

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2002-51

Tacoma Link Procurement for BNSF Double Diamond Crossing

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	5/2/02	Discussion/Possible Action	Ahmad Fazel, Link Director Joe Gildner, Deputy Director, Technical Services Stephanie Kirby, Civil Engineer	(206) 398-5389 (206) 689-3350 (206) 689-3324

Contract/Agreement Type:		Requested Action:	
	3		3
Competitive Procurement	3	Execute New Contract/Agreement	3
Sole Source		Amend Existing Contract/Agreement	
Memorandum of Agreement		Contingency Funds Required	
Purchase/Sale Agreement		Budget Amendment Required	

OBJECTIVE OF ACTION

- To procure a "double diamond crossing" for the Tacoma Link Light Rail crossing of BNSF track at 17th Street and Pacific in downtown Tacoma.

ACTION

- Authorize the Executive Director to execute a contract with L.B. Foster Company for the manufacture of a double diamond crossing for the Tacoma Link Light Rail crossing of BNSF track at 17th Street and Pacific Avenue in downtown Tacoma in the amount of \$229,480 plus a 10% contingency of \$22,948 for a total authorized amount not to exceed \$252,428.

KEY FEATURES

- Authorizes the Executive Director to execute a contract with L.B. Foster Company to manufacture a double diamond crossing for the Tacoma Link Light Rail crossing of BNSF track at 17th Street and Pacific Avenue in downtown Tacoma in the amount of \$229,480 plus a 10% contingency of \$22,948 for a total authorized amount not to exceed \$252,428.
- Includes the fabrication of the crossing along with the necessary hardware to construct the crossing in the field. This crossing is needed in order for the Tacoma Link Light Rail tracks to cross the BNSF tracks at 17th and Pacific in downtown Tacoma. The double diamond crossing is a specially designed and fabricated piece of trackway that allows two trackways to cross each other.

BUDGET IMPACT SUMMARY

Project Description: Tacoma Link
Current Status: Under Construction
Projected Completion Date: 09/03

Action Outside of Adopted Budget:	Y/N	Y Requires Comment
This Line of Business	N	
This Project	N	
This Phase	N	
This Task	Y	Requires a transfer from uncommitted funds within the construction phase.
Budget amendment required	N	
Key Financial Indicators:	Y/N	Y Requires Comment
Contingency funds required	N	
Subarea impacts	N	
Funding required from other parties other than what is already assumed in financial plan	N	

N = Action is assumed in current Board-adopted budget. Requires no budget action or adjustment to financial plan

BUDGET DISCUSSION

The total adopted budget for Tacoma Link, as amended is \$80.4 million. Within that budget, the activity contemplated within this motion is identified within the Construction phase. This activity was originally included within the cost estimate under the construction contract for the BNSF rail crossing. Due to the long lead-time necessary for the double diamond crossing, this procurement has been pulled out of the construction contract. For this task, there is a budget equal to the contract amount, including contingency, of \$252,428. With the approval of this contract amendment, there is sufficient budget remaining to complete the project.

REVENUE, SUBAREA, AND FINANCIAL PLAN IMPACTS

The proposed action is consistent with the current board adopted budget and is affordable within the agency's current long-term financial plan and sub-area financial capacity. The action will have no new revenue impacts on Sound Transit.

SUMMARY FOR BOARD ACTION

Summary for Board Action (Year of Expenditure \$000)

Action Item: L. B. Foster Co.

Tacoma Link	Current Board Adopted Budget (A)	Committed To Date (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
1 Agency Administration	4,552	2,145		2,145	2,406
2 Preliminary Engineering	6,242	6,566		6,566	(324)
3 Final Design	6,007	6,511		6,511	(504)
4 Right of Way	2,944	1,654		1,654	1,290
5 Construction	49,498	42,733	252	42,985	6,513
6 Vehicles	9,485	7,980		7,980	1,504
7 System Testing and Startup	760	-		-	760
8 Contingency	928	-		-	928
9 Total Current Budget	80,416	67,590	252	67,842	12,574

Phase Budget Detail

10 Double Diamond Crossing Procurement	252		252	252	-
11 Other Construction	49,246	42,733		42,733	6,513
12 Total Phase	49,498	42,733	252	42,985	6,513

Contract Budget	Current Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
13 Double Diamond Crossing Procurement			229	229
14 Contingency			23	23
15 Total	-	-	252	252
16 Percent Contingency	0%	0%	10%	10%

- B Contains current commitments together with all commitments currently under consideration by the Board. This provides a more conservative measure of uncommitted budget authority. Should all proposed actions not be exercised, then the uncommitted amount (column D) would be higher.

