



## INFORMATIONAL MEMORANDUM

TO: **Transportation and Infrastructure Services Committee**  
 FROM: **Hari Ponnekanti, Public Works Director/ City Engineer**  
 BY: **Cyndy Knighton, Senior Program Manager**  
**Scott Bates, Traffic Engineering Project Manager**  
 CC: **Mayor Ekberg**  
 DATE: **November 5, 2021**  
 SUBJECT: **Neighborhood Traffic Calming Program Project Update**  
**Project No. 82110301**

### ISSUE

To bring forward Neighborhood Traffic Calming Program (NTCP) expenditures for 2021 and proposed projects for 2022.

### BACKGROUND

At the October 18, 2021 Council Meeting, \$100,000 in American Rescue Plan Act (ARPA) funding was allocated to the NTCP program for 2021 and an additional \$400,000 was allocated for 2022. Staff are presenting a detailed update on the status of the program and proposed projects for 2021 and 2022.

### DISCUSSION

Staff proposes to use the 2021 funding to make purchases of ten Radar Driver Feedback signs plus two portable Radar Driver Feedback signs, and two Rectangular Rapid Flashing Beacon Crosswalk systems (RRFB). The radar signs will be utilized at five locations on the NTCP priority list (typically one for each direction). The two portable radar signs will be used as temporary deployments as needed. The RRFB systems will be used at the two existing crosswalks on S.124<sup>th</sup> Street near the Tukwila Community Center (additional design and construction costs will be required in 2022 for the RRFB installation).

For 2022, staff is still proposing to utilize the Top-10 NTCP Projects list (attached) to identify and implement traffic calming projects and treatments within the allocated funding. The top ten projects were discussed in the August 23, 2021 TISC meeting, and due to feedback from public comments an additional project was added – the Macadam Road South Sidewalk Improvements project. A grant application has been submitted to the Transportation Improvement Board’s Sidewalk Program for funding for the Macadam Road South. Staff will continue to bring updates quarterly to the Transportation and Infrastructure Committee.

### FINANCIAL IMPACT

	<u>Cost Estimates</u>	<u>2021 Budget</u>
Traffic Logix Radar signs	\$46,682.40	
Western Systems RRFB units	26,414.68	
Speed Cushions & Signs (previous purchase)	<u>17,706.39</u>	
<b>Total</b>	<b>\$90,803.47</b>	<b>\$100,000</b>

### RECOMMENDATION

Council is being asked to approve the Neighborhood Traffic Calming Program (NTCP) planned expenditures for 2021 and consider this item on the Consent Agenda at the November 15, 2021 Regular Meeting.

**ATTACHMENTS:** Page 2, 2021 CIP  
 NTCP Priority Projects List  
 NTCP Priority Projects Map  
 Traffic Logix Quote  
 Western Systems Quote

## CITY OF TUKWILA CAPITAL PROJECT SUMMARY

2021 to 2026

**PROJECT:** **Traffic Calming/Residential Safety Improvements** Project No. 8xx10301

**DESCRIPTION:** Programmatic approach to addressing neighborhood traffic concerns through a variety of methods. Residential street improvements with sidewalks, safety improvements, and bike facilities.

