffing

Status

Four new City employees are scheduled to start in the month of April:

- Civil Engineer – MSF DB Manager, Akira Fujita
- Civil/Structural Engineer – Assistant Project Officer, In-Tae Lee
- Administrative Specialist – Personnel
- Secretary III – Project Controls & Administration

Additional staffing efforts in relation to the Project include

Department of Information Technology:

- Initiated hiring action to provide one full time information technology support person. Starting date – July 1, 2010
- Formulating request to provide one full time Data Processing Systems Analyst II employee to act as a Project IT manager and to provide IT planning for RTD, interface with the IT vendors, and coordinate IT support for RTD. This will be a key function in the Oracle Contract Management efforts currently underway.

Department of Budget & Fiscal Services:

- Have initiated efforts to hire an Accountant II and an Accountant III to support the Project.

30 Day Look ahead

- Right of Way Manager – Identified 3 candidates, targeting July start date
- Utilities Engineer – Identified and interviewed candidate, targeting July start date
- Secretary – Public Information Branch – targeting June start date
- Planner VI – Financial and Grants Management, City advertising position, targeting July start date
- Actively searching for:
 - Civil Engineers
 - Cost Controls Analyst
 - Configuration Manager
 - Change Control Administrator
 - Architectural Historian
 - Senior Scheduler

For greater detail please refer to Attachment “B” DTS-RTD Organizational Chart.

11. Schedule Status

Master Schedule

As of 3-26-10 (March 2010 data date) the Project continues to be adversely affected by the completion of the ROD Milestone. Its impact has caused all major milestones to slip.

Major Project Milestones	Early Date	Total float
Entry into Final Design	1/20/2011	-131
FFGA	2/21/2012	-131
Open Waipahu to Leeward	6/23/2013	-181
MSF Complete	10/31/2014	-202
Open East Kapolei to Leeward	4/6/2015	-249
Open Leeward to Pearl Highlands	1/1/2016	-170
Open Kamehameha Section	9/28/2016	125
Open Airport Section	4/7/2018	-158
Open City Center Section	8/8/2019	-157

- The delay in receiving environmental clearance also directly impacts our current WOFH Contract’s NTP #2, #3, and #4, and those contracts currently in the procurement process. At this time it is anticipated that contract awards will not take place without the ROD in place. ROW acquisition is also adversely impacted.
- Obtaining LONP(s) is also critical for the start of Final Design and Construction activities for the design-build contracts. Once the ROD milestone is achieved and removed from the critical path, LONP milestones will be driving the Project schedule.
- The above impacts will necessitate a complete re-scheduling of the Project. It is anticipated to take place within the next month.
- The proposed CPP and is currently awaiting approval by RTD.

For greater detail please refer to Attachment “C” Master Project Schedule.

WOFH Schedule:

- On November 17, 2009, the City executed a Design Build contract with Kiewit Pacific Company (KPC) for the West Oahu/Farrington Highway Guideway design and construction. On December 1, 2009 the City issued NTP #1, a limited NTP, to Kiewit Pacific Company. The contract and NTP #1 letter indicated that NTP #2 would be within issued 90-days from NTP #1 or, on or before March 1, 2010, and that NTP #3 and #4 would be issued within 120-days of contract execution, or on or before March 17, 2010.
- On January 21, 2010, KPC submitted a Baseline Schedule and Schedule of Milestones for review and acceptance. Both documents were rejected “revise and resubmit”. After several meetings and one-on-one sessions with KPC, both the Baseline Schedule and Schedule of Milestones were resubmitted on February 11, 2010. The Schedule of Milestones was “Accepted” with the understanding that as work under the contract progressed, minor adjustments and modifications that were reconcilable with the Schedule of Prices, would be expected. The Baseline Schedule received “conditional acceptance”. It was agreed that KPC would incorporate all comments into the February Schedule Progress Report, which was due March 12, 2010, 2-weeks after the close of the February period, which ended February 26, 2010.
- The February progress schedule was received on March 11, 2010. Review of the submittal revealed that none of the conditional acceptance comments had been incorporated into the schedule. On March 18th, this schedule submittal was rejected, “revise and resubmit”.
- Two additional NTPs have been issued since the issuance of NTP #1. On March 11, 2010, NTP #1A was issued. NTP #1A is limited to work supporting Geotechnical Data Reports. On March 23, 2010, NTP #1B was issued. NTP #1B is limited to Definitive and Interim Design activities.
- KPC will submit their progressed January, February and March Schedule Progress Reports once the resubmitted Baseline Schedule has been reviewed and accepted. KPC will submit their revised Schedule of Milestones that include the recently issued NTP Nos. 1A and 1B for review and acceptance prior to the end of the period ending April 30, 2010.

