

REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
8	07/22/13	Open	Action	07/10/13

Subject: Approving the Third Amendment to Contract with Paragon Partners Ltd. for Right of Way Acquisition & Relocation Services for South Sacramento Corridor Phase II and Approving Amendment 3 to Work Order Number 3

ISSUE

Whether to approve the Third Amendment to Contract with Paragon Partners Ltd. for Right of Way Acquisition & Relocation Services for South Sacramento Corridor Phase II and Approving Amendment 3 to Work Order Number 3.

RECOMMENDED ACTION

- A. Adopt Resolution No. 13-07-_____, Approving the Third Amendment to the Contract for Right of Way Acquisition and Relocation Services for the South Sacramento Corridor Phase 2 Project with Paragon Partners Ltd.; and
- B. Adopt Resolution No. 13-07-_____, Approving Amendment 3 to Work Order No. 3 for Right of Way Acquisition and Relocation Services for the South Sacramento Corridor Phase II Project with Paragon Partners Ltd.

FISCAL IMPACT

Budgeted:	Yes	This FY:	\$	200,000
Budget Source:	Capital	Next FY:	\$	0
Funding Source:	New Starts, Prop1B, Measure A, Revenue Bonds, Developer Fees	Annualized:	\$	N/A
Cost Cntr/GL Acct(s) or Capital Project #:	910800 410.05.03.01.04	Total Amount:	\$	200,000
Total Budget:	\$ 200,000			

Work Orders are funded from the Blue Line to Cosumnes River College capital project.

Original Contract Total Consideration:	\$300,000
First Amendment:	\$400,000
Second Amendment:	\$200,000
Third Amendment:	\$200,000
New Total Consideration:	\$1,100,000

DISCUSSION

On July 28, 2008, the Board awarded a contract for South Sacramento Corridor Phase 2 (Project) Right of Way Acquisition and Relocation Services to Paragon Partners Ltd. (PPL) for an amount not to exceed \$300,000 for a 5-year term. Work is performed on a Work Order basis. Three Work

Approved:

Presented:

Final 7/11/2013
General Manager/CEO

Director, Project Management

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Orders and two Amendments have been executed and the total consideration for this contract has been increased to \$900,000.

The Third Amendment to the Contract with PPL would increase the total consideration of the Contract by \$200,000, from \$900,000 to \$1,100,000. Amendment 3 to Work Order No. 3 adds work to the scope of work and increases the total consideration by \$200,000 from \$725,000 to \$925,000.

Real estate support will continue to be needed to support Resolutions of Necessity on the Project through certification of the right of way. Also, PPL has been tasked with obtaining additional property rights relating to RT's relocation of a 69kv SMUD power line. Prior to this relocation taking place, RT is currently doing a minor amendment to its environmental documents. Once the proper clearance is received, as part of this work order, PPL will be asked to negotiate and secure the necessary right of way and easements to allow the relocation to take place. Staff expects this work to be done later this year.

PPL support will also be needed to secure utility easements at multiple sites throughout the Project. This easement work will take place during construction of the project and the easement locations will likely not be finalized until construction of the project is complete – which is currently scheduled for September 2015.

In addition to the upcoming utility easement work, PPL continues to provide comprehensive acquisition and relocation services for the Project. In the course of providing these services, PPL has been asked to address additional unforeseen tasks that were not planned for in previous work orders. For example, at the suggestion of the Federal Transit Administration (FTA), PPL has been tasked with assisting Title Companies in processing Partial Deeds of Reconveyance for twenty-six properties within the project. Due to differences in individual lender requirements, multiple loans, transfer of loan servicers and high ownership turnover, obtaining the Partial Deeds of Reconveyance has proven to be time consuming and labor intensive. FTA was concerned the process was taking too long and suggested that PPL assist with expediting this process. Processing times of the Partial Deeds of Reconveyance have been extensive, and as such, Amendment 3 to Work Order #3 will allow PPL to continue its efforts to work with lenders and title companies in order to obtain releases.

Amendment 3 to Work Order No. 3 will allow PPL staff to continue work on the necessary right of way activities and to coordinate with RT staff to complete the various tasks to secure control of the right of way for construction, secure utility easements and other related purposes. Tasks added to the scope of work include oversight and negotiation of remaining acquisitions, appraisals, property management and additional right of way activity related to the SMUD 69kv relocation.

Staff recommends the Board approve the Third Amendment for Right of Way Acquisition & Relocation Services for the Project with Paragon Partners Ltd., wherein the total consideration is increased by \$200,000 to \$1,100,000, and Amendment 3 to Work Order No. 3 wherein the total

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consideration is increased by \$200,000 from \$725,000 to \$925,000 and tasks are added to the scope of work.

RESOLUTION NO. 13-07-_____

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

July 22, 2013

APPROVING THE THIRD AMENDMENT TO THE CONTRACT FOR RIGHT OF WAY ACQUISITION & RELOCATION SERVICES FOR THE SOUTH SACRAMENTO CORRIDOR PHASE 2 PROJECT WITH PARAGON PARTNERS LTD.

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

THAT, the Third Amendment to the Contract for Right of Way Acquisition & Relocation Services between Sacramento Regional Transit District, therein referred to as "RT," and Paragon Partner Ltd., therein referred to as "Consultant," whereby the total consideration of the Contract is increased by \$200,000, from \$900,000 to \$1,100,000 is hereby approved.

THAT, the General Manager/CEO is hereby authorized and directed to execute said Third Amendment to the Contract.

PATRICK HUME, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: _____
Cindy Brooks, Assistant Secretary

RESOLUTION NO. 13-07-_____

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

July 22, 2013

APPROVING AMENDMENT 3 TO WORK ORDER NO. 3 FOR RIGHT OF WAY ACQUISITION AND RELOCATION SERVICES FOR THE SOUTH SACRAMENTO CORRIDOR PHASE II PROJECT WITH PARAGON PARTNERS LTD.

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

THAT, Amendment 3 to Work Order No. 3 under the Contract for Right of Way Acquisition & Relocation Services for the South Sacramento Corridor Phase 2 Project between Sacramento Regional Transit District, therein referred to as "RT," and Paragon Partners Ltd., therein referred to as "Consultant," whereby Consultant agrees to provide utility easements support and right of way acquisition and relocation services, and the total consideration of this work order is increased by \$200,000 from \$725,000 to \$925,000, is hereby approved.

THAT, the General Manager/CEO is hereby authorized and directed to execute said Amendment 3 to Work Order No. 3 to the Contract.

PATRICK HUME, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: _____
Cindy Brooks, Assistant Secretary