

REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
3	03/12/12	Open	Action	02/28/12

Subject: Conditionally Approving the First Amendment to Work Order No. 12 for University/65th Street Transit Center Relocation Pre-Construction Project to the Contract for General Engineering Support Services - 2010 with Psomas

ISSUE

Whether or not to conditionally approve the First Amendment to Work Order No. 12 for University/65th Street Transit Center Relocation Pre-Construction Project to the Contract for General Engineering Support Services - 2010 with Psomas.

RECOMMENDED ACTION

Adopt Resolution No. 12-03-_____, Conditionally Approving the First Amendment to Work Order No. 12 for the University/65th Street Transit Center Relocation Pre-Construction Project to the Contract for General Engineering Support Services - 2010 with Psomas.

FISCAL IMPACT

Budgeted:	Yes	This FY:	\$	24,948.00
Budget Source:	Capital	Next FY:	\$	
Funding Source:	SHRA	Annualized:	\$	N/A
Cost Cntr/GL Acct(s) or Capital Project #:	M002.04.02.01.01	Total Amount:	\$	24,948.00
Total Budget:	\$ 360,000			

Work Order 12	\$178,914.00
Amendment 1	\$ 24,948.00
Total Contract Amount	\$203,862.00

DISCUSSION

The City of Sacramento has adopted zoning and policies supporting transit-oriented development (TOD) for the area surrounding the University/65th Street light rail station. These actions include 65th/University Transit Village Plan, the designation of the 65th Street Redevelopment Project Area, and creation of the Station Block Plan for the “superblock” bounded by Folsom Boulevard, 65th Street, Q Street and the Union Pacific Railroad tracks. The Station Block includes the RT bus facility for transfers between light rail trains and buses. The 2.23-acre bus transfer parcel is considered a key component for site assembly to accommodate a significant TOD project on the Station Block’s western portion (Attachment 1). The parcel was acquired and developed by RT as part of the starter line, using 81% federal funds. Q Street currently separates the light rail station and bus facility, creating a significant inconvenience for RT riders, including mobility impaired riders, transferring between light rail and buses.

Approved:

Presented:

Final 3/1/12

General Manager/CEO

Director, Civil and Track Design

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In November 2007, a memorandum of understanding (MOU) was executed by RT, SHRA and the City of Sacramento regarding cooperation on planning for a viable TOD project. The parties then collaborated on tasks involving evaluation of relocation options for the current bus facility. SHRA provided \$70,000 of Community Development Block Grant funds for RT to study alternatives. The Board approved the preferred alternative in 2008. SHRA provided additional funding under an Owner Participation Agreement (OPA) executed January 12, 2009, to complete design work. The OPA, dated January 2009, has expired. In March 2011, RT and SHRA executed a second OPA that provided RT with \$360,000 in funding for station design work, preparatory work for right of way acquisitions, and permitting for the University/65th Street Transit Center Relocation Pre-Construction Project. RT continues to work under this second OPA.

The project will relocate the bus stops to minimize rider/vehicle conflicts, and also improve RT security systems, increase lighting, and provide additional amenities such as benches at passenger loading areas. In addition, the project would improve pedestrian access to the station by constructing sidewalks on the south side of Q Street between 69th Street/Redding Avenue and the light rail station, and filling gaps along both sides of 67th Street. Additional right-of-way (“ROW”) would need to be acquired along 67th Street for the project to meet City of Sacramento design standards.

On April 11, 2011, the Board approved Work Order No. 12, in the amount of \$178,914, to authorize Psomas to continue design work on the University/65th Street Transit Center Relocation that was started under the prior GESS contract and the first OPA. Due to late comments on the design from SHRA and the development community, additional needed design changes have been identified. Work Order No. 12 must be amended to add \$24,948 to cover the additional design work.