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The following Activities have been added to the project master schedule in March.

Activity Id	Activity Name	Section
K113	Evaluate Offerors Proposals Part 2	DB320 (PE120)
K116	Selection Committee Meets	DB320 (PE120)
K121	BAFO Determination	DB320 (PE120)
K123	Notification to Offerors of Discussion	DB320 (PE120)
K124	Discussion with Offerors	DB320 (PE120)
P1060	Request BAFOs	DB320 (PE120)
P1070	Kam Hwy BAFOs Due	DB320 (PE120)
P1080	Evaluate BAFOs	DB320 (PE120)
P1090	Selection Committee Meeting	DB320 (PE120)
P1100	Award Kam Hwy DB Contract	DB320 (PE120)
P1110	Contractor Execute Contract	DB320 (PE120)
P1120	City Execute Kam Hwy DB Contract	DB320 (PE120)
P402	Issue NTP 1B WOFH DB Guideway	DB120 (PE120)
P542	Selection Committee Meets	DB200 (PE200)
P544	BAFO Determination	DB200 (PE200)
P546	Notification to Offerors of Discussion	DB200 (PE200)
P548	Discussion with Offerors	DB200 (PE200)
P550	Request BAFOs	DB200 (PE200)
P552	BAFOs Due	DB200 (PE200)
P554	Evaluate BAFOs	DB200 (PE200)
P556	Selection Committee Meeting	DB200 (PE200)
P642	Contractor Execute Contract	DB200 (PE200)

12. Cost/Budget Status

Budget

Overall Project Budget by SCC

SCC	Description	Year of Expenditure				
		Baseline Budget	Allocated Contingency	Allocated Budget	Incurred to Date	Remaining Budget
10	GUIDEWAY & TRACK ELEMENTS	\$1,190,647	\$271,280	\$1,461,927	\$0	\$1,461,927
10.01	Guideway: At-grade exclusive right-of-way					
10.02	Guideway: At-grade semi-exclusive (allows cross-traffic)					
10.03	Guideway: At-grade in mixed traffic					
10.04	Guideway: Aerial structure	\$1,034,668	\$235,180	\$1,269,848		\$1,269,848
10.05	Guideway: Built-up fill	\$7,665	\$1,150	\$8,815		\$8,815
10.06	Guideway: Underground cut & cover					
10.07	Guideway: Underground tunnel					
10.08	Guideway: Retained cut or fill					
10.09	Track: Direct fixation	\$135,803	\$32,133	\$167,936		\$167,936
10.1	Track: Embedded					
10.11	Track: Ballasted	\$3,103	\$465	\$3,568		\$3,568
10.12	Track: Special (switches, turnouts)	\$9,408	\$2,352	\$11,759		\$11,759
10.13	Track: Vibration and noise dampening					
20	STATIONS, STOPS, TERMINALS, INTERMODAL	\$311,322	\$77,830	\$389,152	\$0	\$389,152
20.01	At-grade station, stop, shelter, mall, terminal, platform					
20.02	Aerial station, stop, shelter, mall, terminal, platform	\$237,284	\$59,321	\$296,605		\$296,605
20.03	Underground station, stop, shelter, mall, terminal, platform					
20.04	Other stations, landings, terminals: Intermodal, ferry, trolley, etc.					
20.05	Joint development					
20.06	Automobile parking multi-story structure					
20.07	Elevators, escalators	\$74,038	\$18,509	\$92,547		\$92,547
30	SUPPORT FACILITIES: YARDS, SHOPS, ADMIN. BLDGS	\$110,799	\$27,700	\$138,499	\$0	\$138,499
30.01	Administration Building: Office, sales, storage, revenue counting	\$18,981	\$4,745	\$23,726		\$23,726
30.02	Light Maintenance Facility					
30.03	Heavy Maintenance Facility	\$91,818	\$22,955	\$114,773		\$114,773
30.04	Storage or Maintenance of Way Building					
30.05	Yard and Yard Track					
40	SITework & SPECIAL CONDITIONS	\$881,135	\$275,201	\$1,156,335	\$18,198	\$1,138,137
40.01	Demolition, Clearing, Earthwork	\$24,524	\$7,824	\$32,349		\$32,349
40.02	Site Utilities, Utility Relocation	\$405,234	\$134,972	\$540,206		\$540,206
40.03	Haz. mat'l, contam'd soil removal/mitigation, ground water treatments	\$5,618	\$1,966	\$7,584		\$7,584
40.04	Environmental mitigation, e.g. wetlands, historic/archeologic, parks	\$7,681	\$2,688	\$10,370		\$10,370
40.05	Site structures including retaining walls, sound walls	\$6,271	\$941	\$7,211		\$7,211
40.06	Pedestrian / bike access and accommodation, landscaping	\$204,562	\$71,240	\$275,802		\$275,802
40.07	Automobile, bus, van accessways including roads, parking lots	\$14,427	\$2,164	\$16,591		\$16,591
40.08	Temporary Facilities and other indirect costs during construction	\$212,817	\$53,405	\$266,222	\$18,198	\$248,023

