

SOUND TRANSIT

MOTION NO. M2000-01

**Change Order No. 11 to an Agreement with Burlington Northern and Santa Fe Railway
for Engineering of Boeing Access Road Station Improvements
within the Railroad Right-of-Way**

BACKGROUND AND COMMENTS

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	1/6/00	Discussion / Possible Action	Paul W. Price	(206) 398-5111

PROPOSED ACTION:

Approval of Motion No. M2000-01 would authorize the Executive Director to execute a contract change order to the Tacoma-to-Seattle Final Engineering Agreement with the Burlington Northern and Santa Fe Railway (BNSF) in the amount of \$189,770 for engineering of surface elements of the Boeing Access Road Station located within the BNSF right-of-way.

In combination with companion contract change order No. 10 (proposed Motion No. M2000-02), having a value of \$253,959, the actions pending to the Tacoma-to-Seattle Final Engineering Agreement has a total value of \$443,729. The agreement has a current value of \$6,895,200. If both actions (Motions No. M2000-02 and No. M2000-01) are approved by the Finance Committee, the Final Engineering Agreement will have a new total value of \$7,338,929.

KEY FEATURES:

<p><u>Highlights</u></p> <p>The additional scope of the contract change order will cover the following final engineering tasks:</p> <ul style="list-style-type: none">◆ Preparation of final design drawings, specifications, and cost estimates for the surface elements (finishes, canopies, platforms, fixtures, furniture, etc.) of the Boeing Access Road Station◆ Incorporation of comments at the 50% and 100% design levels◆ Attendance at Sound Transit/BNSF project/design coordination meeting◆ Survey, as necessary, location control of geotechnical borings <p>The design will be in accordance with Sound Transit's Sounder Station Design manual.</p> <p>Prior to construction of the station, a Sound Transit Light Rail and Commuter Rail design team will complete the design of non-surface elements (e.g., stairways and elevators).</p>

Description

Through Resolution No. R98-45, a Final Engineering Agreement with BNSF was approved by the Finance Committee on November 5, 1998 and by the Board on November 12, 1998. That agreement provides final design and cost estimates for the improvements to the BNSF railway necessary for the operation of the Tacoma-to-Seattle commuter rail segment. The additional engineering tasks identified in Highlights above can be accomplished via the Sound Transit/BNSF Final Engineering Agreement, with approval of this requested contract change order by the Finance Committee.

IMPORTANCE OF ACTION:

The Sounder program has proceeded to date with the principle that the BNSF (or its consultants) is responsible for the engineering of physical improvements within their operating right-of-way. The proposed location of the Boeing Access Road Station platform is located between operating freight tracks. Sound Transit staff concurs with the BNSF that the proposed engineering tasks are necessary for the safe and efficient operation of a Boeing Access Road Station. Utilizing the Sound Transit/BNSF Final Engineering Agreement, via the proposed contract change order, offers an appropriate and cost effective means of accomplishing this work.

Consequences of Delay

This work will have to be accomplished prior to construction of the Boeing Access Road Station and implementation of Sounder service at that location. The possibility exists that a delay could cause the BNSF to furlough some of the consultants they have had working on related tasks. Should that happen, there could be a brief delay while the consultant team is reconstituted or new, qualified members are recruited.

Alternatives

Alternatives to the requested action include:

1. Delay the approval of Motion No. M2000-01 and the related contract change order. (This has some potential, but not likely extremely serious, impacts to the schedule for providing Sounder at the Boeing Access Road Station.)
2. Choose not to pursue the proposed engineering support through any means. (Since the BNSF has reserved the right to perform and/or manage the design of elements within their operating trackway, it may not be possible to construct the Boeing Access Road Station without first engaging in a contractual arrangement equivalent to that offered through this proposed contract change order.)

Public Involvement

By its nature, this requested Finance Committee action is not the subject of a specific public involvement effort. However, the issue of the significant capital investment in the railway between Tacoma and Seattle has been informed by a variety of public involvement processes—beginning with the public debate over Sound Move and extending to the annual Sound Transit budget processes.

BUDGET:

Sound Transit’s funding for the requested engineering activities can be found in the Board adopted 2000 Budget. That budget is detailed as follows:

Page In Budget	Project Number	Description	Available Capital Budget in Calendar Year 2000 (YOE \$)
88	233	Boeing Access Road Station (Tukwila), <u>Final Design and Specification</u> capital cost element	\$ 312,000

The proposed action has a total value of \$189,770, approximately 60% of the total funding available for the Boeing Access Road Station final engineering activities during calendar year 2000.