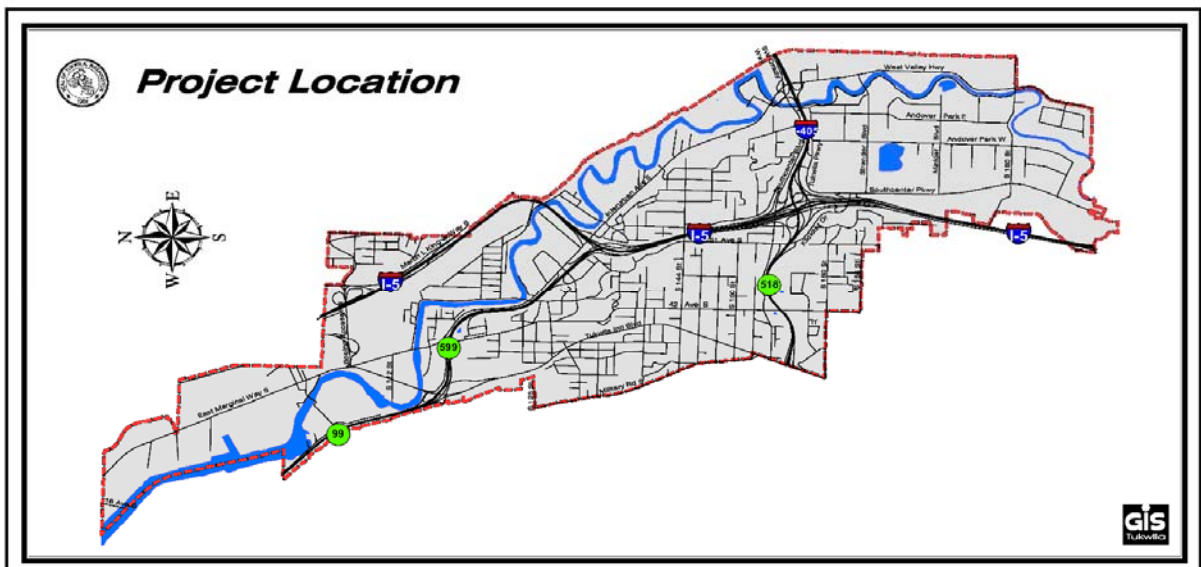
**JUSTIFICATION:** Neighborhood revitalization by improving residential streets.

**STATUS:** Future candidates are listed in the citywide comprehensive update and safety-based prioritization of residential street improvements, sidewalks, and bike lanes.

**MAINT. IMPACT:** Varies, depends on treatment(s) used.

**COMMENT:** Residential improvements and traffic calming features to reduce speeds and improve pedestrian and bicycle safety such as the speed cushions, RRFB crossings, LED enhanced signs, Radar driver feedback signs, etc.

FINANCIAL (in \$000's)	Through 2019	Estimated 2020	2021	2022	2023	2024	2025	2026	BEYOND	TOTAL
<b>EXPENSES</b>										
Design	63	50								113
Land (R/W)										0
Const. Mgmt.	37									37
Construction	148	0								148
<b>TOTAL EXPENSES</b>	<b>248</b>	<b>50</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>298</b>
<b>FUND SOURCES</b>										
Awarded Grant										0
Proposed Grant										0
Mitigation Actual										0
Mitigation Expected										0
City Oper. Revenue	248	50	0	0	0	0	0	0	0	298
<b>TOTAL SOURCES</b>	<b>248</b>	<b>50</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>298</b>



