



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

IDENTIFICATION			
MEAD ID:	99574	ACTION:	N/A
AWARD VALUE:	(Not yet awarded)	CONTRACT: (Proposed)	
FUND SOURCES: (View)		CONTRACTOR:	
LAST MODIFIED:	07/13/2006		

DESCRIPTION	
SUBJECT:	Modifications of Contract 1D0118 - New Carrollton Yard Imp. & Parkings Garages.
PURPOSE:	To obtain the approval of the Board of Directors for the issuance of three modifications for Contract 1D0118 - New Carrollton Yard Improvements and Shop Expansion, New Carrollton Parking Structure and College Park Parking Structure. The modifications are for: 1. the settlement of the last four (4) change orders that were issued as the contract was being prosecuted and totals \$1,237,786; 2. a revision to the traction power system in the shop that arose as part of the acceptance of the new facility for a not-to-exceed amount of \$550,000; and 3. repairs to the original shop building for a not-to-exceed amount of \$450,000.

ORIGINATION					
INITIATOR			DEPARTMENTAL APPROVAL		
JOHN THOMAS on 06/01/2006			Approved by HAGGINS , JAMES 06/29/2006		
PHONE:	202-962-2493	OFFICE:	CONS	DEPT:	Capital Projects Manageme

COORDINATION (ROUTING)		
OFFICE	NAME	ACTION/DATE
CONS (4210)	HAGGINS, JAMES	Approved 07/03/2006
CONS (4210)	HAGGINS, JAMES	Approved 06/29/2006
PRMT (7410)	JACKSON, LUCY	Approved w/ Comments 06/28/2006
AUDT (7210)	STEWART, JAMES	Approved w/ Comments 07/06/2006
CFO1 (2110)	WOODRUFF, HARRY	Approved 07/11/2006
COUN (1410)	O'KEEFFE, CAROL	Approved w/ Comments 07/13/2006
OPAS (3161)	HUGHES, JAMES	Approved 07/13/2006

FINAL APPROVALS	
OFFICE	NAME/ACTION
PLN_DEV_CMTE	Approved for CONS by JAMES HAGGINS on 06/29/2006
PLN_DEV_CMTE	Approved for CONS by JAMES HAGGINS on 07/03/2006
BUDGET_CMTE	Approved for CFO1 by HARRY WOODRUFF on 07/11/2006
OPER_CMTE	Approved for OPAS by JAMES HUGHES on 07/13/2006
JOINT_DEV	Approved for by EMEKA MONEME on 07/13/2006
GM	Approved for GMGR by GMGR CEO on 07/13/2006
BOARD	BOARD WMATA (Not Yet Approved)



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NARRATIVE

The New Carrollton Yard Improvements and Shop Expansion Project (New Carrollton Yard Project) was the result of the approved Fleet Management Plan wherein the need for additional maintenance capacity was identified to service new rail cars scheduled for delivery commencing in the Summer 2005. The new rail cars, the new 6000 Series, resulted in the New Carrollton Yard Project being identified as a high priority project.

In October 2003, the Board approved the award of Contract 1D0118 to the Hensel Phelps Construction Company (HPCC). The scope of work included the construction of a new 20 Railcar S&I Shop and revised/added trackwork to access the new shop. The new shop is equipped with the necessary hoists, lifts and machinery to perform the routine inspections and service of rail cars. The contract was substantially completed on December 20, 2005.

The first Modification reflects the settlement of the last four (4) change orders and totals \$1,237,786. The second modification, for a not-to-exceed amount of \$550,000, is for a revision to the traction power system in the shop that arose as part of the acceptance of the new facility. The third modification is for a not-to-exceed amount of \$450,000 for repairs to the original shop building. Each modification is discussed below:

MODIFICATION NO. 1

PCO 070 - Schedule Recovery Effort:

The Contractor submitted a claim for \$913,775 for efforts to meet the contract completion date of December 20, 2005. The basis of the claim is that a schedule recovery effort became necessary after the Contractor experienced delays and impacts due to excessive weather days, permit delays and differing sub-surface site conditions. WMATA's review of the claim found merit with the differing site condition issue.

The differing sub-surface site conditions were encountered when poor subgrade material was uncovered during installation of a relocated 48" storm sewer. Tests confirmed that the in situ subgrade material could not support the relocated 48" sewer and it had to be removed and replaced. Under a separate modification WMATA reached agreement with the Contractor for the costs for removing and replacing the subgrade but not for the associated schedule impacts. Since the relocated storm sewer is under the new shop building the delay in the installation of the pipe caused a cascade effect to the work above the pipe including; construction of the storm sewer itself, the restoration of the area to grade, the construction of that section of the shop foundations, concrete activities and erection of structural steel. To mitigate the delays to these activities, the Contractor added a second shift to erect formwork and place and finish concrete. Meanwhile the erection of steel for the frame of the building had started on another part of the building and had to be suspended and restarted once the foundations had advanced past the areas of impact. An agreement has been reached in the amount of \$613,318 for the extra costs associated with mitigating the schedule impacts due to the differing site condition.