Another way of evaluating the budget and funding of the proposed action, as reflected in the adopted Sound Transit 2000 Budget, is as follows:

Total Budget Available for Final Design	Funds Committed to Date	Proposed Change Order	Total Funds Committed with this Action
\$635,000	\$26,316	\$189,770	\$216,086

As shown on page 88 of the Sound Transit 2000 Budget, the value of the proposed action represents 30% of all funding available for the Boeing Access Road Station final engineering. In concert with other committed funds, this action results in 34% of all final engineering funds available being committed. The remaining final engineering funds are projected to be more than adequate to fund the remaining final design activities at this location.

Note that there is a companion proposed Finance Committee action (Motion No. M2000-02) that would amend the same Sound Transit/BNSF Final Engineering Agreement to fund engineering of additional project elements between Tacoma and Seattle. However, while that action would amend the same agreement, it would draw on a different funding source. For clarity, the two actions have been separated for the Finance Committee’s consideration.

NEXT STEPS:

Following Finance Committee approval of the subject contract change order, staff will prepare the necessary materials and present them to the Executive Director for execution.

LEGAL REVIEW AND SUPPORTING ACTIONS:

Legal Review

Approved as to form. (MBL 12/14/99)

Relevant Board Policies and Previous Actions Taken

◆ Motion No. 49 (November 7, 1997)

Authorized a contract with BNSF for advanced planning, in an amount not to exceed \$3,711,000.

◆ Resolution No. 78-1 (April 1998)

Authorized non-standard procurements such as sole source and special circumstance procurements.

◆ Resolution No. R98-29 (April 23, 1998)

Authorized a contract with the BNSF in the amount of \$3,391,910 for preliminary engineering.

◆ Resolution No. R98-45 (November 2, 1998)

Authorized a contract with the BNSF in the amount of \$5,746,000 and a contingency of \$1,149,2000 for final engineering.

◆ Resolution No. R99-23 (July 22, 1999)

Authorized execution of a contract amendment to the BNSF Final Engineering agreement for the procurement of long lead-time capital equipment with a value of \$17,043,311.

◆ Year 2000 Adopted Budget. (November 18, 1999)

SOUND TRANSIT

MOTION NO. M2000-01

A motion of the Finance Committee of the Central Puget Sound Regional Transit Authority authorizing the Executive Director to execute a change order to an existing Final Engineering Agreement with the Burlington Northern and Santa Fe Railway (BNSF) for engineering of surface elements of the Boeing Access Road Station located within the BNSF right-of-way. This Final Engineering Agreement change order will have a cost not to exceed \$189,770.

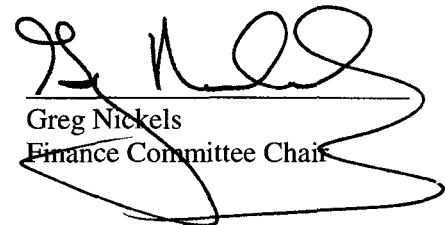
Background:

Through Resolution No. R98-45, a Final Engineering Agreement with BNSF providing final design and cost estimates for the improvements to the BNSF railway necessary for the operation of the Tacoma-to-Seattle commuter rail segment was approved by the Finance Committee on November 5, 1998, and by the Board on November 12, 1998. The final engineering of the surface elements of the Boeing Access Road Station located within the BNSF's operating trackway can be accomplished via the Sound Transit/BNSF Final Engineering Agreement, with approval of this requested contract change order by the Finance Committee, represented by Motion No. M2000-01. Sound Transit staff concurs with the BNSF that the proposed engineering tasks are necessary for the safe and efficient operation of a Boeing Access Road Station. Utilizing the Sound Transit/BNSF Final Engineering Agreement, via the proposed contract change order, offers an appropriate and cost effective means of accomplishing this work

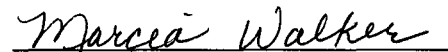
Motion:

It is hereby moved by the Finance Committee of the Board of the Central Puget Sound Regional Transit Authority that the Executive Director is authorized to execute a change order to an existing Final Engineering Agreement with the Burlington Northern and Santa Fe Railway for engineering of surface elements of the Boeing Access Road Station located within the BNSF right-of-way. This Final Engineering Agreement change order will have a cost not to exceed \$189,770.

Approved by the Finance Committee of the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on the 6th day of January, 2000.


Greg Nickels
Finance Committee Chair

ATTEST:


Marcia Walker
Board Administrator