**Staff Top-10 Recommended NTCP Projects**

Modified 11/2/2021

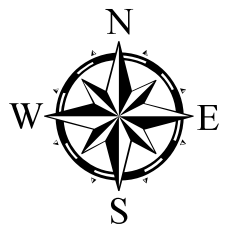
Project	Details	Potential Treatment Options	Estimated Cost Range
A Allentown Neighborhood Speed and Safety Study	<i>Since 2018, five individual requests for traffic calming have been recorded in the NTCP list of requests; however, traffic complaints have been made to the City over prior years. Addressing traffic safety concerns in Allentown is a top priority for the City.</i>		
	Study neighborhood-wide volume, speed, classification and safety issues. Design plan for Level 1 and Level 2 treatments throughout Allentown.	Level 1: Improved signage; radar feedback signs; pavement marking modifications Level 2: Curb extensions	\$50,000-80,000
B Tukwila Elementary School Safety Improvements	<i>Since 2018, 12 traffic calming requests have been made in the Cascade View neighborhood, with a significant number of them near Tukwila Elementary School. Common complaints have been over speeding and crosswalk or pedestrian safety. Additionally, the Council has asked for proactively addressing or anticipating concerns, specifically around school zones. Some improvements have been made around Tukwila Elementary School already but more improvements are needed.</i>		
	Address speeding and crosswalk safety concerns.	Level 1: Improved signage; radar feedback signs; pavement marking modifications Level 2: Curb extensions; RRFB installation; ADA ramp upgrades; improved illumination	\$30,000-80,000
C Impact Charter School Safety Improvements	<i>A request specific to the newly opened Impact Charter School was received in 2019. The request was to provide a signed school zone, which Tukwila has provided along with signs marking school crossings on S 148th Street. ADA-compliant ramps have not been installed at the marked school crossings. The charter school has expanded their site to the north with a need for consideration of a school zone on S 146th Street and other potential improvements for children's safety. Additionally, the Council has asked for proactively addressing or anticipating concerns, specifically around school zones.</i>		
	Provide school crossing improvements, establish school zone on S 146th Street, if needed. Provide school crossing improvements, observe operating speeds, if necessary establish speed zone.	Level 1: Improved signage for school zones on S 148th Street and S 146th Street; crosswalk installation Level 2: ADA ramp improvements; curb extensions	\$8,000-15,000
D Cascade View Elementary School Safety Improvements	<i>Since 2018, the Tukwila Hill neighborhood has seen 9 requests for traffic calming. Four of the locations are around the speeding, school crossing and pedestrian safety around the Cascade View Elementary School. 85th Percentile speeds of ~30MPH in the 25MPH zones have been recorded, but analysis to separate whether the speeding is even more than the posted school zone has not been done. Additionally, the Council has asked for proactively addressing or anticipating concerns, specifically around school zones.</i>		
	Upgrade School Zone signing, design and install pedestrian crossing improvements.	Level 1: Improved signage for school zones on S 148th Street and S 146th Street; crosswalk installation Level 2: ADA ramp improvements; curb extensions	\$8,000-15,000
E Tukwila Community Center Pedestrian Crossing Safety Improvements	<i>The City Council has expressed desire for the NTCP to have a proactive element in addressing traffic calming and safety needs throughout the City. The TCC is a well-utilized facility by the Allentown neighborhood as well as the entire City and surrounding area. Concerns over the pedestrian crossings on S 124th Street have been raised by staff and residents in the past, along with the larger complaints of speeding in Allentown. Increasing pedestrian visibility to improve safety in this high-use area is a recommended top priority for the NTCP.</i>		
	Design and install mid-block pedestrian safety improvements on S 124th Street.	Level 1: Improve pedestrian crossing signage Level 2: RRFB installations; upgrade ADA ramps; curb extensions; improved illumination	\$80,000-100,000
F Macadam Road Speed and Safety Improvements	<i>At least five requests for traffic calming, specific to speeding (and some secondary reasons) have been made since 2018. A radar feedback sign was placed near the 13700 block in 2019 but requests have continued to be made. Additional analysis is warranted to determine what other improvements could be used to address the speeding, especially where Macadam has extremely limited sight distance due to the curvy nature of the roadway.</i>		
	Design and install treatments addressing speeding and curve safety north of S 144th Street.	Level 1: Improved signage; LED chevron signs; channelization modifications Level 2:	\$10,000 - 30,000
