

**SOUND TRANSIT  
STAFF REPORT**

**MOTION NO. M2005-20**

**City of Seattle Construction Services Agreement Amendment**

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	2/18/05	Discussion/Possible Action to Recommend Board Approval	Ahmad Fazel, Link Director	206-398-5389
Board	2/24/05	Action	<b>Hamid Qaasim, Agency QA/QC Manager</b>	206-398-5129

Contract/Agreement Type:	✓	Requested Action:	✓
Competitive Procurement		Execute New Contract/Agreement	
Sole Source		Amend Existing Contract/Agreement	✓
Interlocal Agreement	✓	Contingency Funds (Budget) Required	
Purchase/Sale Agreement		Budget Amendment Required	

✓ *Applicable to proposed transaction.*

**ACTION**

Authorizes the Chief Executive Officer to execute an amendment to the Construction Services Agreement with the City of Seattle in the amount of \$400,000, for a new total authorized project expenditure amount not to exceed \$41,624,062. This action increases the total authorized funding to \$45,974,062, which includes reimbursements to Sound Transit in the amount of \$4,350,000, and authorizes up to \$725,000 for purchase of a Tunnel Rescue Vehicle.

**KEY FEATURES**

- Dedicated tunnel rescue teams are required by WAC 296-155 for underground construction safety.
- Procurement of this Tunnel Rescue Vehicle is part of Sound Transit's approach for providing tunnel rescue services through the Construction Services Agreement (CSA), which includes provisions for the cost of equipment, training, staffing and vehicles to support the Seattle Fire Department's (SFD) commitment to provide 24 hour/7 days per week emergency tunnel rescue services during construction of the Beacon Hill Tunnel portion of the Link Initial Segment.
- The approved CSA identified the need for tunnel rescue services. However, at that time there was not consensus on vehicle requirements or a procurement method. These issues have now been resolved allowing the procurement to move forward as contemplated.
- Sound Transit's emergency management plan and procedures designate the City of Seattle Fire Department as the first responder and designated rescue team(s) for any construction related emergencies.
- Tunnel rescue services need to be in place in order to support construction of the Beacon Hill tunnel, anticipated to begin during 2005 and 2006. At the end of 2006, the need for continuing tunnel rescue services will be reevaluated based on the nature of the remaining construction.

- As a condition of furnishing the Fire Department Rescue Vehicle, SFD agrees that the tunnel rescue equipment and rescue vehicle will be available for use on current and future Sound Transit tunnel projects as long as construction activities for those projects commence within the anticipated 15-year useful life of the Rescue Vehicle.
- Sound Transit, through the CSA, has provided for the cost of service, repairs, and consumables resulting from training drills with the equipment and vehicles. Costs resulting from fire department use of this equipment and vehicles for events not related to the Sound Transit tunnel construction project(s) shall be borne by the city.

### **BUDGET IMPACT SUMMARY**

There is no action outside of the Board-adopted budget; there are no contingency funds required, no subarea impacts, or funding required from other parties other than what is already assumed in the financial plan.

### **BUDGET DISCUSSION**

The adopted 2005 lifetime capital budget for the Initial Segment in the amount of \$2.07 billion includes a total of \$57,866,889 for services, construction work, and equipment supplied by the City of Seattle. Depending on the nature of the services provided, the budget for City of Seattle services is assigned to project budget phases as follows: (a) \$27,045,131 in the third party phase; (b) \$30,646,758 in the construction phase; and (c) \$175,000 in the right of way phase.

City of Seattle expenditures are authorized under two agreements between the City of Seattle and Sound Transit: (a) the Memorandum of Agreement (MOA) with a current authorized expenditure amount for the Initial Segment of \$14,994,760; and (b) the Construction Services Agreement (CSA) with a current authorized expenditure amount of \$41,224,062.

The proposed action would authorize execution of an amendment to the CSA in the amount of \$400,000 for a new total authorized project expenditure amount for this agreement not to exceed \$41,624,062. This action increases the total authorized funding to \$45,974,062, which includes reimbursements to Sound Transit in the amount of \$4,350,000. The \$325,000 balance between the proposed amendment of \$400,000 and the estimated total cost of the Rescue Vehicle of \$725,000 will be funded from funds currently available within the existing CSA. Approval of this proposed action would result in a remaining uncommitted budget for City of Seattle services in the amount of \$329,250 and \$918,817 in the third party and construction phases, respectively.

### **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 subarea financial capacity. The action will have no new revenue impact on Sound Transit.

## BUDGET TABLE

**Action Item:** City of Seattle (Amend CSA to add funds for Seattle Fire Department procurement of a Tunnel Rescue Vehicle to support tunnel rescue readiness during Beacon Hill and Pine Street Stub Tunnel construction of the Link Initial Segment)

**(Year of Expenditure \$000)**

Initial Segment	Adopted 2005 Budget (A)	Committed To Date (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
1 Agency Administration	218,780	111,533		111,533	107,247
2 Preliminary Engineering	34,000	33,586		33,586	414
3 Final Design	143,523	138,038		138,038	5,485
4 Right of Way	229,516	171,107		171,107	58,409
5 Construction	1,168,066	779,084	-	779,084	388,982
6 Construction Services	83,892	80,631		80,631	3,261
7 Third Party Agreements	58,916	52,474	400	52,874	6,042
8 Vehicles	133,307	131,799		131,799	1,508
9 <b>Total Current Budget</b>	<b>2,070,000</b>	<b>1,498,251</b>	<b>400</b>	<b>1,498,651</b>	<b>571,349</b>
<b>Construction Phase Detail</b>					
10 City of Seattle Agreements	30,647	29,728	-	29,728	919
11 Other Construction	1,137,419	749,356		749,356	388,063
12 <b>Total Phase</b>	<b>1,168,066</b>	<b>779,084</b>	<b>-</b>	<b>779,084</b>	<b>388,982</b>
<b>Third Party Phase Detail</b>					
13 City of Seattle Agreements	27,045	26,316	400	26,716	329
14 Other Third Party	31,871	26,158		26,158	5,713
15 <b>Total Phase</b>	<b>58,916</b>	<b>52,474</b>	<b>400</b>	<b>52,874</b>	<b>6,042</b>
(B) COMMITTED TO DATE amounts are from the Link Program Cost Summary Report (HQ Reports) for November 2004 + Board motions not yet included in the report.					
Contract Budget	Board Approvals to Date (F)	Current Approved Contract Value (G)	Proposed Action (H)	Proposed Total for Board Approval (I)	Proposed Contract Value (J)
16 Contract Amount	37,969	37,969	400	38,369	38,369
17 Contingency	3,255	3,255	-	3,255	3,255
18 <b>Total</b>	<b>41,224</b>	<b>41,224</b>	<b>400</b>	<b>41,624</b>	<b>41,624</b>
19 Percent Contingency	9%	9%	0%	8%	8%

## M/W/DBE – SMALL BUSINESS PARTICIPATION

Procurement of services by the City will be done consistent with the City of Seattle's M/W/DBE – Small Business Participation Program.

## HISTORY OF PROJECT

The CSA established the framework for developing and executing task orders authorizing the City of Seattle to provide construction support services for the Central Link Light Rail Initial Segment. Tunnel rescue services have been programmed in the CSA; however, no budget was earmarked for the purchase of a needed rescue vehicle at the time the original CSA authorization was requested in 2003. It was recognized at that time that a new rescue vehicle would have to be purchased, but there was not consensus on how best to procure the vehicle.

Consensus has now been reached that the City should procure this vehicle, and Sound Transit should pay for the procurement with \$400,000 of new budget authority and the balance from re-programming the CSA budget and use of existing CSA contingency. It is critical that this vehicle be ordered in February 2005 to support the planned start of Beacon Hill tunnel rescue readiness by late spring or early summer 2005. Initially the tunnel rescue is planned to start on a part-time overtime basis in April/May 2005 and transition into full-time in September/October 2005 based upon the contractor's progress.

Specific items under the tunnel rescue services task will include authorization to purchase vehicles and major equipment, provide training, overtime, and additional staff. This Task Order will cover work for 2005 and 2006. At the end of 2006, the need for continuing tunnel rescue services will be reevaluated based on the nature of the remaining construction. Adjustments in scope, staff, or budget will be reviewed annually to ensure appropriate code compliant services.

Sound Transit is funding the cost of equipment, training, and vehicles to support the Seattle Fire Department's (SFD) commitment to provide emergency tunnel rescue services during construction of the Beacon Hill Tunnel project on a 24 hour/7 days per week basis. As a condition of furnishing the Fire Department Rescue Vehicle, SFD agrees that the tunnel rescue equipment and Rescue Vehicle will be available for use on current and future Sound Transit tunnel projects as long as construction activities for those projects commence within the anticipated 15-year useful life of the Rescue Vehicle.

Sound Transit will work with SFD staff to identify appropriate vendors and necessary equipment to ensure best value for the procurement. The City of Seattle will have title and full responsibility for use, maintenance, replacement, and staffing of the Rescue Vehicle and associated rescue equipment. Sound Transit, through the CSA, has provided for the cost of service, repairs, and consumables resulting from training drills with the equipment and vehicles. Costs resulting from Fire Department use of this equipment and vehicles for events not related to the Sound Transit tunnel construction project(s) shall be borne by the City.

A term sheet has been negotiated between Sound Transit and the Seattle Fire Department that spells out the above understanding. Link's emergency management plan and procedures will designate the City of Seattle Fire Department as the First Responder and designated rescue team(s) for any construction related emergencies.

#### **Prior Board or Committee Action**

<b>Motion or Resolution Number</b>	<b>Summary of Action</b>	<b>Date of Action</b>
M2003-91-1	Execute an interlocal agreement with the City of Seattle to provide construction support services for the Central Link Light Rail Initial Segment in the amount of \$37,969,043, with a contingency of \$3,255,019, for a total authorized amount not to exceed \$41,224,062. This action also authorizes a task limit of \$45,574,062 before City of Seattle credits to Sound Transit of \$4,350,000 and supersedes Motion No. M2003-91.	10/9/03

#### **CONSEQUENCES OF DELAY**

It is critical that this vehicle be ordered in February 2005 to support the planned start of tunnel rescue readiness by late spring or early summer 2005.

#### **PUBLIC INVOLVEMENT**

Not applicable to this action.

#### **LEGAL REVIEW**

JW 2/8/05

## **SOUND TRANSIT**

### **MOTION NO. M2005-20**

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the Chief Executive Officer to execute an amendment to the Construction Services Agreement with the City of Seattle in the amount of \$400,000, for a new total authorized project expenditure amount not to exceed \$41,624,062. This action increases the total authorized funding to \$45,974,062, which includes reimbursements to Sound Transit in the amount of \$4,350,000, and authorizes up to \$725,000 for purchase of a Tunnel Rescue Vehicle.

#### **Background:**

In October 2003, the Sound Transit Board approved Motion No. M2003-91-1, authorizing execution of a Construction Services Agreement (CSA) with the City of Seattle to provide construction support services for the Central Link Light Rail Initial Segment. The CSA established the framework for developing and executing task orders authorizing the City of Seattle to provide construction support services for the Central Link Light Rail Initial Segment.

Dedicated tunnel rescue teams are required by WAC 296-155 for underground construction safety. Tunnel rescue services have been programmed in the Construction Services Agreement, however, no budget was earmarked for the purchase of a needed rescue vehicle at the time the original CSA authorization was requested in 2003. It was recognized at that time that a new rescue vehicle would have to be purchased, but there was not consensus on how best to procure the vehicle.

Consensus has now been reached that the City should procure this vehicle, and Sound Transit should pay for the procurement with \$400,000 of new budget authority and the balance from re-programming the CSA budget and use of existing CSA contingency. It is critical that this vehicle be ordered in February 2005 to support the planned start of Beacon Hill tunnel rescue readiness by late spring or early summer 2005. Initially the tunnel rescue is planned to start on a part-time overtime basis in April/May 2005 and transition into full-time in Sept/Oct 2005 based upon the contractor's progress.

Specific items under the tunnel rescue services task will include authorization to purchase vehicles and major equipment, provide training, overtime, and additional staff. This Task Order will cover work for 2005 and 2006. At the end of 2006 the need for continuing tunnel rescue services will be reevaluated based on the nature of the remaining construction. Adjustments in scope, staff, or budget will be reviewed annually to ensure appropriate code compliant services.

Sound Transit is funding the cost of equipment, training, and vehicles to support the Seattle Fire Department's (SFD) commitment to provide emergency tunnel rescue services during construction of the Beacon Hill Tunnel project on a 24 hour/7 days per week basis. As a condition of furnishing the Fire Department Rescue Vehicle, SFD agrees that the tunnel rescue equipment and Rescue Vehicle will be available for use on current and future Sound Transit tunnel projects as long as construction activities for those projects commence within the anticipated 15 year useful life of the Rescue Vehicle.

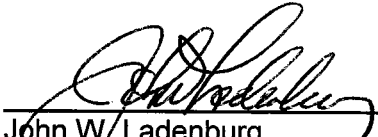
Sound Transit will work with SFD staff to identify appropriate vendors and necessary equipment to ensure best value for the procurement. The City of Seattle will have title and full responsibility for use, maintenance, replacement, and staffing of the Rescue Vehicle and associated rescue equipment. Sound Transit, through the CSA, has provided for the cost of service, repairs, and consumables resulting from training drills with the equipment and vehicles. Costs resulting from SFD use of this equipment and vehicles for events not related to the Sound Transit tunnel construction project(s) shall be borne by the City.

A term sheet has been negotiated between Sound Transit and SFD that spells out the above understanding. Link's emergency management plan and procedures will designate the City of Seattle Fire Department as the First Responder and designated rescue team(s) for any construction related emergencies.

**Motion:**

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the Chief Executive Officer is authorized to execute an amendment to the Construction Services Agreement with the City of Seattle in the amount of \$400,000, for a new total authorized project expenditure amount not to exceed \$41,624,062. This action increases the total authorized funding to \$45,974,062, which includes reimbursements to Sound Transit in the amount of \$4,350,000, and authorizes up to \$725,000 for purchase of a Tunnel Rescue Vehicle.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on February 24, 2005.

  
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John W. Ladenburg  
Board Chair

ATTEST:

  
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Marcia Walker  
Board Administrator