

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2005-02

Contract Amendment for HNTB Corporation

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	1/6/05	Discussion/Possible Action to Recommend Board Approval	Jim Edwards, Deputy Director, Capital Projects Sounder and Regional Express	(206) 398-5436
Board	1/13/05	Action	Christine Engler, Construction Program Manager, Capital Projects Ron Perrone, Construction Manager, Capital Projects	(206)398-5056 (206) 398-5079

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	

ACTION

Authorizes 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 geotechnical monitoring for the earth fill embankment and track bed structure between Reservation Junction and Freighthouse Square in the amount of \$291,454, with a 20% contingency of \$58,291 totaling \$349,745, for a new total authorized contract amount not to exceed \$813,845.

KEY FEATURES

- Defines a task-oriented scope of work, including an independent geotechnical and structural evaluation concerning the short-term and long-term structural integrity of the earth fill embankment and track bed structure for the Reservation Junction to Freighthouse Square connector of Sounder Commuter Rail's Tacoma to Seattle corridor.
- Provides for 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.
- Provides for the continuation of the current monitoring plan that is consistent with the long-term soil stability, projected movement, seismic stability, and settlement concerns/projections that have been presented in the initial assessment, observed by actual site conditions, and accepted by all parties. The monitoring plan includes:
 - Surveying of the Structural Earth Walls (SEW) twice a month from January through June; once a month from July through October and twice a month from November to the end of December. Each survey will be reviewed and reported to Sound Transit in a narrative report, including charts;

- Geotechnical analyses of the SEW following inclinometer readings once a month through December. Each analysis will be delivered to Sound Transit in a monthly narrative report; and
- Compiling a quarterly report and a final report, submitted to Sound Transit, in addition to the ongoing monitoring and reporting.
- Ensures that the insight and expertise, delivered by the HNTB team during the initial stages of the emergency response to restore operations on this track segment, is retained.
- Ensures that the proper reading and interpretation of the existing, proprietary monitoring system installed by the HNTB team, is maintained.
- Provides a 20% contingency on an established program of work that can be used to mobilize the HNTB team immediately in response to unanticipated, significant events such as rapid embankment settlement.

BUDGET IMPACT SUMMARY

Project Description: Reservation Junction to Freighthouse Square track and facilities project (project number 247)

Current Status: Post construction monitoring

Projected Completion Date: 2006

Action Outside of Adopted Budget:	Y/N	Y Requires Comment
This Line of Business	N	
This Project	N	
This Phase	Y	This action would result in a shortfall for the construction phase in the amount of \$350k. The contingency phase contains funds which could be used for this effort.
This Task	Y	This action would result in a shortfall at the task level.
Budget amendment required	N	
Key Financial Indicators:	Y/N	Y Requires Comment
Contingency funds required	Y	Project contingency funds would be needed to fund this action.
Subarea impacts	N	
Funding required from 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 2005 Adopted project budget includes funds for Phase I remediation work leading up to the resumption of service but does not include funds for Phase II remediation work. The work phases are defined and discussed below in the History of Project section. Since the proposed action is part of the Phase II remediation work, the project budget does not include funds for this work. The budget contains project contingency which could be used to fund this action.

REVENUE, SUBAREA, AND FINANCIAL PLAN IMPACTS

The proposed action was not included in the current Board-adopted budget, but would be fundable within Sound Transit's current long-term financial plan and the subarea financial capacity.

BUDGET TABLE

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

Action Item: Execute amendment to sole source contract with HNTB for Sounder Commuter Rail Reservation Junction to Freighthouse Square track segment, (project 247)
(dollars in thousands)

	2005 Budget ⁽¹⁾ (A)	Committed To Date ⁽²⁾ (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
Agency Administration	4	\$ -	\$ -	\$ -	\$ 4
Preliminary Engineering	201	-	-	-	201
Final Design	962	-	-	-	962
Right of Way	-	-	-	-	-
Construction	14,885	14,885	350	15,235	(350)
Vehicles	-	-	-	-	-
Contingency	750	-	-	-	750
Total Current Budget	16,802	\$ 14,885	\$ 350	\$ 15,235	\$ 1,567

Phase Budget Detail - Construction

HNTB	\$ 464	\$ 464	\$ 350	\$ 813	\$ (349)
Shannon & Wilson	8,377	8,377		8,377	-
GETS	3,740	3,740		3,740	-
Other	2,304	2,304		2,304	(0)
Total Phase	\$ 14,885	\$ 14,885	\$ 350	\$ 15,235	\$ (350)