PCO 043 - Differing Site Conditions & Cable Relocation:

The Contractor encountered direct burial cable while excavating for the new building. WMATA was put on notice that the Contractor viewed the unearthing of the cables as a differing site condition and claimed \$752,983 of additional costs. WMATA denied the differing site condition claim since the cables were shown on the contract drawings. However, the drawings did not show the cables as direct burial. Since these cables are safety critical (i.e. train control and communication) and could not be relocated as direct burial, they had to be placed into a ductbank and/or cable trough as part of the relocation effort. The costs of placing the cable into a ductbank and/or cable trough are an extra to the contract and an agreement was reached for an increase to the contract of \$203,268.

PCO 62 - Adjustments to the Stinger System:

During the Safety Certification review that is part of WMATA's acceptance procedures for new facilities, the elevation of the busses for the stinger system for tracks 20 and 21 in the building was deemed too low creating a potential safety hazard for employees working in the shop. The solution to the problem was to raise the structure supporting the busses to a height that removed the safety hazard. A PCO was issued to the Contractor to raise the busses to a height that eliminates the safety concern. An agreement was reached for an increase to the contract of \$146,800.

PCO No. 70 Extended Overhead Costs:

The Final Substantial Completion Inspection (Final SCI) was held on December 20, 2005 for the New Carrollton Yard Project. Subsequent to this date WMATA issued five (5) change orders to the Contractor for work deemed necessary for final acceptance by the end user. The change order included CPN 102 described above, the addition of bollards at each level of the new New Carrollton Garage, installation of additional fencing at the new New Carrollton garage, extending restraining rails at switches in New Carrollton Yard and modification of the existing 86 relay in the TPSS in the yard.

The work for these changes was performed between the Final SCI date and March 28, 2006 (i.e. 98 calendar days). The direct costs for each change order were negotiated individually. During these negotiations WMATA and the Contractor agreed to address the extended overhead costs collectively. This was due to the fact that the change order work overlapped each other and collectively were not completed until March of 2006. The extended period of performance is computed at a rate, subject to audit, of \$2,800 per day over the 98 days for a total cost of \$274,400.

MODIFICATION NO. 2**PCO 069 - Additional Modifications to the Stinger System:**

After the height of the busses for the stinger system was raised pursuant to PCO No. 062, additional safety concerns about the safety of the system were raised by WMATA staff. To address these concerns a PCO was issued for the addition of two (2) additional DC feeder cables, controllers and contactors for Tracks 21 North and 21 South in the new shop building. The PCO was issued with a limited Notice-to-Proceed to begin the design work needed by WMATA and the Contractor to develop estimates. The Contractor has submitted a cost proposal in the amount of \$564,988. WMATA's estimate for the work is \$218,012. Board approval is being sought for a modification not-to-exceed \$550,000 while staff conducts scope of work discussion with the Contractor and finalizes its preparations for negotiations. Seeking Board approval on a parallel path with staff's activities will result in a shortening of the time required to complete the work in the shop.

Audits have been performed for each item listed above.

MODIFICATION NO. 3**PCO 071 - Renovations to the Existing New Carrollton S&I Shop:**

The New Carrollton Yard Project resulted in personnel abandoning the existing S&I Shop with their move to the new building. Although the existing building is old it is in a serviceable condition with some renovations. Staff intends to use the building as soon as the renovations are completed to facilitate rail car remedial work including:

Field modification work to improve reliability on the 2/3K-rehabilitated cars to make more cars available for service. There is a backlog in performing this work and being able to use the existing building will enable them to work 24 hours a day, 5 days per week.

WMATA has awarded a contract to upgrade the HVAC system on the 1K fleet. While the cars are out of service for the HVAC work, additional rehabilitation and modification work will be performed in the existing building.

After the work on the 2k/3k and HVAC projects is completed, the existing building will be used for other mini rehabilitation and modification programs. The most important point is that the availability of the old shop as a separate stand-alone facility not tied to the day-to-day maintenance will allow the work to be performed in a planned production manner reducing the need and costs associated

with sending the railcars off site. The final modification amount will be subject to audit.

ALTERNATIVES:

The Board could choose to disapprove the modifications. This alternative is not recommended since the increased costs are due to changes required for the safe use of the yard, the new shop and the new garage at New Carrollton.

IMPACT ON FUNDING:

Budget: FY 2007 Capital Budget

Program: System Access/Capacity Program

Budget Information	New Carrollton Yard	New Carrollton Parking Structure	College Park Parking Structure	Totals
Budget Amount	\$70,375,000	\$23,115,000	\$17,810,000	\$111,300,000
These Actions	\$2,237,786	\$0	\$0	\$2,237,786
Prior Obligations	\$65,741,422	\$22,337,686	\$17,236,424	\$105,315,532
Subtotal:	\$67,979,208	\$22,337,686	\$17,236,424	\$107,103,318
Remaining Budget	\$2,395,792	\$777,314	\$573,576	\$3,746,682

PRIOR APPROVALS:

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 has met 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:

That the Board of Directors approve the issuance of three modifications for Contract 1D0118 - New Carrollton Yard Improvements and Shop Expansion, New Carrollton Parking Structure and College Park Parking Structure. The modifications are for:

1. the settlement of the last four (4) change orders that were issued as the contract was being prosecuted and totals \$1,237,786;
2. a revision to the traction power system in the shop that arose as part of the acceptance of the new facility for a not-to-exceed amount of \$550,000; and
3. repairs to the original shop building for a not-to-exceed amount of \$450,000.