

**MOTION NO. M2010-68**  
**Facilities Management System Modifications at the Beacon Hill Station**

<b>MEETING:</b>	<b>DATE:</b>	<b>TYPE OF ACTION:</b>	<b>STAFF CONTACT:</b>	<b>PHONE:</b>
Capital Committee	07/15/10	Recommendation to Board	Ahmad Fazel, DECM Executive Director	206-398-5389
Board	07/22/10	Final Action	<b>Richard Sage, Principal Construction Manager</b>	206-398-5226

**PROPOSED ACTION**

Authorizes the chief executive officer to execute a sole source contract with Johnson Controls, Inc. to provide, install and program proprietary control devices for the facilities management system at Beacon Hill Station within the Central Link Initial Segment project in the amount of \$104,608, with a 10% contingency of \$10,462, for a total authorized contract amount not to exceed \$115,070.

**KEY FEATURES**

- The proposed action provides for a sole source contract with Johnson Controls to modify the existing facilities management system (FMS) and related systems at the Beacon Hill Station.
- Johnson Controls will perform specific tasks to modify the existing FMS, which is proprietary to Johnson Controls. Specific tasks include: a) hardware and programming to operate warning beacons at cross passages, b) controls to monitor status of elevators, c) controls to program stairwell pressurization fans, d) controls to modulate the pressure in cross passages, and e) modify programming for lighting controls. The work will take approximately four months to complete.
- The additions and modifications are necessary to connect all of the required monitoring locations to the FMS and to increase the reliability of the overall Link light rail system. These modifications were requested during the final system testing and inspection for the occupancy permit.
- Johnson Controls was the subcontractor who provided and installed the FMS. Entering into a contract with Johnson Controls will allow the contract with the prime contractor to be closed out while still completing the additional work without delay or duplication of costs.

**PROJECT DESCRIPTION**

The 14-mile Initial Segment of the Central Link light rail line has a northern terminus in the Pine Street Stub Tunnel, with passenger service beginning at Westlake Station serving downtown Seattle, the SODO industrial area, Beacon Hill, Rainier Valley, and Tukwila. Passenger stations include Westlake, University Street, Pioneer Square, International District/Chinatown, Stadium, SODO, Beacon Hill, Mount Baker, Columbia City, Othello, Rainier Beach, and Tukwila International Boulevard. The Operations and Maintenance Facility and Yard is located south of South Forest Street.

## FISCAL INFORMATION

### Budget Table

(Year of Expenditure \$000)

Initial Segment	Adopted 2010 Budget (A)	Committed To Date (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
Agency Administration	186,233	181,451		181,451	4,782
Preliminary Engineering	33,289	33,275		33,275	14
Final Design	147,436	147,141		147,141	295
Right of Way	205,713	204,903		204,903	810
Construction	1,198,822	1,175,804	115	1,175,919	22,903
Construction Services	104,912	105,049		105,049	(137) <sup>(1)</sup>
Third Party Agreements	61,739	62,075		62,075	(336) <sup>(2)</sup>
Vehicles	131,857	131,803		131,803	54
<b>Total Current Budget</b>	<b>2,070,000</b>	<b>2,041,501</b>	<b>115</b>	<b>2,041,617</b>	<b>28,383</b>

### Construction Phase Detail

Other Miscellaneous Construction	9,406	8,644	115	8,759	647
Other Construction	1,189,416	1,167,160		1,167,160	22,256
Constr Unallocated Contingency	21,108	2,490		2,490	18,618
<b>Total Phase</b>	<b>1,198,822</b>	<b>1,175,804</b>	<b>115</b>	<b>1,175,919</b>	<b>22,903</b>

Contract Amount	Board Approvals to Date (F)	Current Approved Contract Value (G)	Proposed Action (H)	Proposed Total for Board Approval (I)	Proposed Contract Value (J)
Contract Amount	-	-	105	105	105
Contingency	-	-	10	10	10
<b>Total Contract</b>	<b>-</b>	<b>-</b>	<b>115</b>	<b>115</b>	<b>115</b>
Percent Contingency	0%	0%	10%	10%	10%

(B) COMMITTED TO DATE amounts are from Agency WBS Report as of May 2010 + approved and pending board actions not recorded as of 5/31/10, or submitted after that date, and include allocated contingencies.

(1) "SHORTFALL" to the Adopted 2010 Budget for Construction Services phase of the Initial Segment project: "Committed to Date" amount shown here includes unused funds authorized for allocated contract contingencies that will be decommitted as these contracts complete.

(2) "SHORTFALL" to the Adopted 2010 Budget for Third Party Agreements phase of the Initial Segment project: "Committed to Date" amount shown here includes unused funds authorized for allocated contract contingencies that will be decommitted as these contracts complete.

## SMALL BUSINESS PARTICIPATION

Sound Transit Goal: 0%

Committed Goal: 0%

## EQUAL EMPLOYMENT WORKFORCE PROFILE

Johnson Controls has 152 employees; 11% are women; 10% are minorities.

