Metro Gold Line Foothill Extension
Construction Authority

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South Pasadena

Executive Officer:

Habib F. Balian
Chief Executive Officer

Agenda Item: 4.

TO: Chair and Members of the Construction Committee

FROM: Habib F. Balian, CEO

DATE: November 7, 2012

SUBJECT: Authorize the CEO to Execute a Change Order to the Phase 2A Alignment Contract with Foothill Transit Constructors (FTC) for modifications and upgrades to communications equipment

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RECOMMENDATION:

That the Construction Committee recommend to the Board the authorization of the Chief Executive Officer to execute a change order Contract No. C1135 with FTC for modifications and upgrades to the communications equipment for Phase 2A Alignment project in an amount not-to-exceed $750,000.

SUMMARY:

FTC was awarded Contract No. C1135 for design and construction of the Phase 2A Alignment project on July 27, 2011 in the total amount of $485,867,000. Per the funding agreement between Metro and the Authority, this contract includes the requirement to purchase the project's communications equipment under the terms of Metro's Indefinite Delivery / Indefinite Quantity (ID/IQ) contract with JM Fiber Optic (JM), which is based upon an agreed list of rates for specific pieces of equipment. Since award of the C1135 Contract, the following issues with the ID/IQ contract have arisen:

Equipment Changes: Metro has revised the equipment list for their ID/IQ contract as various pieces of equipment becomes obsolete and upgraded by the manufacturers. Metro requires the upgraded equipment to be purchased and installed on the project in lieu of the initially specified equipment. Metro has agreed to reimburse the Authority for the additional costs for this modified equipment.

Sales Tax: Metro's ID/IQ equipment list prices did not include sales tax as initially indicated. Metro has acknowledged this error and agreed to reimburse the Authority for the cost of sales tax for the communications equipment.

Installation and testing of Transit Passenger Information System (TPIS) and Cable Transmission System (CTS) equipment: The TPIS and CTS systems are two proprietary systems created specifically for Metro. Metro's ID/IQ list prices provide only for the cost of procuring the components of these systems, not professional services during assembly, installation and testing. Because these systems are proprietary, JM will not provide equipment details to FTC's systems installation subcontractor to complete assembly and installation of these systems, confirm the equipment works properly, and warranty the equipment. For an additional fee, JM will provide the required assembly, installation and testing support to maintain the warranty on this equipment. One option to paying JM for these services is to have Metro Operations staff perform this scope of work; however, after careful evaluation of this option, Authority staff believes the best course of action is to keep the systems integration responsibility with the design-builder through the issuance of this change order.

There are other pieces of communications equipment (e.g. CCTV cameras, intrusion detection, speakers, etc.) affected by the changes from Metro's initial equipment list and sales tax being excluded from the ID/IQ list prices. In order to minimize the cost impact due to list price changes and sales tax for the remaining equipment, the Authority has obtained Metro's permission to release FTC from procuring any of the remaining communications equipment from the ID/IQ contract, which enables FTC to competitively procure the remaining equipment. FTC is currently analyzing the cost impacts associated with the communications equipment other than the TPIS and CTS equipment, and those costs, if any, are excluded from this change order. If there are any cost impacts associated with the remaining equipment, staff believes these costs to be relatively minimal.

BUDGET IMPLICATIONS:

This work in an amount not-to-exceed $750,000 will be initially funded from WBS 2.70.20.20 Construction 2A Contract Modifications which has a Financial Plan Revision 8 budget of $15,700,000 of which $1,140,483 has been previously allocated. Upon finalization of the costs for the ID/IQ list changes and sales tax, the Authority will obtain reimbursement from Metro, expected to be approximately $85,000.

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Executive Officer:

Habib F. Balian
Chief Executive Officer

Agenda Item: 5.

TO: Chair and Members of the Construction Committee

FROM: Habib F. Balian, CEO

DATE: November 7, 2012

SUBJECT: Authorize the CEO to Execute a Change Order to the Phase 2A Alignment Contract with Foothill Transit Constructors (FTC) for the design, construction, and testing of two additional Traction Power Supply Substations (TPSS) sites

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RECOMMENDATION:

That the Construction Committee recommend to the Board authorization for the Chief Executive Officer to execute a change order Contract No. C1135 with FTC for the design, construction, and testing of two additional TPSS sites to the Phase 2A Alignment project in an amount not-to-exceed $1,500,000.

SUMMARY:

In order to provide electrical power to the light rail vehicles, the project requires a series of TPSS units along the LRT alignment. The 2007 Final EIR and 2007 Final EIR Addendum No. 2 analyzed eight TPSS units, which were thought to provide the necessary power required for the operation of Phase 2A. However, Metro revised its design criteria subsequent to the Authority's environmental analysis, which resulted in the need to perform an additional study to verify adequate power was provided with the eight TPSS units. The additional study concluded that even with all of the eight TPSS units in service, the system could not maintain traction voltage in compliance with the revised Metro design criteria. This revised design criteria requires sustained light rail vehicle performance under abnormal operating conditions, such as providing adequate power to support the anticipated "worst case" service pattern of 3-car trains spaced at 5-minute headways with no degradation of service. The report concluded that two additional TPSS units would be needed for the system to be capable of providing the necessary electrical power to meet the new criteria. Authority staff submitted a deviation to Metro asking for relief from the 'no degradation' requirement; however, in February 2011, Metro rejected the deviation, which resulted in the need for two additional TPSS units.

The addition of these two TPSS units resulted in the need for additional environmental review and clearance. For various reasons, the environmental clearance was not completed until January 25, 2012, which was subsequent

to the award of the Alignment Contract. As such, the Alignment Contract included the initial eight TPSS units but not the two additional units because these were not environmentally cleared at the time the Alignment Contract was procured. Once the two additional TPSS units were environmentally cleared, staff requested a cost proposal from the Alignment Contractor for the complete design, installation, and integration testing of the two additional TPSS units. Unfortunately, after multiple negotiating sessions, the Alignment Contractor and the Authority were unable to agree on a lump sum price, due primarily to differences in the pricing of the civil infrastructure required for the sites. Consequently, it was determined that the Alignment Contractor would perform partial design, installation of some of the electrical infrastructure, and systems integration testing and commissioning of the two additional TPSS units and that another contractor would design and complete the civil infrastructure. This change order will compensate the Alignment Contractor for the aforementioned scope of work for these two TPSS units.

BUDGET IMPLICATIONS:

This work in an amount not-to-exceed $1,500,000 will be funded from WBS 2.70.20.20 Construction 2A Contract Modifications which has a Financial Plan Revision 8 budget of $15,700,000 of which $1,140,483 has been previously allocated.