In 2011 the California Legislature enacted AB 1X 26, which law, coupled with a subsequent decision of the State Supreme Court, resulted in the dissolution of redevelopment agencies as of February 1, 2012, and the transfer of all assets, properties, contracts and leases of the former redevelopment agencies to successor agencies. The City of Sacramento has elected to be the successor agency to SHRA, and the reimbursements to RT are included in the Enforceable Obligations Payment Schedule (EOPS), by Council Resolution 2012-018. This obligates the City of Sacramento to reimburse RT for those costs that would otherwise have been reimbursed by SHRA. The City has budgeted for those costs through its adoption and amendment of the EOPS. The City, through Council Resolution 2012-018, also contracted with SHRA to continue to administer this and other redevelopment projects through June 30, 2012, on behalf of the City

RT has sufficient budget in the current OPA to fund this change. However, there is an ambiguity as to the termination date of the OPA. Article 2.1 of the OPA states that the parties intend for all work to be completed by January 31, 2012, while Articles 8.5 and 10.11 state that the work must be completed in accordance with Exhibit 3, which states that all work must be completed by April 30, 2012. Likewise, Article 2.1 requires RT to submit a final invoice by March 30, 2012, while

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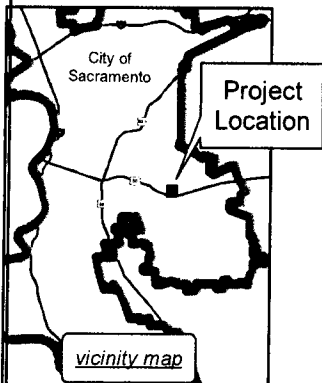
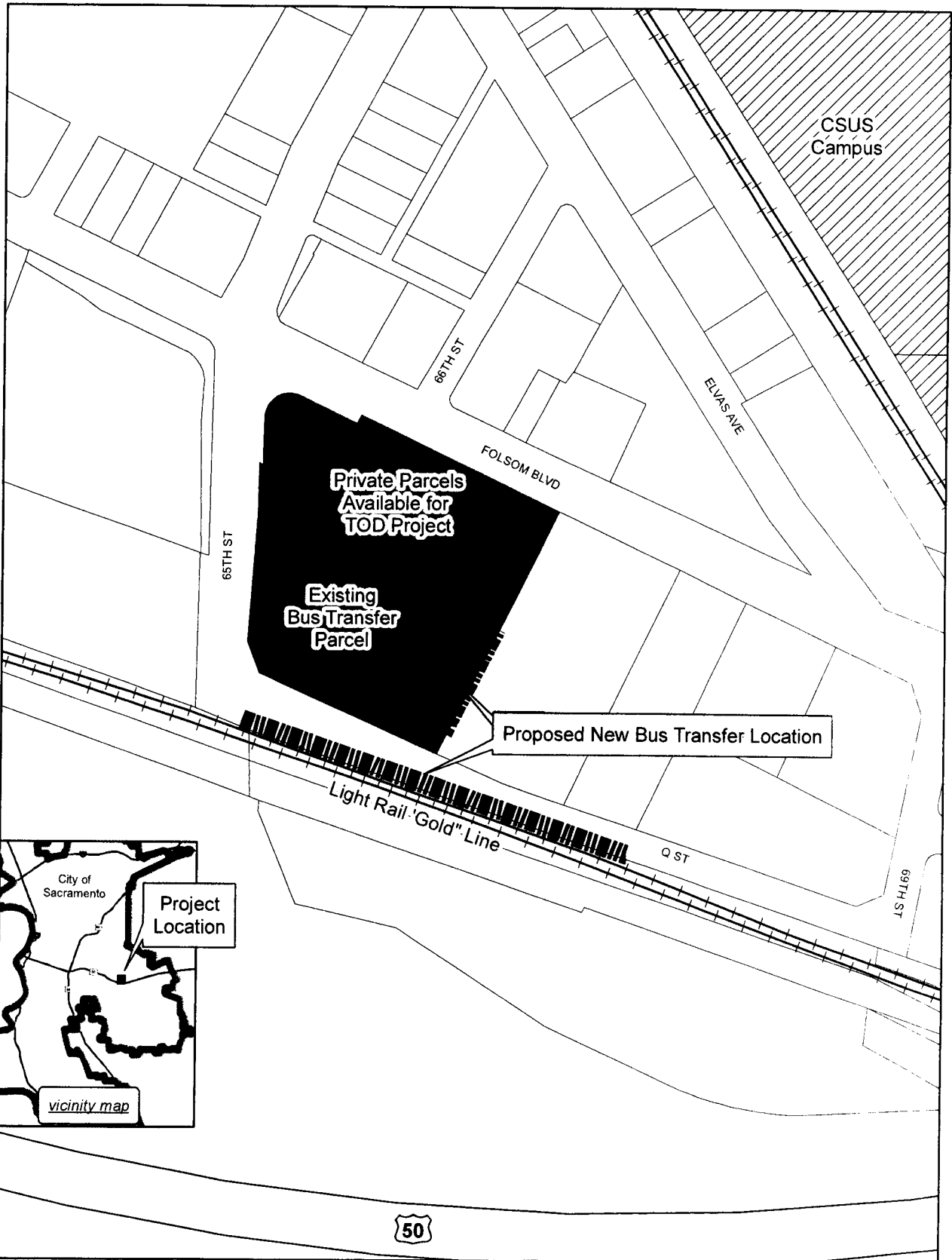
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Exhibit 3 allows for invoice processing through July 31, 2012. RT and SHRA legal staff believe that the Exhibit 3 date takes precedence; the City Attorney's office has not made a final determination on the issue but appears to be leaning towards the more restrictive Article 2.1 dates. If the City adheres to the interpretation that Article 2.1 takes precedence then RT cannot be reimbursed for any work after January 31, 2012 and must submit a final invoice this month.