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50	SYSTEMS	\$235,999	\$59,000	\$294,999	\$0	\$294,999
50.01	Train control and signals	\$42,594	\$10,649	\$53,243		\$53,243
50.02	Traffic signals and crossing protection	\$29,043	\$7,261	\$36,304		\$36,304
50.03	Traction power supply: substations	\$47,705	\$11,926	\$59,631		\$59,631
50.04	Traction power distribution: catenary and third rail	\$74,840	\$18,710	\$93,550		\$93,550
50.05	Communications	\$25,395	\$6,349	\$31,743		\$31,743
50.06	Fare collection system and equipment	\$5,419	\$1,355	\$6,774		\$6,774
50.07	Central Control	\$11,003	\$2,751	\$13,754		\$13,754
	Construction Subtotal (10 - 50)	\$2,729,901	\$711,011	\$3,440,912	\$18,198	\$3,422,713
60	ROW, LAND, EXISTING IMPROVEMENTS	\$89,652	\$44,826	\$134,478	\$0	\$134,478
60.01	Purchase or lease of real estate	\$87,268	\$43,634	\$130,902		\$130,902
60.02	Relocation of existing households and businesses	\$2,384	\$1,192	\$3,576		\$3,576
70	VEHICLES	\$321,633	\$77,192	\$398,825	\$0	\$398,825
70.01	Light Rail	\$287,086	\$68,901	\$355,987		\$355,987
70.02	Heavy Rail					
70.03	Commuter Rail					
70.04	Bus					
70.05	Other					
70.06	Non-revenue vehicles	\$5,838	\$1,401	\$7,239		\$7,239
70.07	Spare parts	\$28,709	\$6,890	\$35,599		\$35,599
80	PROFESSIONAL SERVICES	\$638,797	\$158,733	\$797,529	\$16,594	\$780,935
80.01	Preliminary Engineering	\$60,723	\$8,377	\$69,100	\$9,023	\$60,077
80.02	Final Design	\$111,639	\$28,230	\$139,869		\$139,869
80.03	Project Management for Design and Construction	\$129,666	\$31,197	\$160,864	\$7,571	\$153,293
80.04	Construction Administration & Management	\$204,011	\$55,083	\$259,094		\$259,094
80.05	Professional Liability and other Non-Construction Insurance	\$33,983	\$9,176	\$43,159		\$43,159
80.06	Legal; Permits; Review Fees by other agencies, cities, etc.	\$38,553	\$10,409	\$48,962		\$48,962
80.07	Surveys, Testing, Investigation, Inspection	\$10,195	\$2,753	\$12,948		\$12,948
80.08	Start up	\$50,027	\$13,507	\$63,534		\$63,534
	Subtotal (10 - 80)	\$3,779,983	\$991,761	\$4,771,744	\$34,792	\$4,736,952
90	90 UNALLOCATED CONTINGENCY			\$285,643	\$0	\$285,643
	Subtotal (10 - 90)	\$3,779,983	\$991,761	\$5,057,387	\$34,792	\$5,022,595
100	Finance Charges	\$244,434	\$45,860	\$290,294	\$0	\$290,294
	Total Project Cost (10 - 100)	\$4,024,417	\$1,037,621	\$5,347,681	\$34,792	\$5,312,889

