

**SOUND TRANSIT  
STAFF REPORT**

**MOTION NO. M2004-41**

**Contract Amendment with HNTB Corporation  
for Reservation to Freighthouse Square**

<b>Meeting:</b>	<b>Date:</b>	<b>Type of Action:</b>	<b>Staff Contact:</b>	<b>Phone:</b>
Finance Committee	04/15/04	Action	Martin Minkoff, Director, Sounder Commuter Rail <b>Barb Gilliland, Deputy Director, Sounder Commuter Rail</b>	(206) 398-5111 (206) 398-5051

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

✓ *Applicable to proposed transaction.*

**OBJECTIVE OF ACTION**

To obtain an independent geo-technical and structural evaluation and technical review regarding the short and long-term structural integrity of the track bed and retained earth fill embankment located at Sounder Commuter Rail's Reservation Junction to Freighthouse Square track segment. HNTB will work with Sound Transit and the original design engineers and building contractors to assess the stability and safety of the wall and to develop any necessary engineering or construction repairs.

**ACTION**

Authorize the Chief Executive Officer to execute an amendment to the existing sole-source contract with HNTB Corporation to continue to provide additional independent engineering services for Sounder Commuter Rail's Reservation Junction to Freighthouse Square retained earth fill embankment and track bed structure in the amount of \$364,000, including contingency of \$33,000, for a new total authorized amount not to exceed \$464,100.

**KEY FEATURES**

- Defines a task-orientated scope of work, including an independent geo-technical and structural evaluation concerning the short and long-term structural integrity of the design and earth fill embankment and track bed structure at the Reservation to Freighthouse connector of Sounder Commuter Rail's Tacoma to Seattle corridor.
- Provides independent recommendations concerning remedial measures that should be considered to ensure the safety of passenger and freight rail operations along the Reservation Junction to Freighthouse Square rail segment.

## **BUDGET IMPACT SUMMARY**

**Project Description:** Reservation Junction to Freighthouse Square track segment, within the Seattle to Auburn and Auburn to Tacoma Track & Facilities projects (project numbers 110 and 120)

**Current Status:** In construction

**Projected Completion Date:** 2006

<b>Action Outside of Adopted Budget:</b>	<b>Y/N</b>	<b>Y Requires Comment</b>
This Line of Business	N	
This Project	N	
This Phase	Y	Requested action is outside scope of work for construction phase.
This Task	Y	Requested action is outside scope of work for this task. This could result in a budget shortfall in the event that Sound Transit is not reimbursed for these costs.
Budget amendment required	N	
<b>Key Financial Indicators:</b>	<b>Y/N</b>	<b>Y Requires Comment</b>
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 budget for Reservation to Freighthouse Square is contained within two projects; the Seattle to Auburn and Auburn to Tacoma Track and Facilities projects. The amount included in the project budgets for the Reservation Junction to Freighthouse Square track segment work is \$14.3 million, which includes the \$5.6 million credit from BNSF. The requested contract change is outside the Adopted budget for this task, but the construction phase contains adequate uncommitted budget to fund this action.

Of the \$14.3 million budgeted for Reservation to Freighthouse Square, \$13.9 million has been committed so far. The value of the proposed actions are \$364,000 for HNTB and \$780,000 for the Stacy & Witbeck for a total requested change of \$1,114,000 for the two contract amendments. These two actions, together with prior commitments, would result in a shortfall of \$837,000 in the Reservation to Freighthouse Square line item of the construction budget. The construction phase contains uncommitted budget that would be available to fund the shortfall including savings from safety medians in the amount of \$158,000 and \$1,055,000 from the miscellaneous construction line item.

## **REVENUE, SUBAREA, AND FINANCIAL PLAN IMPACTS**

The proposed action is outside the scope of work included in the current Board-adopted budget, but is affordable within Sound Transit's current long-term financial plan and the subarea financial capacity.

**BUDGET TABLE**

**Action Item: Amend Construction Contracts with Stacy & Witbeck and HNTB for Sounder Commuter Rail Reservation Junction to Freighthouse Square track segment, (within projects 110 and 120)**

(dollars in thousands)

	2004 Board Adopted Budget <sup>(1)</sup> (A)	Committed To Date <sup>(2)</sup> (B1)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
Agency Administration	22,076	\$ 21,174	\$ -	\$ 21,174	\$ 902
Preliminary Engineering	10,444	10,547	-	10,547	(103)
Final Design	8,835	8,950	-	8,950	(115)
Right of Way	24	40	-	40	(16)
<b>Construction</b>	<b>332,051</b>	<b>330,530</b>	<b>1,144</b>	<b>331,674</b>	<b>377</b>
Vehicles	93,717	87,899	-	87,899	5,818
Contingency	1,225	-	-	-	1,225
<b>Total Current Budget</b>	<b>468,372</b>	<b>\$ 459,140</b>	<b>\$ 1,144</b>	<b>\$ 460,284</b>	<b>\$ 8,088</b>

**Phase Budget Detail - Construction**

<b>BNSF</b>	<b>315,468</b>	<b>315,468</b>	<b>-</b>	<b>315,468</b>	<b>-</b>
<b>Reservation to Freighthouse Square <sup>(3)</sup></b>	<b>\$ 14,261</b>	<b>\$ 13,954</b>	<b>\$ 1,144</b>	<b>\$ 15,098</b>	<b>\$ (837)</b>
Median Safety Barriers	\$ 800	\$ 642	\$ -	\$ 642	\$ 158
Misc.	1,522	467	-	467	1,055
<b>Total Phase</b>	<b>\$ 332,051</b>	<b>\$ 330,530</b>	<b>\$ 1,144</b>	<b>\$ 331,674</b>	<b>\$ 377</b>

