

SOUND TRANSIT

MOTION NO. M2000-02

**Amendment No. 10 to an Agreement with Burlington Northern and Santa Fe Railway for
Final Engineering of the Seattle-to-Tacoma Commuter Rail Project**

BACKGROUND AND COMMENTS

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	12/2/99	Discussion / Possible Action	Paul W. Price	(206) 398-5111

PROPOSED ACTION:

Approval of Motion No. M2000-02 would authorize the Executive Director to execute a contract amendment to the Tacoma-to-Seattle Final Engineering Agreement with the Burlington Northern and Santa Fe Railway (BNSF) in the amount of \$253,959 for additional engineering of retaining walls, yard track revisions, and utility protection, as well as completion of a field survey of property.

In combination with companion contract amendment No. 11 (Pending Motion No. M2000-01), having a value of \$189,770, the actions pending to the Tacoma-to-Seattle Final Engineering Agreement have 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:

Highlights

The additional scope will cover the following engineering tasks necessary for completion of improvements to the railroad infrastructure along the Tacoma-to-Seattle corridor:

- ◆ Design of an additional retaining wall at milepost 10.0 for protection of the King County Metro trunk sewer system
- ◆ Revisions to the “ready tracks” in SIG Yard in South Seattle
- ◆ Additional design in Tacoma Half Moon Yard
- ◆ Additional design for utility protection
- ◆ Additional design for the Tacoma sewer lift station
- ◆ Field survey of property previously omitted in the otherwise complete topographic survey in the area of Kent Station

Description

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 additional engineering tasks identified in Highlights above can be accomplished via the Sound Transit/BNSF Final Engineering Agreement, with approval of this requested contract amendment by the Finance Committee.

IMPORTANCE OF ACTION:

While Sound Transit and the BNSF made a good faith effort to identify all the necessary elements of the Tacoma-to-Seattle design/engineering effort before the work actually began, the actual engineering work itself has revealed some unanticipated elements. These are the discrete tasks now identified for completion through the proposed contract amendment represented by Motion No. M2000-02. Sound Transit staff concurs with the BNSF and their consultants that these tasks are necessary for the safe and/or efficient operation of the Tacoma-to-Seattle commuter rail service. Utilizing the existing Final Engineering Agreement, via the proposed contract amendment, offers an appropriate and cost effective means of accomplishing the work.

Consequences of Delay

This work will have to be accomplished prior to construction of the track and signal modifications necessary to achieve full service in the Tacoma-to-Seattle. 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. M2000-02 and the related contract amendment. (This has some potential, but not likely extremely serious, impacts to the schedule for achieving the full service level on the Tacoma-to-Seattle segment.)
2. Choose not to pursue the proposed engineering support through any means. (Since the tasks have been identified by the BNSF and their consultants in consultation with Sound Transit, it is possible that the BNSF might take the position that achievement of full service levels between Tacoma and Seattle is not permissible without engineering and implementing the identified project element.)

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 \$)
80	110	Seattle-to-Auburn (Track & Facilities), <u>Final Design and Specification</u> capital cost element	\$ 187,000
81	120	Auburn-to-Tacoma Dome (Track & Facilities), <u>Final Design and Specification</u> capital cost element	\$ 1,106,000

TOTAL \$ 1,293,000

The proposed action has a total value of \$253,959, or less than 20% of the total funding available for Tacoma-to-Seattle final design activities during calendar year 2000. Utilizing the necessary amount for these tasks does not jeopardize any of the other work that must be funded out of the “Final Design and Specification” project phases during 2000.

Note that there is a companion proposed Finance Committee action (Motion No. M2000-01) that would amend the same Sound Transit/BNSF Final Engineering Agreement to fund engineering of the Boeing Access Road Station. 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 amendment, staff will prepare the necessary materials and present them to the Director of Commuter Rail for execution.

LEGAL REVIEW AND SUPPORTING ACTIONS:

Legal Review

The Background and Comments and the Resolution have been reviewed and approved by the Legal Department.

Relevant Board Policies and Previous Actions Taken

- ◆ Motion No. 49 (November 7, 1997)

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

◆ Resolution No. 78-1 (April 9, 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)

Established funding adequate all to complete all necessary engineering for the Tacoma-to-Seattle commuter rail segment.

SOUND TRANSIT

MOTION NO. M2000-02

A motion of the Finance Committee of the Board of the Central Puget Sound Regional Transit Authority authorizing the Executive Director to execute an amendment to an existing Final Engineering Agreement with the Burlington Northern and Santa Fe Railway (BNSF) for additional engineering of retaining walls, yard track revisions, and utility protection, as well as completion of a field survey of property. This Final Engineering Agreement amendment will have a cost not to exceed \$253,959.


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. Conducting the actual engineering work itself revealed some unanticipated elements. These are the discrete tasks now identified for completion through the proposed contract amendment represented by Motion No. M2000-02. Sound Transit staff concurs with the BNSF and their consultants that these tasks are necessary for the safe and/or efficient operation of the Tacoma-to-Seattle commuter rail service. Utilizing the existing Final Engineering Agreement, via the proposed contract amendment, offers an appropriate and cost effective means of accomplishing the work.

Motion:

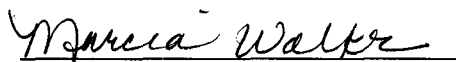
It is hereby moved by the Finance Committee of the Board of the Central Puget Sound Regional Transit Authority that the Executive Director is authorized to execute an amendment to an existing Final Engineering Agreement with the Burlington Northern and Santa Fe Railway for additional engineering of retaining walls, yard track revisions, and utility protection, as well as completion of a field survey of property. This Final Engineering Agreement amendment will have a cost not to exceed \$253,959.

ADOPTED 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