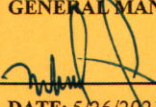
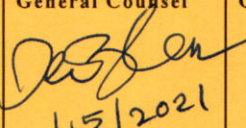
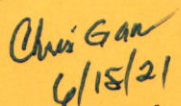
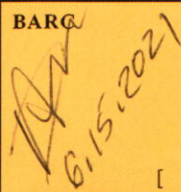
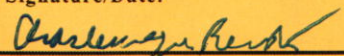




## EXECUTIVE DECISION DOCUMENT

<b>GENERAL MANAGER APPROVAL:</b>  DATE: 5/26/2021		<b>GENERAL MANAGER ACTION REQ'D:</b> Approve and Forward to the Board		
DATE: 5/26/2021		BOARD INITIATED ITEM: No		
Originator/Prepared by: Chuck Bernardo Dept: Capital Program ESP/HMC	General Counsel  6/15/2021 [ ]	Controller/Treasurer  6/15/21 [ ]	District Secretary [ ]	BARG  6.15.2021 [ ]
Signature/Date: 				

### Contract 09AU-120 Earthquake Safety Program TBT Internal Retrofit, Change Order No. 197 - Contractor Watchpersons

#### PURPOSE:

To obtain Board authorization for the General Manager to execute Change Order No. 197: Contractor Watchpersons for an amount not to exceed \$8,000,000 to Contract No. 09AU-120, BART Earthquake Safety Program TBT Internal Retrofit.

#### DISCUSSION:

Award of Contract No. 09AU-120, BART Earthquake Safety Program Transbay Tube (TBT) Internal Retrofit to Shimmick/CEC Joint Venture, was authorized by the Board on December 1, 2016; Notice to Proceed was issued on February 2, 2017.

The Work in Contract No. 09AU-120 is to, among other things, retrofit key segments of the TBT with steel plating and to provide an upgraded pumping system. The construction activities must be tailored to be completed within the night time work windows to allow for regular revenue service to start the next morning.

Staff is requesting authorization to execute Change Order No. 197 that will provide compensation to the Contractor for additional work related to changes to the District's rules regarding Contractor oversight and Roadway Worker safety. These changes required the Contractor to add staff to perform the safety functions of Watchpersons and Upper Gallery Hatch Monitors that were previously performed by District personnel. Change Order No. 114 was previously issued to compensate the Contractor for these impacts through the end of 2021. As the work progressed, the demands for Contractor Watchpersons were greater than previously estimated. This Change Order No. 197 provides additional compensation to the Contractor for the supply of Watchpersons and Upper Gallery Hatch Monitors through the forecasted completion date of November 2022.



**FISCAL IMPACT:**

Funding in the amount of \$8,000,000 for award of Change Order No. 197, in Contract 09AU120 is included in the total project budget for the TBT Retrofit Project 09AU000.

The table below list funding assigned to the referenced project and is included to track funding history against spending authority. Funds needed to meet this request will be expended from the following sources:

**Project 09AU000:**

<b>Fund</b>	<b>Description</b>	<b>Type</b>	<b>Amount</b>
801I	INT ERNGS FR GEN OBLGA	INTERNAL	\$62,550,328
6820	SFCTA - 20SF02 Early Bird Proj	LOCAL	\$175,000
801J	2019F Measure AA GOB Proj Fund	INTERNAL	\$306,144,561
802B	2019B Measure RR GOB #2	INTERNAL	\$1,064,570
850X	CAP ALLOC.-SEISMIC NON	INTERNAL	\$134,514
802A	2017A Measure RR GOB #1	INTERNAL	\$254,191
801F	EARTHQUAKE SAFETY GEN	INTERNAL	\$28,015,706
850V	CAPITAL ALLOCATION-SEI	INTERNAL	\$65,470
850W	FY00-06 CAPITAL ALLOCA	INTERNAL	\$7,245
802C	2020C Measure RR GOB #3	INTERNAL	\$187,105,686
<b>Total</b>			<b>\$585,517,270</b>

As of May 7, 2021, \$585,517,270 is the total budget for this project. BART has expended \$370,327,330, committed \$85,924,374, and reserved \$0 to date. This action will commit \$8,000,000 leaving an available fund balance of \$121,265,566 in these fund sources for this project.

The Office of Controller /Treasurer certifies that funds are currently available to meet this obligation.

This action is not anticipated to have any Fiscal Impact on unprogrammed District reserves.

**ALTERNATIVES:**

The Board can elect not to authorize the execution of this Change Order for costs associated with the increased work. Failure to issue this Change Order will lead to claims from the Contractor, potentially increasing the final cost to the District.



**RECOMMENDATION:**

Recommend that the Board approve the following motion:

**MOTION:**

The General Manager is authorized to execute Change Order No. 197: Contractor Watchpersons for an amount not to exceed \$8,000,000.



# SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

## EXECUTIVE DECISION DOCUMENT

### ATTACHMENT No 1

## CHANGE ORDER SUMMARY

### BACKGROUND

Program:	Earthquake Safety Program
Name of Contractor:	Shimmick/CEC Joint Venture
Contract No. / NTP:	09AU-120 / February 2, 2017
Contract Description:	TBT Internal Retrofit
Percent Complete as of 05/01/21	<b>78.15%</b>

### COST

	<u>% of Award</u>	<u>CO Totals</u>	<u>Contract Amount</u>
Original Contract Award Amount			\$ 267,083,110
Change Orders			
Board Authorized COs	14.48%	\$ 38,679,519	
Other Than Board Authorized COs	7.61%	\$ 20,314,366	
This Change Order No. 197	3.00%	\$ 8,000,000	
Subtotal of all Change Orders	25.08%	\$ 66,993,885	
<u>Revised Contract Amount</u>			<u>\$ 334,076,995</u>

### SCHEDULE

Original Contract Duration	1,800	days
Time Extension to Date		
Time Extension Due to Approved Cos	325	days
Time Extension Due to these CO 197	0	days
Revised Contract Duration	2,125	days



# **SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**

## **EXECUTIVE DECISION DOCUMENT**

### **ATTACHMENT No 1**

#### **SUMMARY REASON FOR THIS CHANGE ORDER(S)**

##### CO 197: Contractor Watchpersons

Compensates Contractor for providing safety functions of Watchpersons and Upper Gallery Hatch Monitors that were previously performed by District Personnel.