Motion No. M2024-51

Contract for Lakewood Subdivision and Sounder Everett Yard Maintenance of Way

Meeting:	Date:	Type of action:	Staff contact:
Rider Experience & Operations Committee	08/01/2024	Final action	Russ Arnold, DCEO Chief Service Delivery Officer **Martin Young, Deputy Director, Commuter Rail Operations**

Proposed action

Authorizes the chief executive officer to execute a seven-year contract, with two one-year options to extend, with Stacy and Witbeck, Inc. to provide track, signal, and bridge maintenance services for Sound Transit's Lakewood Subdivision and Sounder Everett Yard right-of-way for a total authorized contract amount not to exceed $35,572,574 plus applicable taxes.

Key features summary

- This contract will provide the required track, signal, and bridge maintenance for Sound Transit's right of way from Tacoma-to-Nisqually as well as Everett and Lakewood layover yards.
- The Federal Railway Administration (FRA) has progressively higher regulatory standards for track maintenance depending on the speed of the trains operating on the track. The scope of this contract will fulfill FRA requirements for higher-speed passenger train operations.
- This contract will provide:
  - Track, signal, and bridge maintenance for the Sound Transit-owned line
  - Layover yard and wayside power maintenance
  - Positive Train Control (PTC) wayside equipment maintenance
  - Required FRA inspections
  - Geometry car ride-quality checks to detect and correct surface deviations
  - Track resurfacing (realignment and re-ballasting)
  - Graffiti/Vandalism removal within 24 hours
  - Inspection and repairs for unanticipated maintenance needs
  - Vegetation control and tree removal
  - Flagging for third party contractors working in/near the ROW
  - Emergency response services as required
- The requested amount covers all seven years and the two one-year options under the contract.
- Applicable taxes are currently estimated to be $3,592,830.

Background

Sound Transit purchased the Tacoma-to-Nisqually railroad line from BNSF in 2003. The line required infrastructure improvements to accommodate Sounder commuter, WSDOT, and Amtrak intercity operations. The Tacoma-to-Nisqually line is 20 miles long and includes three stations: the Tacoma Dome, South Tacoma, and Lakewood Sounder stations. The scope of work under this contract requires five full-time and four part-time technical specialists, with provisions for any emergency and on-call work that may be needed. A portion of the maintenance expense for the Lakewood to Nisqually segment is offset by agreements with Amtrak, Tacoma Rail, and BNSF.

Procurement information

Sound Transit issued a Request for Proposals on April 10, 2024. Sound Transit determined a best-value method was appropriate for this procurement due to the potential need to conduct negotiations and evaluate factors other than price as basis for award, such as: knowledge and experience of key individuals, firm(s) experience and history, capacity and project approach, and Equal Employment Opportunity (EEO) commitment. Sound Transit received three proposals in response to the solicitation. The awardee received a total score of 983/1000 points. The proposed price of $35,572,573.58 (before tax) is fair and reasonable based on comparison of the competitive market rates submitted by other offerors. The proposed price is also less than the independent cost estimate of $65,443,481.82 for the full term, i.e., base plus all option periods.

Fiscal information

This action for $39,165,404 including estimated applicable taxes, will be funded from the Operations Department's annual operating budget. Within the Services category, the Contract Maintenance budget is $19,860,809, of which $652,755 is estimated to be spent from this contract in the remainder of 2024 and is currently within the agency's budget authority. After approval of this action, sufficient budget remains to cover remaining annual expenditures; funding for the additional years of the contract will be included in future annual budget requests.

This action does not impact the affordability of the agency's Financial Plan, as the services are already incorporated in the annual operating plan.

