



U.S. Department
of Transportation

**Federal Railroad
Administration**

Administrator

1200 New Jersey Avenue, SE
Washington, DC 20590

OCT 13 2015

John Oimoen
Interim Director, Division of Public and Intermodal Transportation
Illinois Department of Transportation
Division of Public and Intermodal Transportation
100 West Randolph Street, Suite 6-600
Chicago, IL 60601

Re: Request for Waiver of Buy America Requirement for Sure Close Gate Hinges

Dear Mr. Oimoen:

This letter responds to your request, dated June 30, 2015, that the Federal Railroad Administration (FRA) grant the Illinois Department of Transportation (IDOT) a waiver from FRA's Buy America provision, at 49 U.S.C. § 24405(a)(1), for one component of pedestrian swing gates IDOT needs to purchase using FRA grant monies. Specifically, your request is based on the Buy America provision (49 U.S.C. § 24405(a)) applicable to FRA's High-Speed Intercity Passenger Rail (HSIPR) Program grant (\$1.33 billion) to IDOT for the Chicago-St. Louis High Speed Rail (HSR) corridor.

Your waiver request is for the remaining 250 of 600 Sure Close gate hinges needed for the project that D&D Technology, an Italian company, manufactures. In February 2015, FRA granted IDOT a waiver for the initial 350 gate hinges. Because the hinges are manufactured in Italy, IDOT needs a waiver from FRA's Buy America requirement. FRA is granting IDOT's waiver request for the additional 250 Sure Close gate hinges. FRA believes a waiver is again appropriate under 49 U.S.C. § 24405(a)(2)(B) because, despite IDOT's best efforts to develop a domestic source for these hinges, domestically-produced gate hinges for pedestrian crossings meeting IDOT's safety specifications and schedule needs remain unavailable in the United States. IDOT needs the remaining 250 gate hinges for its project to remain on schedule.

FRA posted the new request for the 250 gate hinges on its website and received no comments. Under 49 U.S.C. § 24405(a)(4), FRA is publishing notice of its decision to grant IDOT's waiver request in the Federal Register and provide notice of such

finding and an opportunity for public comment after which this waiver will become effective.

Questions about this letter can be directed to, John Johnson, Attorney-Advisor, at john.johnson@dot.gov or (202)493-0078.

Sincerely,

A handwritten signature in cursive script, reading "Sarah E. Feinberg". The signature is written in black ink and is positioned above the typed name.

Sarah Feinberg
Acting Administrator