## BACKGROUND

The contract for construction of the Beacon Hill Station and Tunnels was awarded to Obayashi Corporation and Notice to Proceed was issued on June 28, 2004. The contract was substantially complete on July 17, 2009, about 11 months behind schedule. The one year warranty period began on the effective date of Substantial Completion.

Johnson Controls, Inc. is the subcontractor to Obayashi Corporation that provided and installed the FMS which incorporates proprietary equipment and software. The systems were installed in accordance with the contract requirements. After testing and inspection of the system, Sound Transit found that additional monitoring

equipment and software modifications are necessary to ensure 90% up-time operation of the FMS system. Without these modifications and additions the light rail system will be operationally hampered over time. Additions and modifications to the FMS have also been identified as necessary for proper monitoring and operation of the Beacon Hill Station.

The Beacon Hill Station and Tunnels contract with Obayashi is in the closeout process and extending the contract at this time, to include this work, would negatively impact settlement of outstanding claims on the contract with Obayashi.

#### Sole Source Justification

Sound Transit is presented with unusual and urgent circumstances that justify a sole source procurement. Because of the contractor's unique knowledge of the existing systems, which are highly technical, incorporate proprietary equipment and software, and are integrated with other components, another supplier would not satisfy the requirements of this work. Furthermore, if another contractor were to perform this work, Sound Transit could experience substantial duplication costs and unacceptable delays. Duplicate costs and delays could be incurred because a different contractor would have to become intimately familiar with all system interfaces, work environment requirements, and operational conventions in order to safely and competently perform this work. These circumstances meet the qualifications for a sole source contract under FTA regulations and Sound Transit procurement policies.

The proposed action is necessary to provide the electrical conduits, wiring, and connections to install system noted above as necessary to increase the reliability of the overall light rail system. In addition, the proposed action is necessary to meet permit conditions and operational requirements and obtain the permanent permits necessary to operate the system. Specifically, completion of the work under this contract by December 2010 is necessary for the permanent Certificate of Occupancy that allows Sound Transit to operate the station.

#### **ENVIRONMENTAL COMPLIANCE**

Jl 7/2/2010

#### **TIME CONSTRAINTS**

Any delay would increase the risk of impacting the ongoing operations of the system, and delay receiving the permanent operating permits.

#### **PUBLIC INVOLVEMENT**

Not applicable to this action.

#### **LEGAL REVIEW**

JN 7/8/10

**MOTION NO. M2010-68**

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a sole source contract with Johnson Controls, Inc. to provide, install and program proprietary control devices for the facilities management system at Beacon Hill Station within the Central Link Initial Segment project in the amount of \$104,608, with a 10% contingency of \$10,462, for a total authorized contract amount not to exceed \$115,070.

**BACKGROUND:**

The contract for construction of the Beacon Hill Station and Tunnels was awarded to Obayashi Corporation and Notice to Proceed was issued on June 28, 2004. The contract was substantially complete on July 17, 2009, about 11 months behind schedule. The one year warranty period began on the effective date of Substantial Completion.

Johnson Controls will perform specific tasks to modify the existing FMS, which is proprietary to Johnson Controls. Specific tasks include: a) hardware and programming to operate warning beacons at cross passages, b) controls to monitor status of elevators, c) controls to program stairwell pressurization fans, d) controls to modulate the pressure in cross passages, and e) modify programming for lighting controls. The work will take approximately four months to complete.

Johnson Controls, Inc. is the subcontractor to Obayashi Corporation that provided and installed the FMS which incorporates proprietary equipment and software. The systems were installed in accordance with the contract requirements. After testing and inspection of the system, Sound Transit found that additional monitoring equipment and software modifications are necessary to ensure 90% up-time operation of the FMS system. Without these modifications and additions the light rail system will be operationally hampered over time. Additions and modifications to the FMS have also been identified as necessary for proper monitoring and operation of the Beacon Hill Station.

The Beacon Hill Station and Tunnels contract with Obayashi is in the closeout process and extending the contract at this time, to include this work, would negatively impact settlement of outstanding claims on the contract with Obayashi.

Sole Source Justification

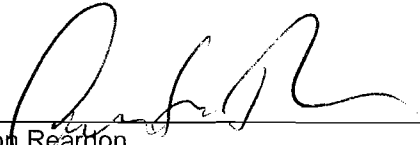
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The proposed action is necessary to provide the electrical conduits, wiring, and connections to install system noted above as necessary to increase the reliability of the overall light rail system. In addition, the proposed action is necessary to meet permit conditions and operational requirements and obtain the permanent permits necessary to operate the system. Specifically, completion of the work under this contract by December 2010 is necessary for the permanent Certificate of Occupancy that allows Sound Transit to operate the station.

**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 a sole source contract with Johnson Controls, Inc. to provide, install and program proprietary control devices for the facilities management system at Beacon Hill Station within the Central Link Initial Segment project in the amount of \$104,608, with a 10% contingency of \$10,462, for a total authorized contract amount not to exceed \$115,070.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on July 22, 2010.

  
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Aaron Reardon  
Board Chair

ATTEST:

  
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Marcia Walker  
Board Administrator