Funding Sources

Distribution of County Surcharge on State GET for quarter end March 31, 2010:

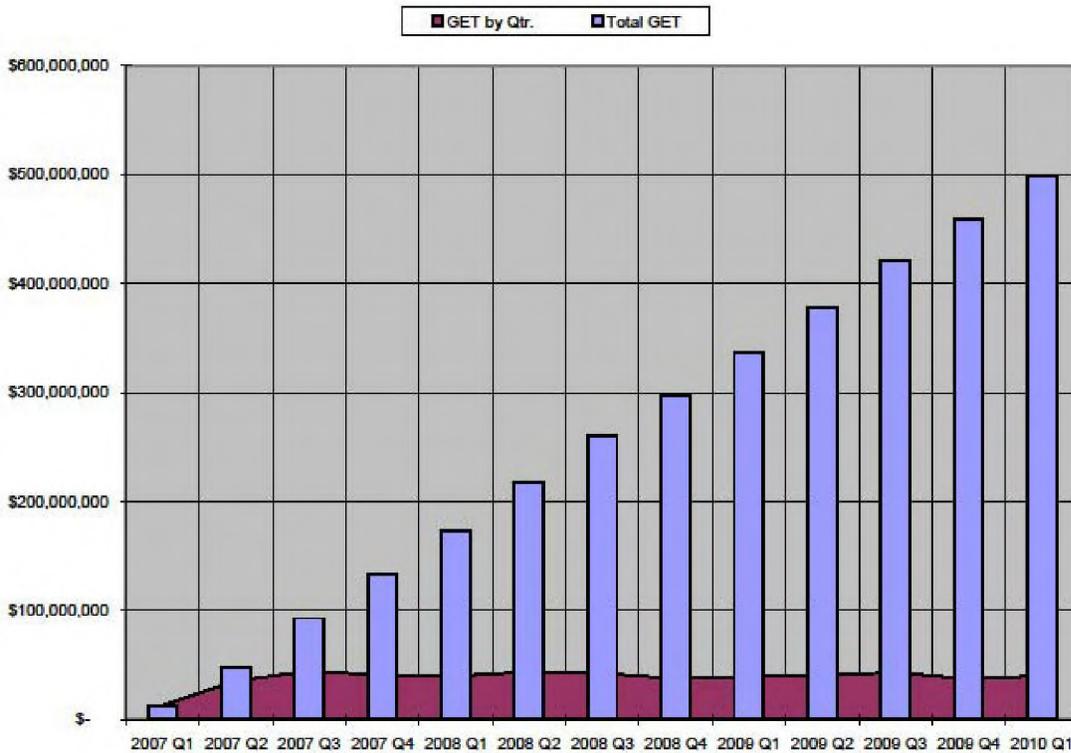
- \$40,290,869 = receivable for the quarter ended 3/31/2010
- \$499,334,188 = County GET Surcharge to date

The Financial Plan for entry into Preliminary Engineering (August 2009) projected GET Surcharge revenues of \$501.5 million for FY2009. The \$2.2 million difference between the \$499.3 million actual revenues and the projected \$501.5 million is -0.43%.

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GET Collection by Quarter 2007 to Q1 2010

Calendar Year	GET Surcharge Received
2007 Q1	\$ 12,793,494
2007 Q2	\$ 35,630,888
2007 Q3	\$ 44,603,289
2007 Q4	\$ 40,634,977
2008 Q1	\$ 39,980,317
2008 Q2	\$ 43,894,967
2008 Q3	\$ 42,379,236
2008 Q4	\$ 37,852,570
2009 Q1	\$ 39,515,888
2009 Q2	\$ 41,108,031
2009 Q3	\$ 43,138,496
2009 Q4	\$ 37,511,160
2010 Q1	\$ 40,290,869
Total to Date	\$499,334,188



