

REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
7	10/14/13	Open	Action	09/30/13

Subject: Delegating Authority to the General Manager/CEO to Execute a Contract Change Order to the Contract for Construction of the South Sacramento Corridor Phase 2 Civil, Track, Structures, Stations and Systems Contract for MCI Fiber Optic Relocation

ISSUE

Whether or not to delegate authority to the General Manager/CEO to execute a Contract Change Order to the Contract for Construction of the South Sacramento Corridor Phase 2 Civil, Track, Structures, Stations, and Systems for MCI Fiber Optic Relocation.

RECOMMENDED ACTION

Adopt Resolution No. 13-10-____, Delegating Authority to the General Manager/CEO to Execute Contract Change Order No. 2 to the Contract for Construction of the South Sacramento Corridor Phase 2 Civil, Track, Structures, Stations, and Systems with Balfour Beatty Rail, Inc., Balfour Beatty Infrastructure, Inc., Teichert Joint Venture for MCI Fiber Optic Relocation.

FISCAL IMPACT

Budgeted:	Yes	This FY:	\$	500,000
Budget Source:	Capital	Next FY:	\$	N/A
Funding Source:	New Starts/Prop 1B/Measure A/Revenue Bonds	Annualized:	\$	N/A
Cost Cntr/GL Acct(s) or Capital Project #:	410.06 (TBD) 910800	Total Amount:	\$	500,000
Contract Award:	\$89,822,682.65			
Allocated Contingency	\$ 4,440,229.00			
Total Budget:	\$94,262,911.65			
Previous Change Orders	(\$1,018,121.70)			
This Change Order	\$ 500,000.00			

DISCUSSION

On July 22, 2013, the Board awarded a contract for Construction of South Sacramento Corridor Phase 2, Civil, Track, Structures, Stations and Systems (CTSSS Contract) to the Balfour Beatty Rail Inc., Balfour Beatty Infrastructure Inc., Teichert Joint Venture (BBRI/BBII/Teichert JV). BBRI/BBII/Teichert JV was given Notice to Proceed on August 12, 2013.

Contract Change Order No. 2 would have BBRI/BBII/Teichert relocate MCI's fiber optic line within the Union Pacific Railroad (UPRR) Corridor that conflict with the SSCP2 track alignment for approximately ¾ of a mile. The MCI fiber optic line will be relocated from the west side to the east side of the UPRR corridor.

Approved:

Presented:

Final 10/02/13

General Manager/CEO

Director, Construction Management

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Originally, MCI was planning to relocate its fiber optic line to the east side of the UPRR tracks at an initial estimated cost of \$710,133, later revised downward once further engineering was complete. RT was prepared to amend the original Engineering Agreement for MCI to perform its own work, but MCI notified RT that it could not commit to the required Federal Transit Administration (FTA) Buy America Provisions. However, MCI agreed that the relocation of its facilities can be performed under a RT Buy America-compliant construction contract, with MCI providing inspection services, through a MCI - RT Service Agreement (approved by the Board May 13, 2013 in Resolution 13-05-0062).

The cost of the MCI relocation was included in the original Project budget under Utility Relocations and is eligible for federal reimbursement only if the MCI relocation meets the FTA Buy America Provisions.

Due to the time needed to solicit, award and perform the work under a new contract, issuing Contract Change Order No. 2 to BBRI/BBII/Teichert will avoid potential conflicts with the scheduling of BBRI/BBII/Teichert work. RT would prefer to process this Contract Change Order at the earliest opportunity to allow the work to be performed before the worst of the winter rains, although the scheduling of the work will be part of the negotiations with BBRI/BBII/Teichert.

BBRI/BBII/Teichert is currently reviewing the MCI relocation drawings but RT anticipates that the work will be performed for an amount not to exceed \$500,000 per MCI's engineering estimate. Staff recommends approval of a delegation of authority to the General Manager/CEO to execute Contract Change Order No. 2, for a total consideration of up to \$500,000, to the Contract with BBRI/BBII/Teichert JV for the construction of South Sacramento Corridor Phase 2, Civil, Track, Structures, Stations and Systems Project.

RESOLUTION NO. 13-10-_____

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

October 14, 2013

**DELEGATING AUTHORITY TO THE GENERAL MANAGER/CEO TO EXECUTE
CONTRACT CHANGE ORDER NO. 2 TO THE CONTRACT FOR CONSTRUCTION
OF THE SOUTH SACRAMENTO CORRIDOR PHASE 2 CIVIL, TRACK,
STRUCTURES, STATIONS, AND SYSTEMS WITH BALFOUR BEATTY RAIL, INC.,
BALFOUR BEATTY INFRASTRUCTURE, INC., TEICHERT JOINT VENTURE FOR
MCI FIBER OPTIC RELOCATION**

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

THAT, authority is delegated to the General Manager/CEO to execute Contract Change Order No.2 to the Contract for Construction of the South Sacramento Corridor Phase 2 Civil, Track, Structures, Stations, and Systems between the Sacramento Regional Transit District, therein referred to as "RT," and Balfour Beatty Rail Inc., Balfour Beatty Infrastructure Inc., and Teichert Joint Venture, therein referred to as "Contractor," whereby Contractor agrees to relocate MCI's fiber optic facilities and RT agrees to pay an amount up to \$500,000, is hereby approved.

PATRICK HUME, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: _____
Cindy Brooks, Assistant Secretary