

SOUND TRANSIT

MOTION NO. M2000-16

Change Order for BNSF Final Engineering Design Changes of Tacoma-to-Seattle Railroad Improvements BACKGROUND AND COMMENTS

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	2/17/00	Discussion/Possible Action to Recommend Board Approval	Paul W. Price, Commuter Rail Director	(206) 398-5111
Board of Directors	TBD	Action		

ACTION:

Approval of Motion No. M2000-16 would authorize the Executive Director to execute a change order to the Final Design contract with the Burlington Northern and Santa Fe Railway (BNSF), for design changes to the Tacoma-Seattle railroad track and signal improvements. The original BNSF final design contract was approved by the Board of Directors (Resolution No. R98-45) on November 12, 1998. This change order would increase the total contract amount available by \$1,650,000, which includes a 10% contingency, for a total contract value not to exceed \$8,988,929.

BACKGROUND:

A September 2000 start-up of Sounder service requires that construction begin immediately upon completion of design of several key track improvement projects, but this construction cannot begin without a signed capital improvements agreement between BNSF and Sound Transit. Finalization of this agreement is awaiting redesign of several segments in the corridor.

Because the capital agreement between Sound Transit and BNSF may include a revised set of track and signal improvements between Tacoma and Seattle, redesign of those improvements must begin immediately. The redesign can be accomplished under the existing Final Design agreement, by means of a change order. The resulting final design package would include changed track and signal designs through south Seattle, in the Auburn area, and through Tacoma.

RELEVANT BOARD POLICIES AND PREVIOUS ACTIONS TAKEN:

- ◆ Adoption of Sound Move, The Ten-Year Regional Transit System Plan -- calls for commuter rail service to be implemented within two to four years of voter approval (May 31, 1996).
- ◆ Resolution No. R98-29 – Authorized execution of a contract with BNSF for preliminary engineering of the Tacoma-Seattle track and signal improvements (April 23, 1998).
- ◆ Resolution No. R98-45 – Authorized execution of a contract with BNSF for final engineering of the Tacoma-Seattle track and signal improvements (November 12, 1998).
- ◆ Resolution No. R99-22 – Authorized the Executive Director to sign operating and capital agreements with the BNSF enabling BNSF operation of Sounder commuter trains, within cost parameters, legal parameters, and risk parameters discussed with the Board (August 26, 1999).
- ◆ Resolution No. R99-23 – Authorized the Executive Director to sign Amendment No.1 to the final engineering agreement with BNSF, for long lead capital items for the Tacoma-Seattle track and signal improvements (August 26, 1999).
- ◆ Resolution No. R99-33 – adopted the Sound Transit budget for 2000 (November 18, 1999).

KEY FEATURES:

- ◆ This Final Design change order would establish a three-month effort to re-design track and signal improvements, revising some of the railroad improvements supporting the Tacoma-to-Seattle commuter rail service.
- ◆ BNSF would perform the redesign, with the assistance of the engineering consultants currently under contract to BNSF for Final Design.

FUNDING:

- ◆ The total cost of this proposed change order is \$1,650,000, including a 10 percent contingency, subject to approval by the Board.
- ◆ The total budget for design work on the Tacoma-Seattle track and signal improvements was \$7,099,000, of which 94% has been obligated and spent.
- ◆ Funding for this work would come out of the track and signal construction budget for the Tacoma-Seattle segment, with a subarea allocation directly proportional to the total track construction budget by subarea.
- ◆ The track and signal final design and construction figures allocated in the adopted 2000 Budget is shown in Table A (see next page).

BUDGET:

The budget for Tacoma-Seattle track and signal work is identified in two sections of Sound Transit's 2000 Budget, adopted by the Board on November 18, 1999. The Tacoma-to-Seattle Track and Facilities budget item (Projects #110 and #120 on pages 80-81) allocated for both final design and construction are shown in Table A below. Notice that the potential impact of the corresponding Board Motion No. M2000-17 has been deducted from the available construction budget shown. There are no other current items before the Board that will impact the numbers presented.