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Expenditures

City Expenditures from entry into PE to Date

Fund 290: City PE Expenditures 11/1/2009-3/31/2010

	as of		PE Expend
	10/31/2009	3/31/2010	
City Council	\$ -	\$ -	\$ -
COR	\$ 691.25	\$ 347,746.98	\$ 347,055.73
DDC	\$ 38,000.00	\$ 66,287.46	\$ 28,287.46
DTS-RTD	\$ 719,569.91	\$ 2,247,609.49	\$ 1,528,039.58
BFS Provisional	\$ 24,075.27	\$ 185,984.83	\$ 161,909.56
	\$ 782,336.43	\$ 2,847,628.76	\$ 2,065,292.33
BFS BFY 2009	\$ 134,565.24	\$ 406,659.26	\$ 272,094.02
DPP	\$ 82,570.13	\$ 725,446.13	\$ 642,876.00
DTS-RTD BFY 2009	\$ 9,827.34	\$ 11,942.43	\$ 2,115.09
BFS Provisional BFY2009	\$ 15,040.00	\$ 18,800.00	\$ 3,760.00
Fund 290 Total per Report	\$ 1,024,339.14	\$ 4,010,476.58	\$ 2,986,137.44

14. Action items

Item No.	Item	Responsible Party	Date Identified	Date Due	Date Comp	Status
1	Schedule real estate workshop	PMOC	4-Nov-09	TBD		Open
2	Provide FTA with "making the case" approach letter for LONP	City	4-Nov-09	10-Apr		City will provide after they complete the bottoms up estimate and financial plan
3	Schedule Roadmap meeting for Entry into FD	FTA/PMOC	16-Dec-09	10-Jan		Pending direction from FTA
4	Provide Section 106 Programmatic Agreement comments	FTA	10-Jan	10-Apr		Comments received by RTD
5	Populate Final Design Roadmap	City	10-Jan	10-Feb		Ongoing
6	Check on status of Real Estate appraisals provided to FTA	PMOC	10-Mar	10-Apr		Received and under review
7	Schedule/Estimate workshop	PMOC	10-Jun			
8	Provide comments to the PMP, SSCP, SSMP and Relocation Plan	PMOC	10-Apr	10-Apr	28-Apr-10	Comments provided
9	Prepare March Monthly Progress Report	City	10-Apr	10-May		

15. List of Acronyms & Definitions

AA	Alternative Analysis
AAR	American Association of Railroads
AASHTO	American Association of State Highway and Transportation Officials
ADA	Americans with Disabilities Act of 1990, as amended
ANSI	American National Standards Institute
AREMA	American Railway Engineering and Maintenance of Way Association
ATC	Automatic Train Control
BASC	Before & After Study Consultant
BCS	Baseline Control Survey
BFS	Budget and Fiscal Services
BWS	Board of Water Supply
CAC	Citizen Advisory Committee
CCR	Cost Control Report
CCTV	Closed Circuit Television
CDT	Contract Document Transmittals
CEI	Construction Engineering and Inspection
CFR	Code of Federal Regulations
CFM	Configuration Management
CIP	Capital Improvement Program
CM	Construction Management
CO	Contracting Officer
COR	Department of the Corporation Counsel
COTR	Contracting Officer's Technical Representative
CPM	Critical Path Method
CSC	Core Systems Contractor
CSI	Construction Specifications Institute
CTS	Cable Transmission System
CVS	Certified Value Specialist
DBE	Disadvantaged Business Enterprise
DBELO	Disadvantaged Business Enterprise Liaison Officer
DDC	Department of Design and Construction
DEIS	Draft Environmental Impact Statement
DEM	Department of Emergency Management
DFM	Department of Facilities Maintenance

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DHS	Department of Homeland Security
DPP	Department of Planning and Permitting
DPR	Department of Parks and Recreation
DTS	Department of Transportation Services
E&O	Errors and Omissions
ECHO	Electronic Clearing House Operation
EDC	Engineering Design Consultant
EEO	Equal Employment Opportunity
EIS	Environmental Impact Statement
EMS	Emergency Medical Services
ENV	Department of Environmental Services
EOR	Engineer of Record
EP&D	Engineering, Planning and Development
EPA	Environmental Protection Agency
EV	Earned Value
EVM	Earned Value Methodologies
FCA	Hawaii State Foundation on Culture and the Arts
FEIS	Final Environmental Impact Statement
FFGA	Full Funding Grant Agreement
FHWA	Federal Highway Administration
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
GEC	General Engineering Consultant
GET	General Excise Tax
HAR	Hawaii Administrative Rules
HBC	Hawaii Building Code
HHCTCP	Honolulu High Capacity Transit Corridor Project
HDOT	Hawaii Department of Transportation
HFD	Honolulu Fire Department
HMTV	Honolulu Municipal Television
HPD	Honolulu Police Department
HRS	Hawaii Revised Statutes
IDR	Inspector Daily Report
ITT	Integrated Test Team
JPA	Joint Participation Agreement
LPA	Locally Preferred Alternative

