



(Board Copy)  
Washington Metropolitan Area Transit Authority  
**METRO ELECTRONIC ACTION  
DOCUMENT**

IDENTIFICATION			
MEAD ID:	96366	ACTION:	Modify
AWARD VALUE:	\$604,481.00	CONTRACT:	1D0118
FUND SOURCES: ( <a href="#">View</a> )	System Access/Capacity Program	CONTRACTOR:	Hensel Phelps Construction Co. 4437 Brookfield Corporate Drive Suite 207 Chantilly, VA 20151
LAST MODIFIED:	02/08/2006		

DESCRIPTION	
SUBJECT:	Modify Contract 1D0118 - New Carrollton Yard Project for restraining rails and car progression syst
PURPOSE:	To obtain approval from the Board of Directors to issue contract modifications to Hensel-Phelps Construction Company under Contract No.1D0118 for the: (1) Procurement of restraining rails and (2) Procurement of a car progression system for the New Carrollton Yard and Shop Improvement project in the aggregate amount of \$604,481.

ORIGINATION					
INITIATOR			DEPARTMENTAL APPROVAL		
COLIN MYERS on 06/10/2005			Approved by SALPEAS , PANAGIOTIS 06/27/2005		
PHONE:	202-962-1621	OFFICE:	CONS	DEPT:	Capital Projects Manageme

COORDINATION (ROUTING)		
OFFICE	NAME	ACTION/DATE
(4110)	SALPEAS, PANAGIOTIS	Approved 06/27/2005
CONS (4210)	HAGGINS, JAMES	Approved 06/16/2005
OLIA (3131)	HICKS, BEA	Approved 06/28/2005
AUDT (7210)	STEWART, JAMES	Approved w/ Comments 11/29/2005
AUDT (7210)	STEWART, JAMES	Re-assigned 11/29/2005
PRMT (7410)	JACKSON, LUCY	Re-assigned 12/05/2005
(8110)	THOMAS, EDWARD	Approved 12/06/2005
(3311)	FEIL, STEVE	Re-assigned 12/06/2005
COUN (1410)	O'KEEFFE, CAROL	Approved 01/13/2006
OPAS (3161)	HUGHES, JAMES	Approved 01/26/2006

FINAL APPROVALS	
OFFICE	NAME/ACTION
PLN_DEV_CMTE	Approved for by PANAGIOTIS SALPEAS on 06/27/2005
OPER_CMTE	Approved for OPAS by JAMES HUGHES on 01/26/2006
BEMR	Approved for by HAROLD BARTLETT on 01/27/2006
GM	Approved for GMGR by GMGR CEO on 02/09/2006
BOARD	BOARD WMATA (Not Yet Approved)



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**NARRATIVE**

**DISCUSSION:**

The New Carrollton Yard Improvements and Shop Expansion project came about as a result of the approved Fleet Management Plan which recognized the need for additional maintenance capacity to service new rail cars with the delivery of such cars to commence testing in the Summer 2005.

This project was identified as one of the highest priorities to accommodate the new 6000 Series Rolling stock.

In October 2003, the WMATA Board approved the award of Contract 1D0118 to Hensel Phelps Construction Company. Work scope under this contract includes the Shop expansion for the construction of a new 20 Railcar S&I Shop and expanded loop tracks to accommodate entrance into the north end of the new shop. Under this contract the shop will be equipped with the necessary hoists, lifts and some machinery to perform the routine inspections and service of rail cars.

The yard and shop improvements required under this contract were completed on December 20, 2005. This action will allow the issuance of two final modifications to compensate the Contractor for these items of work on the basis of a negotiated final price.

Acceptance testing of the yard and shop improvements performed under the contract revealed three safety related issues to be addressed. They were: a) Completion of the testing and certification of the car hoists. b) Modification of the third rail on the shop lead tracks to match the as built locations of the insulated joints, and c) The need to increase the height of the stinger system on tracks 20 and 21. The corrective actions are in the final stages of safety certification approval. The phased occupancy of the shop by operations staff will begin by February 15, 2006.

After the relocation of all employees from the old service and inspection shop in New Carrollton Yard to the new facility, the Chief Engineer, Vehicles (CENV), in agreement with Operations will use the old facility for extended warranty activities and/or various improvements to the Rail Car Capital Improvement Program.

**Restaining Rail PCO No. 017 - \$223,876**

WMATA's Operations informed the project staff, during a meeting held on September 29, 2004, that the design criteria was revised and now requires installation of restraining rail on all curves with a radius under 450 feet. This is a change from the original criteria which required restraining rails on curve of radius under 350 feet and was the standard in force when the subject contract was issued. This requested change came about as a direct result of recommendations following safety investigations of recent low speed derailments in WMATA yards and was implemented in order to improve rail safety in yards.

Because of current volatile pricing in the steel market and in an effort to ensure timely delivery of restraining rail for the project, WMATA requested the Design Builder to solicit pricing from their rail installation subcontractor (Delta Railroad Construction, Inc.) to furnish restraining rails.