Contract Budget	Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
HNTB	\$ 431	\$ 431	\$ 291	\$ 722
ST Contingency	33	33	58	91
Total	\$ 464	\$ 464	\$ 350	\$ 813
Percent Contingency	8%		20%	13%

Budget Shortfall

Level	Shortfall Amt (J)	Potential Funds (K)	Funding Source (L)
Construction phase	\$ (350)	\$ 350	Contingency phase

Notes:

- (1) This project was presented as a separate project for the first time in the 2005 Adopted Budget. Costs and budget for this project were previously contained within the Seattle to Auburn (110) and Auburn to Tacoma (120) projects. Project is shown on page 107 of the *2005 Proposed Budget Book*.
- (2) Committed to date Includes actuals and commitments through November 30, 2004.

M/W/DBE – SMALL BUSINESS PARTICIPATION

HNTB Company is the prime consultant for this contract and will be performing 77% of the work on this contract. Baseline Engineering, Inc. is a small business.

Utilization Breakdown Table

Subconsultant	Business Type	% of Work	Dollar Value
Baseline Engineering	Small Business	23%	\$67,740
Total		23%	\$67,740

HISTORY OF PROJECT

Prior Board or Committee Actions and Relevant Board Policies

Motion or Resolution Number	Summary of Action	Date of Action
M2004-41	Executed 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 trackbed structure.	4/15/04
M2004-39	Authorized HNTB Corporation to continue its engineering work and authorizing Stacy and Witbeck to mobilize its forces and to purchase the supplies, materials, and equipment necessary to repair the Reservation Junction to Freighthouse Square retained earth fill embankment and track bed structure and delegating contract approval authority to the Finance Committee.	4/08/04

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, geotechnical 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.

HNTB's preliminary observations confirmed soil settlement, wall deformation, and cracking at the embankment site and identified safety concerns related to operations. In January 2004, Sound Transit relocated 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 pending further evaluation and remedial work.

HNTB evaluated and concurred with the design firm's proposed remediation work of the embankment structure and monitored the embankment during the Phase I remedial work. On August 29, 2004, Sounder Commuter Rail service returned to Freighthouse Square after Phase I remediation work was completed and a post-construction monitoring program was implemented. Post-construction monitoring continues with HNTB on the slope conditions of the track. Because the embankment east and west of the Bay Street underpass continues to settle and deform, continued monitoring is required.

CONSEQUENCES OF DELAY

On January 15, 2005, funding of the HNTB contract will be depleted. A temporary suspension of work for the structural monitoring and technical review services would be required. This would impact the scheduled monitoring of the project until funding could be restored.

LEGAL REVIEW

JW 12/22/04

SOUND TRANSIT

MOTION NO. M2005-02

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the Chief Executive Officer to amend the existing sole source contract with HNTB Corporation to continue to provide additional independent engineering services for geotechnical monitoring for the earth fill embankment and track bed structure between Reservation Junction and Freighthouse Square in the amount of \$291,454, with a 20% contingency of \$58,291 totaling \$349,745, for a new total authorized contract amount not to exceed \$813,845.

Background:

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, geotechnical review, settlement monitoring, and surveying, and was to be conducted in two phases.

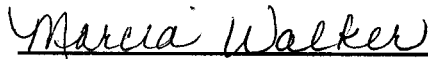
HNTB evaluated and concurred with the design firm's proposed remediation work of the embankment structure and monitored the embankment during the Phase I remedial work. On August 29, 2004, Sounder Commuter Rail service returned to Freighthouse Square after Phase I remediation work was completed and a post-construction monitoring program was implemented. Post-construction monitoring continues with HNTB on the slope conditions of the track. Because the embankment east and west of the Bay Street underpass continues to settle and deform, continued monitoring is required.

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 existing sole source contract with HNTB Corporation to continue to provide additional independent engineering services for geotechnical monitoring for the earth fill embankment and track bed structure between Reservation Junction and Freighthouse Square in the amount of \$291,454, with a 20% contingency of \$58,291 totaling \$349,745, for a new total authorized contract amount not to exceed \$813,845.

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

ATTEST:



Marcia Walker
Board Administrator



John W. Ladenburg
Board Chair