

MOTION NO. M2013-102

**Contract Amendment for Sounder Tacoma-to-Lakewood Maintenance of Way Services**

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:	PHONE:
Operations and Administration Committee	11/21/13	Action deferred	Bonnie Todd, Operations Executive Director	206-398-5367
Operations and Administration Committee	12/05/13	Recommend to Board	<b>Martin Young, Commuter Rail Operations Manager</b>	<b>206-398-5115</b>
Board	12/19/13	Final Action		

PROPOSED ACTION

Authorizes the chief executive officer to execute a contract amendment with Stacy and Witbeck, Inc. to provide track, signal and bridge maintenance services for the Sounder Tacoma to Lakewood segment in the amount of \$1,757,079, for a total authorized contract amount not to exceed \$10,723,079.

KEY FEATURES SUMMARY

- Stacy and Witbeck Inc. (SWI) maintains track, signals and structures along the Sound Transit-owned right of way between Lakewood and Tacoma. Its contract expires in June 2017.
- The contract scope of work includes:
  - Track, signals and bridge maintenance
  - Required FRA inspections
  - Graffiti/vandalism removal within 24 hours
  - Inspection and repairs for unanticipated maintenance needs
  - Emergency response services as required
  - Ride quality checks
- The contract amendment will provide additional funding for:
  - Routine maintenance work for Sound Transit-owned right of way between Lakewood and Tacoma. Additional funding is needed because this contract was used for work associated with the start-up of the Sounder Tacoma-to-Lakewood segment in 2012, which included rail grinding and flagging services for construction. This work was within the contract scope, but was not anticipated.
  - Routine maintenance work for the new 1.3 mile rail corridor acquired by Sound Transit from the City of Tacoma in 2014.
  - On-going flagging for the reconstruction of the SR 16 bridge taking place over the rail corridor. WSDOT is completing this project and will continue to reimburse Sound Transit monthly for flagging expenses.
- The amount requested is sufficient to cover the additional work for the remaining four years on the contract.

BACKGROUND

Stacy and Witbeck, Inc. was selected through a competitive procurement process to maintain the Sounder Tacoma to Lakewood segment to Federal Railroad Administration passenger rail standards under a five year contract. That contract was approved by the Sound Transit Board on May 24, 2012 via Motion No. M2012-22 and was executed while Sound Transit was preparing to transition the Tacoma to Lakewood segment from construction to operations.

The contract was intended for Sounder operations and maintenance; however, during Sounder Tacoma to Lakewood start-up, unanticipated construction work was identified that needed to be completed in order for the segment to open on schedule. The largest portion of the work consisted of rail grinding to remove rust that had accumulated along the tracks and that was creating irregular conductivity for the signal system. Additionally more flaggers were needed for the testing and commissioning phase of start-up than had been anticipated. Flaggers were needed all along the corridor and at each street crossing. Flaggers are provided under the SWI contract. The contract was used for some minor, unplanned construction clean-up as well.

SWI flagger services are also being used for WSDOT's SR 16 bridge reconstruction work that continues through mid-2014. WSDOT is reimbursing Sound Transit for those flagging services.

The contract amendment will cover funding for Sounder operations and maintenance expenses for unplanned construction during start-up, maintenance of way services for the new 1.3-mile rail segment, and flagging services for the WSDOT bridge reconstruction work.

#### FISCAL IMPACT

The proposed action will be funded from the Sounder Commuter Rail Services Maintenance of Way budget. The Sounder Services budget of \$25,952,000 includes \$1,085,000 for Maintenance of Way and \$14,867,000 for Other Services. \$1,163,000 of the Maintenance of Way budget has been spent to date and an additional \$285,000 is projected to be spent by the end of 2013. With approval of this amendment there will be a shortfall of \$363,000 in Maintenance of Way. The shortfall will be funded from the Other Services budget within the Sounder operating budget.

The prior year contract spending for Stacy and Witbeck is \$1,422,000, of which, \$754,000 was funded from Sounder Commuter rail operating budget and \$876,000 was funded from Tacoma-Lakewood segment start-up budget. For 2013, expenses include maintenance of way and flagging related to SR 16 construction. The latter is reimbursed by WSDOT.