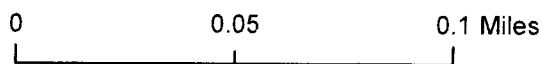
Staff recommends that the Board conditionally approve the First Amendment to Psomas Work Order No. 12, in the amount of 24,948.00, on the condition that the City Attorney's office issues an interpretation allowing RT to continue work through April 30, 2012 and to submit a final invoice by July 31, 2012.



Relocate Regional Transit Bus Transfer Facility at 65th St Light Rail Station



-  Proposed New bus transfer location
-  private_parcels
-  Existing RT Bus Transfer



SHRA GIS
August 19, 2008

RESOLUTION NO. 12-03-_____

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

March 12, 2012

**CONDITIONALLY APPROVING THE FIRST AMENDMENT TO
WORK ORDER NO. 12 FOR THE UNIVERSITY/65TH STREET TRANSIT CENTER
RELOCATION PRE-CONSTRUCTION PROJECT
TO THE CONTRACT FOR GENERAL ENGINEERING SUPPORT SERVICES - 2010
WITH PSOMAS**

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

THAT, the First Amendment to Work Order No. 12 for University/65th Street Transit Center Relocation Pre-Construction Project to the Contract for General Engineering Support Services - 2010 between the Sacramento Regional Transit District, therein referred to as "RT," and Psomas, therein referred to as "Consultant," whereby the Consultant agrees to complete preliminary engineering and the total consideration is increased by \$24,948.00, from \$178,914 to \$203,862.00, is hereby conditionally approved.

THAT, the Chair and General Manager/CEO are hereby authorized and directed to executed said First Amendment upon receipt of written confirmation that the City of Sacramento will reimburse RT for costs incurred through April 30, 2012 under the Owner Participation Agreement between RT and Sacramento Housing and Redevelopment Agency dated March 2011.

BONNIE PANNELL, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: _____
Cindy Brooks, Assistant Secretary