G Southcenter Boulevard/65th Avenue S Pedestrian Safety Improvements	<i>Staff identified the need for improvement pedestrian safety at this location several years ago. Southcenter Boulevard is a 5-lane roadway with known speeding issues along with curves that restrict sight distance. A high pedestrian usage at this intersection accessing the King County Metro bus stop that services both the Rapid Ride F-Line and Route 150, both workhorses of the south County transit network, justifies improving pedestrian crossing safety. This intersection is slated for full signalization in the future, but interim pedestrian safety improvements should be considered sooner.</i>		
	Design and install pedestrian safety improvements	Level 1: Improved signage for pedestrian crossing Level 2: RRFB installation; ADA ramp upgrades; improved illumination	\$50,000-\$90,000
H City-wide Residential Speed Limit Review	<i>As part of the City Council's expressed desire to proactively look at traffic calming needs, a full review of the residential street posted speed limits is recommended by staff. State law establishes city speed limits at 25MPH unless an engineering study is completed to justify higher speed limits. Most residential streets are posted at 25MPH today, but there are many that are posted at 30MPH or 35MPH. Likely, those speed limits are legacies of past annexation areas, where a speed study was completed by King County. The general impression Staff has is that most residents and elected officials would be happier with lower speed limits. City of Seattle has also recently lowered all speed limits nearly city-wide to be 25MPH.</i>		
	Identify residential streets with speed limits currently above 25MPH. Conduct volume, speed and safety review. Recommend changes to speed limits, as necessary.	Level 1: Modify speed limit ordinance; as needed; install new signs; as needed. Level 2:	\$5,000-8,000
I S Ryan Way Pedestrian Safety Improvements	<i>Two requests for traffic calming to address speeding and pedestrian crossing safety in the Ryan Hill area have been made in 2021. New developments are coming forward that will increase the residential population of this part of the City with multi-family developments. The speed concerns, especially along S Ryan Way, coupled with the new housing developments increasing the likelihood of increased pedestrian activity, warrants this analysis be recommended as a top priority.</i>		
	Safety study on S Ryan Way from MLK Jr. Way to east city limits, focusing on speeding and pedestrian safety. Recommend Level 1 and Level 2 improvements. Design and construct improvements.	Level 1: Improved signage Level 2: Curb extension, improved illumination	\$10,000-100,000
J S 144th Street/46th Avenue S ADA Ramps	<i>The Tukwila School District requested school crossing safety improvements at this intersection in 2017. A new Rectangular Rapid Flashing Beacon was installed in early 2019. At the time the RRFB was installed, the City was also submitting a grant application for the 46th Avenue S Safe Routes to School project, which would improve pedestrian safety between this intersection south to S 150th Street, and would include either a raised pedestrian crosswalk at the RRFB or install ADA-compliant curb ramps. The grant was not awarded. State law requires ADA ramps be brought up to current standards anytime a new signal, including the RRFB, is installed. Since grant monies for the larger improvement are not expected in the short term, staff recommends this as a priority to comply with all state and federal laws regarding Americans with Disabilities Act requirements.</i>		
	Design and install ADA-compliant ramps at the intersection.	Level 1: Level 2: ADA upgrades to ramps at RRFB (not done at time of RRFB installation due to budget constraints)	\$15,000-20,000
K PROPOSED Macadam Road S Watermain/Sidewalk Improvements Project	<i>The City's watermain replacement project along Macadam Road between Southcenter Boulevard and S 144th Street has been on the City's work plan for several years. In 2020, staff was directed to design the sidewalks for the missing sections along the east side of the road. In summer of 2021, the City submitted an application to the Transportation Improvement Board Pedestrian Safety grant as a way to fund the construction of the sidewalks. Grant awards will be announced on or after November 19, 2021. The current plan is to advertise for construction on November 29, 2021 with construction to begin in 2022. If the grant is not awarded to the City, funding for the sidewalk construction is proposed to come from the 2022 NTCP budget. (Project added 11/2/2021)</i>		
	Construct new sidewalks to complete gaps in the system, including ADA compliant ramps at intersection	Level 1: Level 2: Sidewalk construction with ADA compliant ramps	\$240,000-345,000
<b>Total Cost Range</b>			<b>\$506,000 - 822,000</b>