M/W/DBE – SMALL BUSINESS PARTICIPATION

This procurement called for the fabrication and delivery of the materials to be installed by a contractor. It was determined that this contract had limited subcontracting opportunities. However, if bidders identified the need to use a subcontractor, they were to make affirmative efforts to solicit and utilize M/W/DBE or other small businesses. The low bidder, L.B. Foster Co., identified delivery as a subcontractable opportunity, and is using a DBE firm for shipping the Double Diamond to the site. The amount of DBE participation for shipping the product is 1.65%.

HISTORY OF PROJECT

On March 23, 2002, Sound Transit received bids from four firms for the Tacoma Link Procurement for Reversible Manganese Insert Crossing Diamonds. L.B. Foster was the lowest responsive and responsible bidder with a bid of \$229,480, which was 28% under the engineer's estimate of \$318,000.

The double diamond crossing is required for the Tacoma Link Light Rail to cross the BNSF tracks in downtown Tacoma at 17th and Pacific. The double diamond is a specially designed and manufactured piece of trackwork that allows two trackways to cross each other. The double diamond crossing will be manufactured and delivered to Tacoma Operations and Maintenance Facility where a contractor under a separate contract, yet to be awarded, will as part of their contract work place the double diamond crossing.

Prior Board or Committee Actions and Relevant Board Policies

Motion or Resolution Number	Summary of Action	Date of Action
Reso No. R2001-17 (Amend. 10)	Adopted an annual budget for the period from January 1 to December 31, 2002	12/13/01

CONSEQUENCES OF DELAY

The manufacture of the double diamond crossing requires a lead-time of approximately 270 days. By procuring the double diamond now, it will be available for installation under a separate contract by mid-spring of 2003. Delaying award of this procurement contract could ultimately delay the revenue service date for the Tacoma Link Light Rail.

REGIONAL PARTNERSHIP AND COOPERATION

BNSF engineering group has reviewed the design documents for the procurement of the double diamond crossing to ensure they meet BNSF standards.

PUBLIC INVOLVEMENT

N/A

LEGAL REVIEW

JDW 4/10/02

SOUND TRANSIT

MOTION NO. M2002-51

A motion of the Finance Committee of the Central Puget Sound Regional Transit Authority authorizing the Executive Director to execute a contract with L.B. Foster Company for the manufacture of a double diamond crossing for the Tacoma Link Light Rail crossing of BNSF track at 17th Street and Pacific Avenue in downtown Tacoma in the amount of \$229,480 plus a 10% contingency of \$22,948 for a total authorized amount not to exceed \$252,428.

Background:

On March 23, 2002, Sound Transit received bids from four firms for the Tacoma Link Procurement for Reversible Manganese Insert Crossing Diamonds. L.B. Foster was the lowest responsive and responsible bidder with a bid of \$229,480, which was 28% under the engineer's estimate of \$318,000.

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Motion:

It is hereby moved by the Finance Committee of the Central Puget Sound Regional Transit Authority that the Executive Director is authorized to execute a contract with L.B. Foster Company for the manufacture of a double diamond crossing for the Tacoma Link Light Rail crossing of BNSF track at 17th Street and Pacific Avenue in downtown Tacoma in the amount of \$229,480 plus a 10% contingency of \$22,948 for a total authorized amount not to exceed \$252,428.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on May 2, 2002.



Kevin Phelps
Finance Committee Chair

ATTEST:



Marcia Walker
Board Administrator