

REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
14	9/13/10	Open	Action	08/27/10

Subject: Delegating Authority to General Manager/CEO to execute Contract Change Orders and Reimbursement Agreements for undergrounding of overhead utilities as part of the Green Line to the River District Project.

ISSUE

Whether or not to delegate authority to the General Manager/CEO to execute Contract Change Orders to the Contract for Design-Build of the Minimal Operable Segment (MOS1) for the Downtown-Natomas-Airport Rail Corridor Project with Stacy & Witbeck and Reimbursement Agreements for undergrounding of SMUD and AT&T facilities as part of the Project.

RECOMMENDED ACTION

Adopt Resolution No. 10-09-____, Conditionally Delegating Authority to the General Manager/CEO to Execute Contract Change Orders to the Contract for Design-Build of the Minimal Operable Segment (MOS1) for the Downtown-Natomas- Airport Rail Corridor Project with Stacy & Witbeck, Inc. and Reimbursement Agreements for Undergrounding of SMUD and AT&T Utilities.

FISCAL IMPACT

Budgeted:	Yes	This FY:	\$	800,000*
Budget Source:	Capital	Next FY:	\$	N/A
Funding Source:	City of Sacramento	Annualized:	\$	N/A
Cost Cntr/GL Acct(s) or Capital Project #:	910800	Total Amount:	\$	800,000
Total Budget:	\$ 800,000			

Electric Utility undergrounding (OCS) Budget \$800,000^(a)

^(a) WBS 404.10.01 SMUD Undergrounding

*Assumes City follows through on commitment to pay 100% of the cost proposed by SMUD.

DISCUSSION

On September 14, 2009, the Board conditionally awarded the Design Build (D/B) Contract for the Minimal Operable Segment 1 (MOS 1) for the Downtown-Natomas-Airport Rail Corridor Project, now known as the Green Line to the River District Project (GL-1). Notice to Proceed was issued to the Stacy & Witbeck, Inc. (SWI) on November 30, 2009 and design and construction efforts have commenced.

There are existing power and communication poles and conductors located on the west side of 7th Street, between North B and Richards. After award of the D/B contract, RT and SWI initially

Approved:

Presented:

FINAL 09/07/10
General Manager/CEO

Director, Construction Management

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believed that these poles and conductors were in conflict with GL-1 and requested that SMUD provide a cost proposal to relocate the poles to the east side of the street. After providing a cost proposal of approximately \$100,000 for the relocation, SMUD suggested, as an alternative, undergrounding these poles and conducts. This approach was endorsed by the City of Sacramento and representatives of the River District. However, in the interim, RT determined that (at least from RT's perspective) there is not, in fact, a conflict between GL-1 and the poles, though this is a point of contention with SMUD. After numerous meetings, a tentative agreement has been reached that should satisfy the interests of all of the stakeholders (RT, SWI, SMUD, AT&T, the City, and the River District). The City has agreed, in principle, to fund the entire cost of the undergrounding, with the work to be carried out by SWI, and to enter into a reimbursement agreement with RT for this purpose. The City is in the process of obtaining the necessary approvals for a reimbursement agreement.

To minimize the schedule effect of this work, Staff recommends the Board: (1) authorize the General Manager/CEO to execute any Contract Change Orders to the SWI Contract that are required to underground the SMUD and AT&T utilities, contingent upon execution of an agreement(s) with the City of Sacramento and/or SMUD to reimburse RT for the cost of such work; and (2) to enter into an agreement or agreements with the City of Sacramento and SMUD related to reimbursement for this work.

RESOLUTION NO. 10-09-_____

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

September 13, 2010

CONDITIONALLY DELEGATING AUTHORITY TO THE GENERAL MANAGER/CEO TO EXECUTE CONTRACT CHANGE ORDERS TO THE CONTRACT FOR DESIGN-BUILD OF THE MINIMAL OPERABLE SEGMENT (MOS1) FOR THE DOWNTOWN-NATOMAS- AIRPORT RAIL CORRIDOR PROJECT WITH STACY & WITBECK, INC. AND REIMBURSEMENT AGREEMENTS FOR UNDERGROUNDING OF SMUD AND AT&T UTILITIES

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, contingent upon execution of an agreement or agreements with the City of Sacramento and the Sacramento Municipal Utility District (SMUD) to fully reimburse RT for the cost of such work, the General Manager/CEO is hereby authorized to execute Contract Change Orders to the Contract for Design-Build of the Minimal Operable Segment (MOS1) for the Downtown-Natomas-Airport Rail corridor Project with Stacy & Witbeck, Inc. for undergrounding of overhead utilities owned by SMUD and AT&T on 7th Street between North B and Richards Boulevard, provided that the aggregate total amount to be paid under all such Contract Change Orders may not exceed \$800,000.00.

THAT, the General Manager/CEO is hereby authorized to enter into an agreement or agreements with the City of Sacramento and SMUD to reimburse RT for the cost of undergrounding SMUD and AT&T facilities on 7th Street between North B and Richards Boulevard.

STEVE MILLER, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: _____
Cindy Brooks, Assistant Secretary

AGENDA ITEM REVIEW

AGENDA ITEMS NOT RECEIVING APPROPRIATE SIGN-OFF OR NOT RECEIVED BY DEADLINE WILL NOT BE INCLUDED IN AGENDA PACKET

ISSUE PAPER TITLE: Delegating Authority to the General Manager/CEO to execute Contract Change Orders and Reimbursement Agreements for undergrounding of overhead utilities as part of the Green Line to the River District Project.

MANAGER/DIRECTOR OF ORIGINATING DEPT	Initials	Date
RESPONSIBLE EMT PERSON*	Initials	Date
PARALEGAL – Documents Received _____ Yes	Initials	Date
CLERK TO THE BOARD	Initials	Date
CHIEF LEGAL COUNSEL	Initials	Date

CHIEF ADMIN. OFFICER	Initials	Date
GENERAL MANAGER	Initials	Date
CHIEF FINANCIAL OFFICER	Initials	Date

Comments: