



## Motion No. M2019-45

### Ratifying Light Rail Vehicle Lift Contract

Meeting:	Date:	Type of action:	Staff contact:
Rider Experience and Operations Committee	05/02/2019	Recommend to Board	Ron Lewis, Executive Director of DECM
Board	05/23/2019	Final action	<b>Sarah Perrino, Program Manager, Facilities</b>

### Proposed action

Ratifies the chief executive officer's execution of a contract with Whiting Corporation to furnish and install a light rail vehicle lift for the Operations & Maintenance Facility Light Rail Vehicle Lift project in the amount of \$1,251,600, with a 10 percent contingency of \$125,160, for a total authorized contract amount not to exceed \$1,376,760 plus applicable taxes.

### Key features summary

- In December 2018, the Board ratified the chief executive officer's finding of an emergency in connection with the purchase and installation of a light rail vehicle lift at the Operations and Maintenance Facility because the selected contractor ceased doing business and was unable to complete the work.
- Sound Transit has now completed negotiations with Whiting Corporation for these services. The contract with Whiting Corporation was executed on April 5, 2019 under the CEO's authority under the emergency declaration. In compliance with Board policy, Board ratification of the contract is now being sought.
- The scope of work for the contract includes design, fabrication, delivery, installation, testing and commissioning for an above ground light rail vehicle lift and turntables in the Link Operations & Maintenance Facility.
- The contractor is making this project a priority. The expected project completion date is October 31, 2019.
- Applicable taxes are currently estimated to be \$126,412.

### Background

In November 2018, the original contractor for the Operations & Maintenance Facility Light Rail Vehicle Lift project, Macton Corporation, went out of business and is unable to perform the work.

Sound Transit's chief executive officer issued an emergency declaration on December 11, 2018 to allow staff to immediately identify a qualified replacement contractor to complete the work. That emergency declaration was ratified by the Board on December 20, 2018.

Immediate action on a new contract allows Sound Transit to avoid incurring significant additional costs in connection with the contract for preparatory work for the installation of the lift, the design review work in connection with the suppliers design of the lift, and most significantly, in connection with the new LRVs

scheduled to begin arriving from Siemens Industry’s manufacturing plant in early 2019. Without the new lift installed, Sound Transit will be unable to service the new and expanded light rail vehicle fleet.

The OMF Lift project is procuring and installing a second lift to maintain the growing LRV fleet, which is increasing from 62 to 214. One vehicle maintenance lift was installed when the OMF was built in 2007. A second lift is needed for vehicle maintenance, both scheduled and unscheduled. The second lift was intended to support the mid-life overhaul for the fleet, which began in 2018, and to support the new light rail vehicles.

Macton Corporation was expected to complete the new lift by second quarter 2018 to allow use by the fourth quarter of 2018. Whiting Corporation is scheduled to install and test the new lift by October 31, 2019, to enable Sound Transit to accept and commission the new light rail vehicles.

**Procurement information**

Resolution No. R2018-40 authorizes the CEO to declare an emergency and enter into contracts. Per these provisions, the CEO must request the Board ratify the declaration of emergency at the next Board meeting. Ratification of the contract Sound Transit executed with the replacement contractor will be sought at a Board meeting in the first quarter of 2019.

**Fiscal information**

This action is within the baseline budget and sufficient monies remain after approval of this action to fund the remaining work in the construction services phase as contained in the current cost estimates.

The baseline budget for the Operations & Maintenance Facility Light Rail Vehicle Lift project is \$4,898,160. Within the construction phase \$3,250,778 has been allocated. The proposed action would commit \$1,503,172 and leave a remaining budget balance of \$1,298,866 in the construction phase.

**Operations & Maintenance Facility Light Rail Vehicle Lift**

(in thousands)

Project Phase	Authorized Project Allocation to Date	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Agency Administration	\$838	\$639		\$639	199
Preliminary Engineering	156	156		156	
Final Design	585	414		414	171
Third Party					
Right of Way					
Construction	3,251	449	1,503	1,952	1,299
Construction Services Vehicles	69	9		9	60
<b>Total Current Budget</b>	<b>\$4,898</b>	<b>\$1,666</b>	<b>\$1,503</b>	<b>\$3,169</b>	<b>\$1,729</b>
<b>Phase Detail - Construction</b>					
Construction	\$3,251		\$1,503	\$1,503	\$1,748
Other (Construction)					
<b>Total Phase</b>	<b>\$3,251</b>	<b>\$</b>	<b>\$1,503</b>	<b>\$1,503</b>	<b>\$1,748</b>
<b>Whiting Corporation</b>					
	Board Approvals to Date	Current Approved Agreement Status	Proposed Action	Proposed Total for Board Approval	
Contract Amount			\$1,252	\$1,252	
Contingency			125	125	
Taxes			126	126	
<b>Total Contract/Agreement</b>	<b>\$</b>	<b>\$</b>	<b>\$1,503</b>	<b>\$1,503</b>	
Percent Contingency	0%	0%	10%	10%	

**Notes:**  
 Amounts are expressed in Year of Expenditure \$000s.  
 Board Approvals = Committed To-Date + Contingency as of Mar 2019, and includes pending Board actions.  
 For detailed project information, see page 241 of 330 of the 2019 Financial Plan & Proposed Budget.

