

SUMMARY OF RESOLUTION

Authorization to Amend Contract SYS-10-04 for the Mt. Lebanon Tunnel Rail Replacement Project

Contract No. SYS-10-04, Mount Lebanon Tunnel Rail Replacement (Contract) provides for the replacement of certain rail, fixation plates, strap guards and insulated joints. Contract also includes the removal, storage, and reinstallation of impedance bonds and train stops. Port Authority of Allegheny County (Authority) furnished the rail, fixation plates, strap guard, and bolted signal/power bond connections to the contractor for installation.

Atlas Railroad Construction Company (Contractor) was the successful low bidder based on bids received and publicly opened on September 23, 2010. The Authority Board authorized award of Contract to Contractor in the amount of \$2,459,370.00 at its October 22, 2010 meeting. No change orders have been issued to date for Contract.

The concrete plinths in one curve of the downtown subway tunnel between Wood Street and Gateway Stations have severely deteriorated and need to be replaced before revenue service testing begins for the North Shore Connector project. A change to Contract includes replacement of approximately 589 LF of concrete plinths and direct fixation plates, provided by the Authority.

Additionally, a second change to Contract includes the replacement of a rail expansion joint on the Red Line inbound track at the Palm Garden Bridge Abutment #2. There has been abnormal and excessive wear of the expansion joint, which may be one of the contributing factors to the chipping of the light rail vehicle wheels. The new expansion joint will be placed in a tangent section of track, outside the influence of the curve.

This resolution hereby authorizes amending Contract with Atlas Railroad Construction Company, as described in Exhibits A and B.

RESOLUTION

WHEREAS, Port Authority of Allegheny County (Authority) publicly bid and previously awarded Contract No. SYS-10-04 for the Mt. Lebanon Tunnel Rail Replacement project (Contract) to Atlas Railroad Construction Company (Contractor); and

WHEREAS, the Authority Board, in its Limits of Authority Statement, as adopted on May 27, 1988, and as amended and restated on September 18, 2009, reserves to itself exclusively the power to approve modifications and changes to those contracts that increase the then current dollar value of the contract by more than 10 percent; and

WHEREAS, proposed changes to Contract for items of additional work, as described in Exhibits A and B, are necessary for the Authority's operations; and

WHEREAS, the total value of the proposed changes would increase the current dollar amount of Contract by more than 10 percent; and

WHEREAS, the proposed changes have been determined to be fair and reasonably priced and are in the best interests of the Authority.

NOW, THEREFORE, BE IT RESOLVED, that the chief executive officer and/or Rail Operations/Engineering officer be, and they hereby are, authorized to execute an amendment to Contract, in a form approved by counsel, to perform the work listed in Exhibits A and B attached hereto and made part of this resolution, and to increase the current contract sum of Contract by \$717,770.00 to a total contract sum of \$3,177,140.00, and to take all such other actions necessary and proper to carry out the purpose and intent of this resolution.

Exhibit A

Contract No: SYS-10-04
Contractor: Atlas Railroad Construction Company

Original Contract Amount	\$ 2,459,370.00
Pending Change Order 001 Not-to-Exceed (see Exhibit B)	<u>\$ 717,770.00</u>
Total Authorized Amended Contract Sum	\$ 3,177,140.00

Exhibit B

Port Authority of Allegheny County
CONTRACT CHANGE ORDER

CONTRACT NAME	CONTRACT NUMBER	CHANGE ORDER NO.
Mt. Lebanon Tunnel Rail Replacement	SYS-10-04	001

CONTRACTOR: Atlas Railroad Construction Company

The following changes in the work area are ordered, subject to the conditions hereinafter set forth, in accordance with the Contract Documents. The changes consist of the following increased, decreased, or additional items of work at the unit price or on a lump sum basis as listed below.

EXPLANATION OF CHANGE ORDER:

1. Concrete Plinth Replacement between Wood Street and Gateway Stations
The concrete plinths in one curve of the downtown subway tunnel between Wood Street and Gateway Stations have severely deteriorated and need to be replaced before revenue service testing begins for the North Shore Connector Project. A change to the contract includes approximately 589 LF of concrete plinths and direct fixation plates (provided by Port Authority).

Lump Sum \$ 547,770.00

2. Rail Expansion Joint Replacement at Palm Garden Bridge
This change includes the removal and replacement of a rail expansion joint on the Red Line inbound track at the Palm Garden Bridge Abutment #2. The expansion joint has exhibited abnormal and excessive wear, which may be one of the contributing factors to the chipping of the light rail vehicle wheels.

Not-to-Exceed \$ 170,000.00

Total Not-to-Exceed \$ 717,770.00