**Contract Budgets**

	Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
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Stacy & Witbeck	\$ 7,387	\$ 7,387	\$ 692	\$ 8,079
ST Contingency	1,590	1,468	88	1,678
Subtotal	\$ 8,977	\$ 8,855	\$ 780	9,757
Schedule Incentives	100	100	-	100
Total Stacy & Witbeck	9,077	8,955	780	\$ 9,857
Percent Contingency	22%		13%	21%

HNTB <sup>(4)</sup>	\$ 131	\$ 20	\$ 331	\$ 431
ST Contingency	-	-	33	33
Total HNTB	\$ 131	\$ 20	\$ 364	\$ 464
Percent Contingency	0%		10%	8%

<b>Total S&amp;W and HNTB Contracts</b>	<b>\$ 9,208</b>	<b>\$ 8,975</b>	<b>\$ 1,144</b>	<b>\$ 10,321</b>
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**Budget Shortfall**

Level	Shortfall Amt (J)	Potential Funds (K)	Funding Source (L)
Reservation to Freighthouse Square	\$ (837)	158	Safety median savings within Construction phase
		1,055	Miscellaneous construction line item
<b>Total</b>		<b>1,213</b>	

**Notes:**

- (1) The adopted budget amounts reflect two projects combined; Seattle to Auburn Track & Facilities project (#110) and Auburn to Tacoma Track & Facilities project (#120). These project budgets are shown on pages 63 and 64 of the Proposed 2004 budget book.
- (2) Committed to-date includes amounts spent and obligated through April 1, 2004 for projects 110 and 120.
- (3) Reservation to Freighthouse Square budget amount includes the \$5.6 million credit from BNSF.
- (4) In October 2003, the Chief Executive Officer authorized an emergency sole source contract with HNTB Corporation, which was subsequently ratified by action of the Board of Directors on April 8, 2004.

**M/W/DBE – SMALL BUSINESS PARTICIPATION**

Not applicable for this action.

**HISTORY OF PROJECT**

On October 24, 2003, the chief executive officer entered into an emergency sole source agreement with HNTB Corporation for engineering services to provide an independent evaluation concerning the short and long-term structural integrity of the earth fill embankment and track bed of the Reservation Junction to Freighthouse Square project. The work included design review, geo-technical review, settlement monitoring and surveying, and was to be conducted in two phases.

***Phase I – Short Term Assessment*** was to evaluate the existing structural stability of the earth fill, summarize the settlement rates, assess current and anticipated future settlement risks, and address any safety issues related to continued passenger and freight operations.

***Phase II – Retained Earth Fill Assessment*** was to evaluate on-going soil stability and projected movement, seismic stability of the earth fill design, recommend remedial action, if necessary, including associated costs, and provide an on-going monitoring plan.

As the result of HNTB's preliminary observations concerning soil settlement and wall deformation and cracking at the embankment site, Sound Transit took the precautionary measure of relocating its commuter rail operations to the BNSF track and temporary loading facilities near the Amtrak station in Tacoma to ensure the safety of its passengers.

HNTB then presented a number of options for the repair of the embankment structure and recommended that commuter service not be resumed until the remediation work is completed and a post-construction monitoring program is implemented.

HNTB is currently working with both Sound Transit and the original design engineering firm to develop a remediation approach and to prepare an action plan to design and construct necessary repairs, and on-going settlement monitoring.

### **CONSEQUENCES OF DELAY**

Delay of this request will delay the development of the details for the design, construction, and monitoring of the remedial work required to safely open the structure for commuter rail operations.

### **LEGAL REVIEW**

DLB

## SOUND TRANSIT

### MOTION NO. M2004-41

A motion of the Finance Committee of the Central Puget Sound Regional Transit Authority authorizing the Chief Executive Officer to execute an amendment to the existing sole-source contract with HNTB Corporation to continue to provide additional independent engineering services for Sounder Commuter Rail's Reservation Junction to Freighthouse Square retained earth fill embankment and track bed structure in the amount of \$364,000, including contingency of \$33,000, for a new total authorized amount not to exceed \$464,100.

#### **Background:**

On October 24, 2003, the chief executive officer authorized an emergency sole source contract with HNTB Corporation for engineering services to provide an independent evaluation concerning the short and long-term structural integrity of the earth fill embankment and track bed of the Reservation Junction to Freighthouse Square project. The work included design review, geo-technical review, and monitor settlement surveying to determine the structural stability and safety of the wall and to recommend remedial action, if any, deemed necessary to repair the wall.


After consulting with HNTB regarding its preliminary conclusions, Sound Transit relocated its commuter rail operations to temporary loading facilities near the Tacoma Amtrak station until the safety issues with the embankment are resolved.

HNTB continues to analyze the structural integrity of the embankment wall and is developing set of recommendations for the repair of the wall. HNTB has recommended that commuter rail service not be resumed on the embankment until its analysis and any necessary repairs are completed.

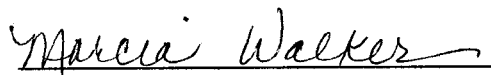
#### **Motion:**

It is hereby moved by the Finance Committee of the Central Puget Sound Regional Transit Authority that the Chief Executive Officer is authorized to execute an amendment to the existing sole-source contract with HNTB Corporation to continue to provide additional independent engineering services for Sounder Commuter Rail's Reservation Junction to Freighthouse Square retained earth fill embankment and track bed structure in the amount of \$364,000, including contingency of \$33,000, for a new total authorized amount not to exceed \$464,100.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on April 15, 2004.

  
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Kevin Phelps  
Finance Committee Chair

ATTEST:

  
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Marcia Walker  
Board Administrator

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Kevin Phelps  
Finance Committee Chair

ATTEST:

  
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Marcia Walker  
Board Administrator

Ratified by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on January 13, 2005.