



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of February 24, 2009**

DATE: February 20, 2009

SUBJECT: Approval of First Amendment between the Washington Metropolitan Area Transit Authority (WMATA) and the County Board of Arlington County, Virginia (County Board) for Final Design of Rosslyn Station Access Improvement Project (RSAIP).

C. M. RECOMMENDATION:

1. Approve the attached First Amendment to the Phase Two Design Agreement for the Rosslyn Station Access Improvement Project (Attachment 1) between WMATA and the County Board and authorize the County Manager to execute the First Amendment subject to approval as to form by the county Attorney.

ISSUES: There are no issues related to this matter. Expedited approval by the County Board to execute the First Amendment is requested to meet the tight schedule to complete design of the RSAIP and to initiate construction of the project in coordination with the construction schedule of the private developer, JBG Companies, of the Rosslyn Central Place, Phase 1 project.

SUMMARY: The Board on November 15, 2008, approved an increase in the Project budget to complete final design of the RSAIP. Thereafter, it was necessary to draft a mutually agreeable First Amendment with WMATA for approval by the County Board.

BACKGROUND: The County Board, on February 23, 2008, approved a Phase Two Agreement between WMATA and the County for Final Design of the RSAIP; approved the project budget, Project Management Plan and funds reallocation; appropriated the remaining funds needed for Phase Two design; and appropriated Federal Secondary funds for future construction.

On November 15, 2008, the County Board authorized additional funding for RSAIP Phase Two final design, approved the revised project budget, and granted authority to the County's Project Officer to make any other adjustments and reallocations of the line items in the approved project budget within the total spending authority of \$5,012,000. Thereafter, it was necessary for the County and WMATA to arrive at a mutually acceptable First Amendment for Board consideration. Authorization for the County Manager to execute an amendment to the Phase

County Manager: _____

County Attorney: _____

Staff: Bea Hicks – DES, Transportation Division, Transit Bureau

Two Agreement was not included in the Board Report. (A copy of the November 15, 2008 Board item is attached hereto as Attachment 2.)

DISCUSSION: The proposed total budget for the Rosslyn Station Access Improvements is approximately \$50 million. The RSAIP construction portion of the total budget is estimated at approximately \$40 million. The Phase One Agreement with WMATA, as amended, called for completion of technical analyses, development of conceptual and preliminary designs, Project approval activities and negotiation of various agreements necessary for Phase Two. Phase Two services included final design, project management, and technical oversight as well as development of construction and financial plans, detailed specifications; construction cost estimates and bid document preparation for the RSAIP.

The \$3,013,000 budget previously approved and appropriated for design by WMATA was exhausted, although the final design and development of construction bid documents were not completed. The Board's previous action on November 15, 2008 amended the project budget for design by adding \$1,194,131 based upon the following estimates by County staff:

- additional funding of approximately \$428,000 would be required by WMATA to complete the final design and other deliverables specified in the Scope of Services;
- \$456,000 would be required for additional geotechnical analyses given the developer's change in foundation loads and construction sequencing; and
- \$310,131 would be requested to increase the contingency to \$500,000 which would allow the County to proceed with additional design and construction of the RSAIP independently of the developer's construction of its Phase I building.

The current negotiated firm fixed cost to complete design is currently \$720,000. The First Amendment provides in pertinent part that the County will make quarterly payments to WMATA to defray the cost of completing the revised Scope of Work. It also authorizes the County Manager to amend the First Amendment to reflect any increase in the firm fixed price within the project budget previously approved by the Board. The First Amendment is acceptable to WMATA. (A copy of the First Amendment and attachments thereto are attached hereto as Attachment 1.)

FISCAL IMPACT: There is no additional fiscal impact to the execution of the First Amendment to the Phase Two Agreement. The Board has previously approved all appropriations necessary to fund the approved project budget.