# City of Tukwila

## Top 10 Staff Recommended NTCP Projects

Modified November 2021

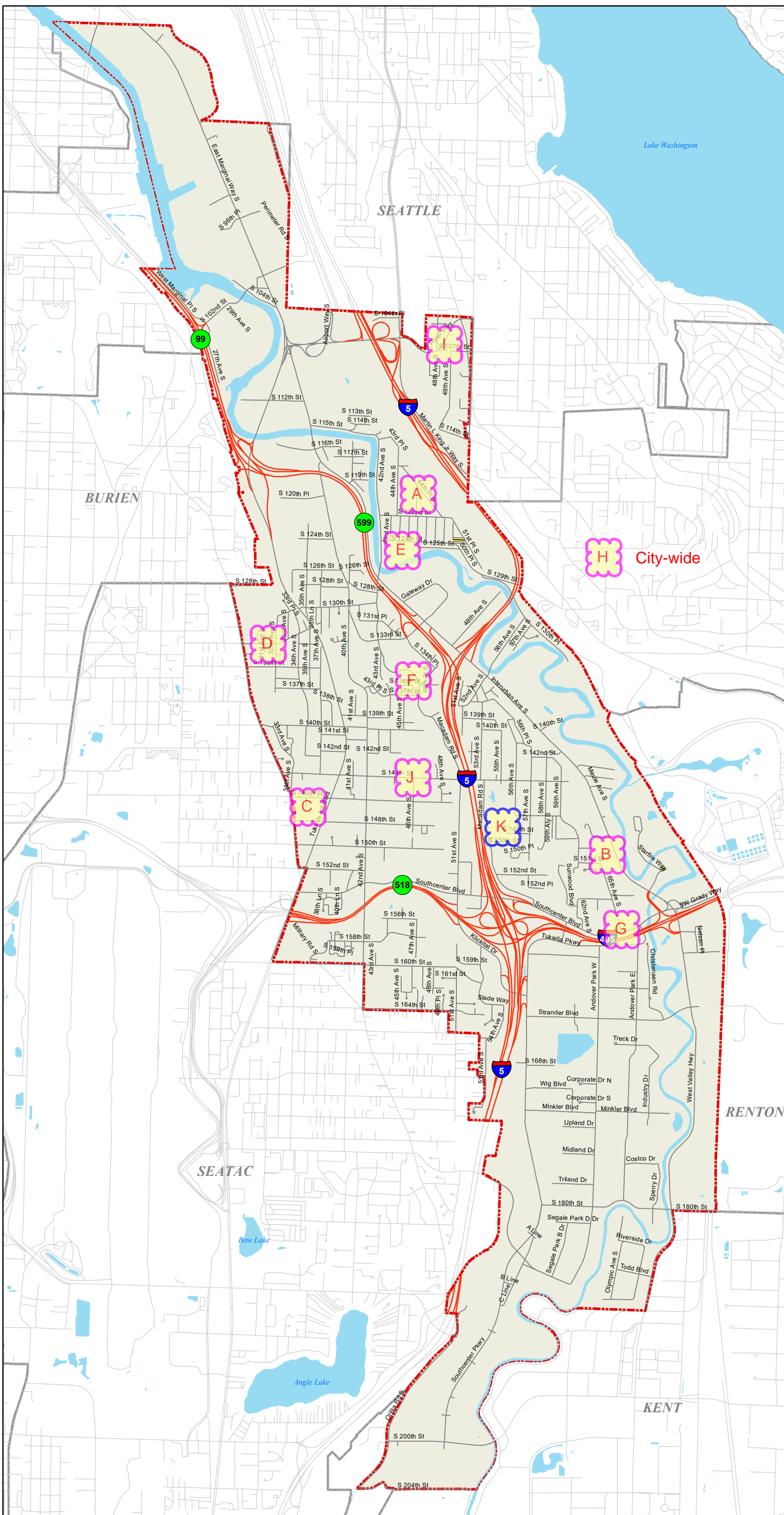


Not to Scale

### Vicinity Map



Disclaimer:  
The location of features and boundaries are approximate and are intended for reference only. Data is based on best information available.







**Traffic Logix Corporation**  
 3 Harriett Lane  
 Spring Valley, NY 10977 USA  
**Tel:** (866) 915-6449  
**Fax:** (844) 405-6449  
[www.trafficlogix.com](http://www.trafficlogix.com)

Quote Number QUO-16991-Z7W5Y0  
 Created Date 10/26/2021  
 Expiration Date 11/26/2021  
 Prepared by Brett Ferrin

## QUOTATION

**Contact: Scott Bates**  
 Phone: (206) 431-2193  
 Email: [scott.bates@tukwilawa.gov](mailto:scott.bates@tukwilawa.gov)