Operations
(in thousands)

Budget Cost Category	2024 Annual Operating Budget[1]	YTD Actuals[2]	Contract Spend Forecast Remainder of 2024	YTD Plus Action (Current Year Only)	Remaining Annual Operating Budget
Salaries and Benefits	$53,540	$23,369	$0	$23,369	$30,170
Services	74,563	25,443	653	26,095	48,467
Materials and Supplies	25,052	11,788	-	11,788	13,264
Utilities	14,730	5,328	-	5,328	9,402
Insurance	-	-	-	-	-
Taxes	2,400	1,523	-	1,523	878
Purchased Transportation Services	289,021	142,401	-	142,401	146,620
Miscellaneous	952	205	-	205	747
Leases and Rentals	1,295	666	-	666	629
Total Annual Operating Budget	**$461,552**	**$210,722**	**$653**	**$211,375**	**$250,178**
Services Category Detail					
Contract Maintenance	19,861	10,024	653	10,677	9,184

Contract Spending Plan	Contract Spend to Date[3]	Contract Spend Forecast Remainder of 2024	Future Spending	Total
Stacy & Witbeck, Inc.	$0	$653	$38,513	$39,165

Contract Detail Stacy & Witbeck, Inc.	Board Approved Contract Value	Proposed Action	Proposed Revised Contract Value
Contract	$0	$35,573	$35,573
Contingency			
Contract Total	**$0**	**$35,573**	**$35,573**
Estimated Taxes		3,593	3,593
Total (with estimated taxes)	**$0**	**$39,165**	**$39,165**
Percent Contingency	0%	0%	0%

Notes:

[1]2024 Annual Operating Budget is located on page 59 of the Adopted Budget book.

[2]YTD Actuals as of Jun, 2024

[3]Spending to Date as of Jun, 2024.

Disadvantaged and small business participation

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.

For this contract, the following race neutral DBE Participation commitments were made:

DBE participation commitments
DBE: 0.30%

Subconsultant/Subcontractor	**Business Type**	**% of Work**	**Amount**
Chick of All Trades LLC dba COAT Flagging	DBE	0.30%	$106,000.00
Total		**0.30%**	**$106,000.00**

Public involvement

Not applicable to this action.

Time constraints

To preserve continuity of the work being performed under this contract, the agency's objective is to execute this contract before the current contract's expiration date of September 30, 2024.

Environmental review – EG 7/16/24

Legal review – DLM 7/19/24

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A motion of the Rider Experience and Operations Committee of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a seven-year contract, with two one-year options to extend, with Stacy and Witbeck, Inc. to provide track, signal, and bridge maintenance services for Sound Transit's Lakewood Subdivision and Sounder Everett Yard right-of-way for a total authorized contract amount not to exceed $35,572,574 plus applicable taxes.

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This contract will provide the required track, signal, and bridge maintenance for Sound Transit's right of way from Tacoma-to-Nisqually as well as Everett and Lakewood layover yards. The Federal Railway Administration (FRA) has progressively higher regulatory standards for track maintenance depending on the speed of the trains operating on the track. The scope of this contract will fulfill FRA requirements for higher-speed passenger train operations.

This contract will also provide the following: Positive Train Control (PTC) wayside equipment maintenance; required FRA inspections; geometry car ride-quality checks to detect and correct surface deviations; track resurfacing (realignment and re-ballasting); graffiti/Vandalism removal within 24 hours; inspection and repairs for unanticipated maintenance needs; vegetation control and tree removal Flagging for third party contractors working in/near the ROW Emergency response services as required.

The requested amount covers all seven years and the two one-year options under the contract. Applicable taxes are currently estimated to be $3,592,830.

Motion

It is hereby moved by the Rider Experience and Operations Committee of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute a seven-year contract, with two one-year options to extend, with Stacy and Witbeck, Inc. to provide track, signal, and bridge maintenance services for Sound Transit's Lakewood Subdivision and Sounder Everett Yard right-of-way for a total authorized contract amount not to exceed $35,572,574 plus applicable taxes.

APPROVED by the Rider Experience and Operations Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on August 1, 2024.

Kristina Walker
Rider Experience and Operations Chair

Attest:

Kathryn Flores
Board Administrator