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LRV	Light Rail Vehicles
MIS	Major Investment Study
MOCA	Mayor's Office of Culture and the Arts
MOS	Minimum Operable Segment
MPO	Metropolitan Planning Organization
NEPA	National Environmental Policy Act
NFPA	National Fire Protection Association
NOA	Notification of Availability
NTP	Notice to Proceed
O&M	Operations and Maintenance
OahuMPO	Oahu Metropolitan Planning Organization
OCIP	Owner Controlled Insurance Programs
ORTP	Oahu Regional Transportation Plan (ORTP)
OWC	Overall Work Program
OTS	Oahu Transit Services, Inc.
PE/EIS	Preliminary Engineering/Environmental Impact Statement
PEP	Project Execution Procedures
PMC	Program Management Consultant
PMOC	Project Management Oversight Consultant
PMP	Project Management Plan
PO	Purchase Order
PTD	Public Transit Division
PS&E	Plans Specification & Estimate
PSA	Professional Services Agreement
PV	Planned Value
QA	Quality Assurance
QA/QC	Quality Assurance and Quality Control
QC	Quality Control
RAMP	Real Estate Acquisition and Relocation Management Plan
RCH	Revised Charter of the City and County of Honolulu 1973
RFI	Request for Information
RFP	Request for Proposal
ROD	Record of Decision
ROW	Right-of-Way
RTD	Rapid Transit Division
SCADA	Supervisory Control and Data Acquisition

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SSCP	Safety and Security Certification Plan
SSEPP	System Security and Emergency Preparedness Plan
SSMP	Safety and Security Management Plan
SSOO	State Safety Oversight Office
SSORC	Safety and Security Oversight and Review Committee
TAC	Technical Advisory Committee
TED	Traffic Engineering Division
TIP	Transportation Improvement Program
TOD	Transit Oriented Development
TPD	Transportation Planning Division
TSA	Transportation Security Administration
TSTD	Traffic Signals and Technology Division
USC	United States Code
USDOT	United States Department of Transportation
VE	Value Engineering
WBS	Work Breakdown Structure

Attachment "A" Executive Order #10-05

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274/10-363330

OTS
RAPID TRANSIT

EXECUTIVE CHAMBERS '10 APR 22 P2 34
HONOLULU

LINDA LINGLE
GOVERNOR

April 14, 2010

Mr. Peter M. Rogoff, Administrator
U.S. Department of Transportation
Federal Transit Administration
East Building
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Rogoff:

In response to your letter dated February 26, 2010 regarding the establishment of a State Safety Oversight Agency (SSOA), The State of Hawaii has established Executive Order No. 10-05 effective April 6, 2010, designating the State Department of Transportation (HDOT) as the State of Hawaii Rail Fixed Guideway Oversight Agency (A copy of Executive Order No. 10-05 is enclosed).

We are in the process of compiling the necessary information for the designation submission and will submit it for Federal Transit Administration approval shortly.

Currently, Mr. Ryan Fujii of the Hawaii Department of Transportation, Statewide Transportation Planning Office will be the Point of Contact. Mr. Fujii may be reached at (808) 587-2028 or ryan.fujii@hawaii.gov.

Sincerely,

Handwritten signature of Linda Lingle in blue ink.