**City of Tukwila, WA**

**Shipping Address:**  
 6200 Southcenter Boulevard  
 Tukwila, Washington 98188  
 United States

### Standard Features (Included) – Evolution Signs

- The Evolution radar feedback signs come with 1 year of unlimited cloud access. At the end of this 12 month period the customer has the option to either renew the cloud at a cost of \$400 per sign or resort back to a Bluetooth option at no cost.
- Sign powers down when no traffic present
- Programmable Speed Violator Flashing Strobe Light
- Ambient Light Sensor and Automatic Brightness adjustment
- Banding Mount Bracket
- Safe Pace Management Software
- Bluetooth

### Special Notes

Sourcewell Contract # 070821-LGX City of Tukwila vendor ID# 37531

### Quote Line Items – All Prices shown are in \$USD

Product	Product Code	Quantity	Sales Price	Total Price
Evolution 15 Solar - Full Matrix - Includes UMB	EV15FMEYL-SOLLA	10.00000	\$3,500.00	\$35,000.00
Radar sign dolly for mobile radar sign use	SPDolly	2.00000	\$800.00	\$1,600.00
Evolution 12 Solar - Full Matrix - Inc. Solar panel and battery	EV12FMEYL-SOLLA	2.00000	\$2,900.00	\$5,800.00

### Totals

Subtotal	\$42,400.00
Freight	Included
Sales Tax	\$4,282.40
<b>Grand Total</b>	<b>\$46,682.40</b>



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**Terms: 1% - 10 Days - Net 30 We also accept: MC - VISA - AMEX**  
**IF TAX EXEMPT:** Please Provide Tax Exempt Certificate with Order

**Delivery Requirements**

Please Indicate the availability of the following as this determines the freight costs:

1. Do You have a Loading Dock? - Yes/No
2. Do you have a Fork Lift and Pallet Jack to unload? - Yes/No
3. Can access be gained by a 53 foot truck for delivery? - Yes/No
4. Is the delivery address a Construction site? - Yes/No
5. Is the delivery address a Military site? - Yes/No
6. If shipping to Military site, is a U.S. Driver required? - Yes/No

**Quote Acceptance Information**

Signature \_\_\_\_\_  
 Name \_\_\_\_\_  
 Title \_\_\_\_\_  
 Date \_\_\_\_\_

**Thank you for choosing Traffic Logix. Please sign and return to:**

bferrin@trafficlogix.com  
 Brett Ferrin  
 North America Sales Manager  
 (801) 391-8784

Please complete to set up new account: <https://trafficlogix.com/business-application-form/>



1122 Industry Street, Bldg. B, Everett, WA 98203  
Phone: (425) 438-1133 | Fax: (425) 438-1585

Date	Quote #	Rev #
11/01/21	Q-06652	

Project	Agency:
Carmanah RRFBs (AC/Solar Mix)	City of Tukwila

Prepared For:	To place an order:
<b>Contact:</b> Scott Bates <b>Company:</b> City of Tukwila <b>Email:</b> scott.bates@tukwilawa.gov <b>Address:</b> Attn: Accounts Payable 600 Minkler Boulevard <b>City/State:</b> Tukwila, WA 98188 <b>Phone:</b> (206) 431-2193	<b>Contact:</b> Jason Spencer <b>Phone:</b> +1 5039793042 <b>Fax:</b> (425) 438-1585 <b>Email:</b> jspencer@westernsystems-inc.com <i>*This order is subject to the terms &amp; conditions</i>