In order to have the restraining rail fabricated and delivered within the required time frame for project completion, it was necessary to issue an immediate Notice-to-Proceed to procure the restraining rail. This action served to protect the Authority against any potential cost escalation for

the rail. Issuance of Notice-to-Proceed (NTP) in the Not-To-Exceed amount of \$200,000 as a "Critical Situation" was approved by the CEO on March 2, 2005. The Board was informed of this action in a memorandum from the CEO. This limited NTP allowed the project team to direct the design-builder to procure the restraining rail and other materials while the project team completed the negotiations of the full scope of the change on a forward price basis.

A negotiated settlement with the Contractor has been reached in the amount of \$223,876 and no change in the contract period of performance. Audit of the Contractor's proposal has been completed and audit recommendations have been incorporated into the final negotiated settlement.

**Car Progression PCO No. 042 - \$380,605**

The New Carrollton project included the accommodations for a wheel truing machine. This machine was provided by the Authority's Systemwide Rehab Program. In order for the wheel truing operations to be performed efficiently, the wheel truing machine must be fully integrated with a car progression system which was not included in the rehab program. (A car progression system is a mechanism that is used to advance the car at a proper rate along the tracks to ensure that the wheels are properly aligned on the wheel truing machine so that the profile of the wheels can be machined accurately).

In order to facilitate the completion of the S&I building in late December 2005 and to avoid major disruption of an entire track, it was prudent to have the car progression system procured and installed by the Design Builder under this current contract while the shop is being constructed. The supplier informed the project that delivery time for the equipment is five to six months after receipt of approved drawings, and installation will be done within five to six weeks after delivery.

In order to have the car progression system fabricated, delivered, and installed within the required time frame for project completion, it was necessary to issue an immediate Notice-to-Proceed to procure the car progression system. Issuance of Notice-to-Proceed in the Not-To-Exceed amount of \$200,000 as a "Critical Situation" was approved by the CEO on April 19, 2005. The Board was informed of this action in a memorandum from the CEO. This limited NTP allowed the project team to direct the design-builder to proceed with the preparation of the design, contract drawings, procurement of the car progression system and other relevant materials while the project team completed the negotiations of the full scope of the change on a forward price basis.

A negotiated settlement with the Contractor has been reached in the amount of \$380,605 and no change in the contract period of performance. Audit recommendations and findings regarding the Contractor's proposal have been incorporated into the final negotiated settlement.

WMATA will return to seek Board approval for the final closeout of the New Carrollton Project by June 2006.

**ALTERNATIVES:**

There is no alternative; the work has been performed, was accepted by WMATA and the Contractor should be compensated for the work.

**IMPACT ON FUNDING:**

Budget: Approved FY 2006 Annual Budget  
 Title: System Access/Capacity Program  
 Line: Rail Maintenance Yards and Shops  
 Page: A-17

**Budget Information:**

Budget Amount:	\$ 70,375,000.00
This Action:	604,481.00

Prior Obligations	63,202,856.42
Subtotal:	63,807,337.42
Remaining Budget:	\$ 6,567,662.58

### **PRIOR APPROVALS:**

#### **New Carrollton Maintenance Yard Improvements -**

On August 16, 2001, the Board approved a Fleet Management Plan recognizing the need for additional maintenance capacity prior to further expansion of the railcar fleet with the procurement of 6000 Series Cars.

On March 7, 2002, the Board's Planning and Development Committee recommended approval of the completion of design to expand the New Carrollton Yard railcar maintenance facility.

On March 14, 2002, the Board Budget Committee recommended approval to amend the FY 02 budget to include \$2,000,000 for the design effort and to include \$35,000,000 for the project in the FY 03 SAP budget.

On March 21, 2002, the Board approved both Planning and Development and Budget Committee recommendations.

On July 11, 2002, the Board Planning and Development Committee recommended approval of a Public hearing on the General Plans and Environmental Evaluation for the New Carrollton Yard Expansion Project and authorized the General Manager/CEO to release the Public Hearing Staff Report. On July 18, 2002, the Board of Directors approved the Planning and Development Committee's recommendation.

On January 16, 2003, the Board approved the Public Hearing Final Staff recommendations and inclusion of the facilities into the Adopted Regional System (ARS).

On June 19, 2003, the Board approved FY 04 103-mile budget which included an additional \$14.7M of residual funds for the New Carrollton Yard Expansion Project. These funds were not included in the FY-04 SAP Budget approval.

On October 23, 2003, the Board approved an increase to the budget for the New Carrollton Yard Improvement and Shop Expansion from 103-mile residual funds by \$14, 375,000..

On January 2004, the Board approved an increase to the New Carrollton Yard Improvement and Shop Expansion budget by \$4,300,000 and the award of the Design-Build contract for the Yard.

### **AFFIRMATIVE ACTION REQUIREMENTS:**

Equal Employment Opportunity (EEO)

The prime contractor will be required to comply with Executive Order 11246, Revised Order No.4

Disadvantaged Business Enterprise(DBE)

Hensel Phelps will meet the established D.B.E. goal of 21%. Appendix B requirements for the original contract apply to the additional work associated with this modification.

### **RECOMMENDATION:**

To obtain approval from the Board of Directors to issue contract modification to Hensel-Phelps Construction Company under Contract No.1D0118 for the: (1) Procurement of restraining rails and (2) Procurement of a car progression system for the New Carrollton Yard and Shop Improvement project in the aggregate amount of \$604,481.