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Long Island Rail Road

December 15, 2016

*Received by
HREC Sec*

DEC 27 2016

VIA UPS AND EMAIL

Ms. Sarah E. Feinberg, FRA Administrator
Federal Railroad Administration
U.S. Department of Transportation
Attn: FRA Legal Department
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

**Re: Withdrawal of Request for a Buy America Waiver for
Low Cost Materials Related to Catenary System
MTA LIRR North East Corridor, Congestion Relief Project**

Dear Administrator Feinberg:

I write regarding the Buy America waiver request submitted by The Long Island Rail Road Company ("LIRR"), a public benefit corporation of the State of New York and subsidiary of the Metropolitan Transportation Authority, dated May 25, 2016 (the "Waiver Request").

As you may recall, LIRR sought a non-availability waiver of the Buy America requirements set forth at 49 U.S.C §24405(a) from the Federal Railroad Administration ("FRA") to support the procurement of two low cost items for the LIRR North East Corridor Congestion Relief Project at Harold Interlocking (the "Project"), which would support Amtrak's two new conflict-free, grade-separated routes (the Westbound By-Pass and Eastbound Reroute through Harold Interlocking for Amtrak's north-south bound service new interlockings). Other elements to be constructed include new catenary foundations and catenary structural steel frames, new tracks, bridges, signals and retaining walls. Upon completion of the Project, the new construction will provide a critical link between Boston and New York for Amtrak's northeast corridor service to New York Penn Station.

LIRR has conducted further review and analyses of the technical specifications for the Project, consulted with Amtrak and reviewed a schematic of a signal system from the United States Department of Transportation ("DOT") and the FRA, which included a signal system broken out into components and subcomponents. For its review, LIRR used the signal system example produced by the DOT and the FRA. Performing an analogous comparison of the signal system example and the catenary system in question, LIRR has concluded that the conical coupling and high speed section insulator are lesser components of the catenary system and therefore deemed subcomponents of the Amtrak Rail Network. As such, Buy America does not apply to the procurement of such subcomponents.

Based upon the foregoing, LIRR hereby withdraws its Waiver Request for the Harold Interlocking Project previously submitted to the FRA for consideration.

Ms. Sarah E. Feinberg
FRA Administrator
December 13, 2016
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Should you have any questions or require additional information, please feel free to contact me at (718) 725-2622.

Respectfully submitted.



Thomas Cisar
Long Island Rail Road
Manager—Procurement East Side Access

cc: Farhan F. Haddad, NYSDOT
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