LINDA LINGLE

c: Mr. Brennon T. Morioka, Hawaii Department of Transportation
Mr. Kenneth (Toru) Hamayasu, City and County Honolulu, Department of
Transportation Services
Mr. Leslie T. Rogers, Federal Transit Administration, Region IX

EXECUTIVE ORDER NO. 10- 05

**DESIGNATING THE STATE DEPARTMENT OF TRANSPORTATION
AS THE STATE OF HAWAII'S
RAIL FIXED GUIDEWAY OVERSIGHT AGENCY**

WHEREAS, the Urbanized Area Formula Program, title 49 United States Code section 5307, authorizes the United States Secretary of Transportation to make grants to states for public transportation capital projects, including fixed rail systems, in the amount of eighty percent of the net project cost of the project; and

WHEREAS, title 49 United States Code section 5330, entitled "State safety oversight," requires a state with an existing or anticipated rail fixed guideway system, that is not regulated by the Federal Railroad Administration, to (1) establish and carry out a "safety program plan for each fixed guideway public transportation system in the State that establishes at least safety requirements, lines of authority, levels of responsibility and accountability and methods of documentation for the system" and (2) designate a state authority having responsibility to "require, review, approve and monitor the carrying out of each plan; to investigate hazardous conditions and accidents on the systems; and to require corrective action to correct or eliminate those conditions"; and

WHEREAS, the federal regulations implementing title 49 United States Code section 5330 as set forth in title 49 Code of Federal Regulations part 659, specifically, title 49 Code of Federal Regulations section 659.9(a), require that "[e]ach state with an existing or anticipated rail fixed guideway system regulated by this part shall designate an oversight agency consistent with the provisions of this section"; and

WHEREAS, title 49 Code of Federal Regulations section 659.7(a) states that the Administrator of the Federal Transit Administration may withhold up to five percent of the amount required to be distributed to any state under the Urbanized Area Formula Program if the state has not designated a state oversight agency pursuant to title 49 United States Code section 5330(c) and title 49 Code of Federal Regulations part 659;

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WHEREAS, section 29-13, Hawaii Revised Statutes, provides that the Governor "may accept, on behalf of the State, the provisions of any act of Congress making grants or allotments of federal-aid moneys available for expenditure in the State"; and

WHEREAS, section 29-14, Hawaii Revised Statutes, authorizes the Governor, as an officer of the State, to "accept and receive on behalf of the State, and receipt for, any and all grants or allotments of federal-aid moneys made available to the State by or pursuant to an act of Congress, and enter into or make such plan, agreement, or other arrangements with the agency designated by the act of Congress as is necessary to carry out the purposes of the Act"; and

WHEREAS, failure to designate a state oversight agency as required by title 49 United States Code section 5330(c) and title 49 Code of Federal Regulations part 659 may result in the loss of five percent of the grant of eighty percent of the net project cost of the rail fixed guideway system project to the State of Hawaii under title 49 United States Code section 5307;

NOW, THEREFORE, I, Linda Lingle, Governor of the State of Hawaii, pursuant to the provisions of sections 29-13 and 29-14, Hawaii Revised Statutes, do hereby order and direct:

1. That the State Department of Transportation is hereby designated as the state oversight agency to implement the requirements of title 49 Code of Federal Regulations part 659;
2. That the State Department of Transportation shall carry out the provisions of the Federal Transit Administration's regulations regarding state safety and security oversight of rail fixed guideway systems in Hawaii, and protect and promote the public health, safety, and welfare, including oversight of the aspects of the rail fixed guideway system that are not regulated by the Federal Railroad Administration;
3. That the State Department of Transportation shall carry out its responsibilities as directed by title 49 Code of Federal Regulations part 659 and promulgate rail fixed guideway safety and security standards and related

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procedures to be used by rail fixed guideway systems in developing their safety and security programs;

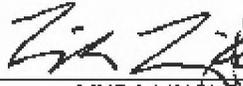
4. That the State Department of Transportation may enter into agreements and delegate its powers as necessary to implement this Executive Order;

5. That the rail fixed guideway transit systems not regulated by the Federal Railroad Administration and operating within the State of Hawaii shall comply with the State Department of Transportation's standards, rules, directives, and requirements regarding rail fixed guideway systems; and

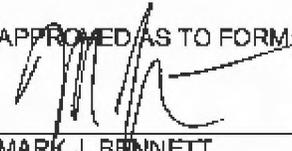
6. That this Executive Order shall take effect immediately.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Hawaii.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 6th
day of April, 2010.


SEAL
LINDA LINGLE
Governor of Hawaii

APPROVED AS TO FORM:


MARK J. BENNETT
Attorney General