TABLE A: SOUNDER COMMUTER RAIL - SEATTLE TO TACOMA TRACK AND SIGNAL FINAL DESIGN & CONSTRUCTION BUDGET

Description/ Project #	Adopted 2000 10-Year Construction Budget ¹	Life-to-Date Expenditures ² /Outstanding Commitments	Other Pending Board and Finance Committee Decisions ³	Budget Available (A-B)	Proposed Board Action ⁴
	A	B	C	D	E
Seattle-Auburn Final Eng. #110	\$ 4,000,000	\$ 3,640,923	\$ 0	\$ 359,077	\$ 359,077
Auburn-Tacoma Final Eng. #120	\$ 3,099,000	\$ 3,049,125	\$ 0	\$ 49,875	\$ 49,875
<i>Total Final Design (Tac-Sea)</i>	<i>\$ 7,099,000</i>	<i>\$ 6,690,048</i>	<i>\$ 0</i>	<i>\$408,952</i>	<i>\$ 408,952</i>
Seattle-Auburn T&F , #110	\$ 127,601,000	\$ 0	\$ 107,796	\$127,493,204	\$ 686,051
Auburn-Tacoma T&F , #120	\$ 72,400,000	\$ 0	\$ 87,204	\$ 72,312,796	\$ 554,997
<i>Total Construction (Tac-Sea)</i>	<i>\$ 200,001,000</i>	<i>\$ 0</i>	<i>\$ 195,000</i>	<i>\$199,806,000</i>	<i>\$ 1,241,048</i>
Total Final Eng. & Construction	\$ 207,100,000	\$ 6,690,948	\$ 195,000	\$200,214,952	\$1,650,000

¹2000 Budget was approved by the Board on 11/18/99 with Resolution R99-33.

²Expenditures are as of November 30, 1999

³See pending Motion M2000-17

⁴Including Contingency of 10%

As indicated in the above table, the result of this Board action will deplete the Final Engineering budget as well as decrease the construction budget for projects 110 and 120. A budget transfer between phases has been executed through Sounder's existing change board and budget policy processes. The following Table B presents the impact of the action on the corresponding budget transfer.

TABLE B: SOUNDER COMMUTER RAIL - SEATTLE TO TACOMA IMPACT OF TRANSFER ON PROJECT BUDGETS

Description	Project #	Phase	Adopted 2000 10-Year Construction Budget	Transfer Impact of Other Pending Board Action ¹	Transfer Impact of Proposed Board Action	New Budget After Transfer (A-B-C)
			A	B	C	D
Seattle-Auburn Final Eng.	#110	30	\$ 4,000,000	\$ 0	\$ 686,051	\$ 4,686,051
Seattle-Auburn Construction	#110	50	\$ 127,601,000	(\$ 107,796)	(\$ 686,051)	\$126,807,153
<i>Total Seattle-Auburn</i>			<i>\$ 131,601,000</i>	<i>(\$ 107,796)</i>	<i>\$ 0</i>	<i>\$131,493,204</i>
Auburn-Tacoma Final Eng.	#120	30	\$ 3,099,000	\$ 0	\$ 554,997	\$ 3,653,997
Auburn-Tacoma Construction	#120	50	\$ 72,400,000	(\$ 87,204)	(\$ 554,997)	\$ 71,757,799
<i>Total Auburn-Tacoma</i>			<i>\$ 75,499,000</i>	<i>(\$ 87,204)</i>	<i>\$ 0</i>	<i>\$ 75,411,796</i>

¹See pending Motion M2000-17 (corresponding debits to Administration phase result in a net impact of zero at total project level)

ALTERNATIVES:

Alternatives to proceeding with the subject redesign of the track and signal improvements have been discussed with the Board. These alternatives are related to State DOT participation in funding the improvements.

CONSEQUENCES OF DELAY:

- ◆ Failure to revise the design of track and signal improvements between Seattle and Tacoma could leave Sound Transit unable to begin commuter rail service in September 2000. While the Board may decide to take more time considering this or alternative actions, such a delay would decrease the time available for design and construction of certain railway improvements that the BNSF has indicated are necessary for the start-up of *Sounder* operations.
- ◆ Because of the BNSF's own stake in accomplishing this work in concert with the ongoing negotiations, and given their invested effort in the contracting process to date, failure to proceed creates a potential conflict with BNSF.

LEGAL REVIEW:

MBL 2/10/00.

SOUND TRANSIT

MOTION NO. M2000-16

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the Executive Director to execute a change order to the Final Design contract with the Burlington Northern Santa Fe Railway for redesign of the Tacoma-Seattle railroad improvements. This change order would increase the total contract amount available by \$1,650,000 which includes a 10% contingency, for a total contract value not to exceed \$8,988,929.

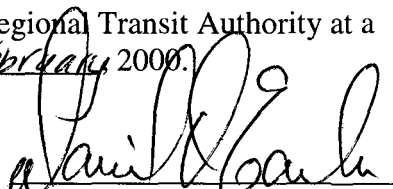
Background:

A September 2000 start-up of Sounder service requires that construction begin immediately upon completion of design of several key track improvement projects, but this construction cannot begin without a signed capital improvements agreement between BNSF and Sound Transit. Finalization of this agreement is awaiting redesign of several segments in the corridor.

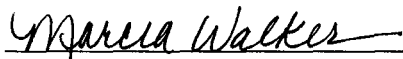
Motion:

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the Executive Director is authorized to execute a change order to the Final Design contract with the Burlington Northern Santa Fe Railway for Final Design of track and signal improvements by \$1,650,000 which includes a 10% contingency, for a total contract value not to exceed \$8,988,929.

ADOPTED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on the 24th day of February 2000.


Dave Earling
Board Chair

ATTEST:



Marcia Walker
Board Administrator