Qty	Part #	Description
2.00	8530030054	CONTROL CABINET (SC315-G) AC, NATURAL FINISH
4.00	8530080115	LIGHTBAR WITH CONFIRMATION LIGHTS (INCLUDES UNIVERSAL MOUNTING BRACKET) (BLACK)
4.00	8530080117	HARNESS, 16FT, TERMINAL BLOCK TO LIGHT BAR, RRFB, SC315, TPE
2.00	7220083901	PUSHBUTTON iNX XWALK PPB W/9X12 R10-25 SIGN, NO BRAILLE, STANDARD MESSAGE, BLACK (NO CONTROLLER REQUIRED)
2.00	8530038027	HARNESS, 16FT, POLARA iNX OR CAMPBELL GUARDIAN BUTTON, G- SERIES
2.00	8530030050	CONTROL CABINET (SC315-G) SOLAR, NATURAL FINISH
2.00	8530010300	BATTERY 35AH
2.00	8530010290	20 WATT SOLAR PANEL
2.00	8530010295	SIDE OF POLE MOUNT FOR 20 & 50 WATT SOLAR PANELS
2.00	8530010289	SOLAR PANEL HARNESS, MC4 TO SPADE TERMINALS, 8'
4.00	8530080115	LIGHTBAR WITH CONFIRMATION LIGHTS (INCLUDES UNIVERSAL MOUNTING BRACKET) (BLACK)
4.00	8530080117	HARNESS, 16FT, TERMINAL BLOCK TO LIGHT BAR, RRFB, SC315, TPE
2.00	7220083901	PUSHBUTTON iNX XWALK PPB W/9X12 R10-25 SIGN, NO BRAILLE, STANDARD MESSAGE, BLACK (NO CONTROLLER REQUIRED)
2.00	8530038027	HARNESS, 16FT, POLARA iNX OR CAMPBELL GUARDIAN BUTTON, G- SERIES
1.00	Bundle - Pelco	
4.00	7520010380	POLE SPUN ALUMINUM 4-1/2" SCHEDULE 40 14' LENGTH
4.00	7520030030	PEDESTAL BASE ALUMINUM SQUARE WITH ALUMINUM DOOR NO LOGO,
4.00	7520030200	COLLAR ASSEMBLY ALUMINUM FOR SQUARE BASE
4.00	7520040030	ANCHOR BOLT KIT 3/4" #10, SET OF (4) GALVANIZED
4.00	7520050110	POLE CAP DOME 4-1/2" OD ALUMINUM
8.00	7710030022	SIGN (CROSSING WALKING MAN) 36" X 36" FLUORESCENT YELLOW GREEN 3M VIP SERIES 3983 (W11-2) .080 ALUMINUM
4.00	7710030042	SIGN (ARROW) 18" X 30" FLUORESCENT YELLOW GREEN 3M VIP SERIES 3983 (W16-7PL) LEFT DOWN ARROW (W16-7PL) .080 ALUMINUM

4.00	7710030047	SIGN (ARROW) 18" X 30" FLUORESCENT YELLOW GREEN 3M VIP SERIES 3983 (W16-7PR) RIGHT DOWN ARROW (W16-7PR) .080 ALUMINUM
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<b>Terms:</b>	Net 30
<b>Freight Terms:</b>	FOB DstFrt PP&ADD
<b>Material Lead Time:</b>	

*See General Conditions below for exceptions and changes to freight and lead time policies*

<b>Subtotal</b>	<b>\$24,414.68</b>
<b>Shipping</b>	<b>\$0.00</b>
<b>Tax 10.10%</b>	<b>\$2,465.88</b>
<b>Grand Total</b>	<b>\$26,880.56</b>



## GENERAL CONDITIONS OF SALE

All information contained within this quote is valid for 30 days from the date of the quotation. Thereafter, all prices and applicable charges are subject to change. The acceptance of this quotation implies the acceptance of the following terms and conditions which cannot be varied or waived except by express written authorization by a Western Systems representative. These terms govern the sale of goods and services supplied by Western Systems. Differing terms from Buyer in any purchase order or written communication shall not be binding on Western Systems.

## TERMS AND CONDITIONS

**Purchase Order:** All purchases require a formal purchase order. Emails or verbal communication does not constitute an acceptable purchase order.

Material lead time date is based after the release of the order. During the Covid-19 outbreak, Western Systems lead time dates will be estimates based on our best information available.

Clarification on Shipping During Covid-19; FOB Destination and FOB Destination, Prepay & Add terms as quoted imply that the customer will be available to receive material deliveries. Any repeated delivery attempts, trucking reroutes, en-route cancellations or product factory returns which incur additional shipping costs shall be billed to the customer will be passed onto the purchaser.