Future year expenses include maintenance of way for Tacoma-Lakewood segment, flagging and Reservation Junction to FHS. These expenses will be included in future proposed budgets.

Tacoma to Lakewood Maintenance of Way Services Budget Table

Action Item: Maintenance of Way

Sounder Services Budget	2013 Adopted Budget	Spent and Committed to Date in 2013	Contract Expenditures 2013	Remaining 2013 Budget
<i>Maintenance of Way Budget</i>	1,085	1,163	285	(363)
<i>Other Services Budget</i>	14,867	11,075	-	3,792
<b>Total Sounder Services Budget</b>	<b>\$ 15,952</b>	<b>\$ 12,238</b>	<b>\$ 285</b>	<b>\$ 3,429</b>

Stacy and Witbeck Contract Spending Plan	Prior Year(s) Spending	2013 Spending	Future Spending	Total
<i>Sounder Commuter Rail Operating Budget</i>	\$ 754	\$ 1,448	\$ 5,978	\$ 8,180
Capital Projects	786			786
This Amendment				-
<i>Other Work</i>	-	-	668	668
<i>Flagging</i>	-	78	400	478
<i>TR Junction to D. St.</i>	-		611	611
Total Amendment	-	78	1,679	1,757
<b>Total Contract Spending</b>	<b>\$ 1,540</b>	<b>\$ 1,526</b>	<b>\$ 7,657</b>	<b>\$ 10,723</b>

Contract Budget	Current Approved Contract Value	Spent to Date	Proposed Action	Proposed Total Contract Value
Stacy and Witbeck	\$ 8,966	\$ 2,700	\$ 1,757	\$ 10,723
Contingency	-	-	-	-
<b>Total Contract</b>	<b>\$ 8,966</b>	<b>\$ 2,700</b>	<b>\$ 1,757</b>	<b>\$ 10,723</b>
Percent Contingency	0%	0%	0%	0%

Budget Shortfall	\$363
Sounder Other Services Budget	\$363
<b>Total Funding</b>	<b>\$363</b>

Sounder service and maintenance of way budget can be found on page 35 of 2013 Adopted Budget book.

SMALL BUSINESS PARTICIPATION

Sound Transit Goal: 10%

Commitment: 22.6%

Subconsultant/Subcontractor	Business Type	% of Work	Amount
Midvale Electric (Signal Maintenance)	Small Business	22.6%	\$2,421,600
<b>Total</b>		<b>22.6%</b>	<b>\$2,421,600</b>

## EQUAL EMPLOYMENT WORKFORCE PROFILE

800 employees; 14% women; 34% minorities.

## PUBLIC INVOLVEMENT

Not applicable to this action.

## TIME CONSTRAINTS

A one month delay would not create a significant impact to the project schedule.

## PRIOR BOARD/COMMITTEE ACTIONS

Motion No. M2012-22: Authorized the chief executive officer to execute a five-year contract with Stacy and Witbeck, Inc. to provide track, signal and bridge maintenance services for the Sounder Tacoma-to-Lakewood line for a total authorized contract amount no to exceed \$8,966,000.

## ENVIRONMENTAL REVIEW

JI 10/30/2013

## LEGAL REVIEW

JW 11/14/2013

**MOTION NO. M2013-102**

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a contract amendment with Stacy and Witbeck, Inc. to provide track, signal and bridge maintenance services for the Sounder Tacoma to Lakewood segment in the amount of \$1,757,079, for a total authorized contract amount not to exceed \$10,724,006.

**BACKGROUND:**

Stacy and Witbeck, Inc. was selected through a competitive procurement process to maintain the Sounder Tacoma to Lakewood segment to Federal Railroad Administration passenger rail standards under a five year contract. That contract was approved by the Sound Transit Board on May 24, 2012 via Motion No. M2012-22 and was executed while Sound Transit was preparing to transition the Tacoma to Lakewood segment from construction to operations.

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**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 contract amendment with Stacy and Witbeck, Inc. to provide track, signal and bridge maintenance services for the Sounder Tacoma to Lakewood segment in the amount of \$1,757,079, for a total authorized contract amount not to exceed \$10,724,006.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on December 19, 2013.

  
Pat McCarthy  
Board Chair

ATTEST:

  
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Marcia Walker  
Board Administrator