## **Small business participation and apprenticeship utilization**

Sound Transit promotes and encourages small business participation, which also includes disadvantaged business enterprises (DBEs). Small business and DBE goals are based upon an examination of subcontracting opportunities contained in the work of this contract and the number of small businesses/DBEs available to perform such subcontracting work.

Sound Transit determined that there were few small business and DBE subcontracting opportunities based upon the work described in this contract, so small business/DBE goals were not established.

## **Public involvement**

Not applicable to this action.

## **Time constraints**

A one-month delay would not have an impact on the project schedule. Board action to cancel the contract would impact Sound Transit's ability to service the new light rail vehicles and would result in monetary losses.

## **Prior Board/Committee actions**

Motion M2018-172: Ratified the chief executive officer's finding of an emergency in connection with the purchase and installation of a light rail vehicle lift at the Operations and Maintenance Facility due to the fact that Macton Corporation has ceased doing business and is unable to complete its work.

Motion M2018-133: Authorized the chief executive officer to execute a contract with Granite Construction Company to provide foundation and electrical services for the Operations and Maintenance Facility Light Rail Vehicle Lift Project in the amount of \$66,800, with a 10% contingency of \$66,680, for a total authorized contract amount not to exceed \$733,480.

Motion M2017-131: Authorized the chief executive officer to execute a contract with Macton Corporation to procure and install a second lift in the Link Operations and Maintenance Facility in the amount of \$630,000, with a 10% contingency of \$63,000, for a total authorized contract amount not to exceed \$693,000 plus applicable taxes.

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**Environmental review** – KH 4/24/19

**Legal review** – JW 4/26/19





## **Motion No. M2019-45**

A motion of the Board of the Central Puget Sound Regional Transit Authority ratifying the chief executive officer's execution of a contract with Whiting Corporation to furnish and install a light rail vehicle lift for the Operations & Maintenance Facility Light Rail Vehicle Lift project in the amount of \$1,251,600, with a 10 percent contingency of \$125,160, for a total authorized contract amount not to exceed \$1,376,760 plus applicable taxes.

### **Background**

Sound Transit's chief executive officer issued an emergency declaration on December 11, 2018 to allow staff to immediately identify a qualified replacement contractor to complete the work. That emergency declaration was ratified by the Board on December 20, 2018. In November 2018, the original contractor for the Operations & Maintenance Facility Light Rail Vehicle Lift project, Macton Corporation, went out of business and is unable to perform the work. Sound Transit has now completed negotiations with Whiting Corporation for these services. The contract with Whiting Corporation was executed on April 5, 2019 under the CEO's authority under the emergency declaration. In compliance with Board policy, Board ratification of the contract is now being sought.

The scope of work for the contract includes design, fabrication, delivery, installation, testing and commissioning for an above ground light rail vehicle lift and turntables in the Link Operations & Maintenance Facility. The contractor is making this project a priority. The expected project completion date is October 31, 2019.

Immediate action on a new contract allows Sound Transit to avoid incurring significant additional costs in connection with the contract for preparatory work for the installation of the lift, the design review work in connection with the suppliers design of the lift, and most significantly, in connection with the new LRVs scheduled to begin arriving from Siemens Industry's manufacturing plant in early 2019. Without the new lift installed, Sound Transit will be unable to service the new and expanded light rail vehicle fleet.

The OMF Lift project is procuring and installing a second lift to maintain the growing LRV fleet, which is increasing from 62 to 214. One vehicle maintenance lift was installed when the OMF was built in 2007. A second lift is needed for vehicle maintenance, both scheduled and unscheduled. The second lift was intended to support the mid-life overhaul for the fleet, which began in 2018, and to support the new light rail vehicles.

Macton Corporation was expected to complete the new lift by second quarter 2018 to allow use by the fourth quarter of 2018. Whiting Corporation is scheduled to install and test the new lift by October 31, 2019, to enable Sound Transit to accept and commission the new light rail vehicles. Applicable taxes are currently estimated to be \$126,412.

**Motion**

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority ratifying the chief executive officer's execution of a contract with Whiting Corporation to furnish and install a light rail vehicle lift for the Operations & Maintenance Facility Light Rail Vehicle Lift project in the amount of \$1,251,600, with a 10 percent contingency of \$125,160, for a total authorized contract amount not to exceed \$1,376,760 plus applicable taxes.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on May 23, 2019.



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John Marchione  
Board Chair

**Attest:**



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Kathryn Flores  
Board Administrator