**Taxes/Fees:** Unless current resale certificate is on file with Western Systems, purchaser shall be responsible for all tariffs, duties, sales or use taxes in addition to the quoted prices herein. Any taxes listed are estimated totals and should be verified against local requirements.

Payment Terms are based on approval of credit.

Western Systems imposes a surcharge of 2% on the transaction amounts when paying with a Visa or MasterCard. We are unable to accept other credit cards for payment options. All prices are quotes in USD funds.

**Non-Payment Penalties:** If payment has not been received within terms, the purchaser will be considered in default. Western Systems will be entitled, without prejudice to our other rights, without serving notice of default, to charge the purchaser for all costs incurred such as administration, storage, legal advice etc. The unpaid portion of any amount due to Western Systems will bear interest at the rate of 1.5% per month simple interest. Western Systems reserves the right to hold goods until customer balances their account.

Western Systems will not be subject to any project retainage of any kind. Material purchases are due and payable upon receipt.

Unpaid balances will be subject to Non-Payment Penalties.

**Collections:** Upon Buyer default of these terms, Western Systems may, in addition to any other rights or remedies at contract or law, declare the entire balance of Buyer's account immediately due and payable. If unpaid balance is referred for collections, Buyer agrees to pay Western Systems, to the extent permitted by law, reasonable attorney fees in addition to all damages otherwise available, plus any court costs or expenses incurred by Western Systems, plus any finance charges accrued on any unpaid balance owed by Purchaser.

**Deferment or Cancellation Policy:** Order deferment or cancellation once materials have been released will be subject to cancellation and/or restocking fees.

**Documentation:** Any operational documentation supplied as a part of this quotation remains the property of Western Systems and may not be copied, reproduced, transmitted or communicated to 3rd parties without the express written consent of Western Systems.

**On-Site Services:** On-site services such as signal or video system turn-on support shall be scheduled three weeks in advance. If services need to be cancelled or postponed, any non-reimbursable travel expenses will be billed to purchaser. This quotation does not provide nor imply any on-site support services unless mentioned specifically herein. If on-site support services are required, and not included as part of this proposed scope of work, please contact Western Systems for a revised quotation.

**Warranty:** Standard one-year warranty on material goods manufactured or supplied by Western Systems from the date of manufacturers factory shipment, unless superseded by an additional manufacturer's warranty, provided such goods are maintained and operated in accordance with manufacturers standard method of operation. For additional information on Western Systems warranty, please send an email to [info@westernsystems-inc.com](mailto:info@westernsystems-inc.com).

**Return and Restocking Policy:** Western Systems will be the sole source in determining whether any item is eligible for return. To be eligible the item(s) must be standard product models, new and unused, in the original packaging, and invoiced within the last 90 days.

Restocking fees are applied to all returns and can vary between 20-50% based on annual sales activity. In no case will Western Systems be obligated to take returns for materials, including items that are obsolete, custom orders, or past the 90-day invoice period.

Delivery Inspection: All materials deliveries must be inspected upon receipt from freight carrier. Any freight damages must be reported to the carrier at the time of receipt of goods. Any materials shortages or inaccuracies in shipment must be reported to Western Systems within ten days receipt of goods. Thereafter, any discrepancies will be considered incidental and the responsibility of the receiver.

Force Majeure: Western Systems, Inc. shall in no event be responsible for delays in performance due to actions beyond its reasonable control including without limitation acts of God, strikes, labor shortage or disturbance, fire, accident, war, civil disturbance or carrier delays. Western Systems, Inc. accepts no liability for errors or omissions or the accuracy or the completeness of this quotation. It has been prepared to the best of our knowledge per plans, specifications, documentation and communications provided but we do not guarantee these to be accurate or of the latest revision. Determination of accuracy of this quotation and final quantities are the sole responsibility of recipient. Western Systems, Inc. shall in no event be liable for any special, consequential, incidental or liquidated damages (including without limitation damages for loss of use of facilities or equipment, loss of revenue, loss of profits or loss of goodwill), regardless of whether seller (a) has been informed of the possibility of such damages or (b) is negligent.