



BRIEFING: SEPTEMBER 10, 2013, BOARD MEETING AGENDA ITEM #5

TO: Chairman Richard and Board Members

FROM: Thomas Fellenz, Chief Counsel

DATE: September 10, 2013

RE: Approval of Agreements with Utility Companies for Relocation

Introduction

The relocation of utilities is a component of virtually all infrastructure projects. As such, the California High-Speed Rail Authority (Authority), under Public Utilities Code section 185036(f) may relocate utilities. Construction Package 1 (CP 1), extending for 29 miles from Avenue 17 in Madera County in the north and to American Avenue in Fresno County to the south, will require the relocation of several utilities. While most of the utility relocation will be completed under the design-build contract, two major utilities will be completing their own relocations due to the size, nature, safety, and regulatory considerations of their facilities. This resolution seeks the Board's approval to allow the Authority's Chief Executive Officer or his designee to enter into a series of agreements with Pacific, Gas and Electric Company (PG&E) and Pacific Bell and Telephone Company dba AT&T California (AT&T) for the work required to remove, protect, alter, replace, reconstruct, support or otherwise rearrange or modify (Relocate) the facilities owned by PG&E and AT&T to accommodate or permit the construction of the High-Speed Rail Project (project) in CP 1.

Background

Relocation locations were estimated based on identified conflicts between existing facilities and the preliminary engineering designs for the project. A single location may have more than one actual conflict that is functionally grouped together, for example, an overhead line relocation would include all of the connections that "T" off of that line at the same time.

AT&T owns facilities, including aerial cable, buried cable, and fiber optic cable, that are required to be relocated in order to construct high-speed rail facilities as part of CP 1. In the rural sections of Madera County and Fresno County, the project conflicts with mostly aerial cable and some buried cable predominately where the project intersects with a public road. In the City of Fresno, the project conflicts with underground fiber optic lines, including a major 96,000 pair trunk line. There are 54 identified conflict locations for AT&T within CP01.

PG&E owns facilities, including gas distribution and transmission and electric distribution and transmission lines, which are required to be relocated. Major conflicts include a 16" gas transmission line under the San Joaquin River and another 16" gas transmission line at Belmont

Avenue within the City of Fresno. There are 85 identified conflict locations for PG&E within CP 1.

Discussion

When the project conflicts with a utility owned facility, the facility may need to be moved, protected, reconstructed or otherwise Relocated. Public Utilities Code section 185036 allows the Authority to relocate utilities. Public Utilities Code sections 185036 and 185505 allow the Authority to enter into an agreement with a utility for relocation of facilities.

To address the needs of the major utilities and the scope of the coordination required, the Authority is developing cooperative agreements with each entity to establish the framework that allocates responsibilities and liabilities; then for an actual conflict a separate agreement will be completed that is task specific. The Authority is requesting approval to enter into a series of agreements with AT&T and PG&E for the above described services. The agreements will vary in duration from about 1 year for a minor Relocation to 5 years for coordination.

While individual task orders may be of a lower amount, the estimated total with contingencies is presented in the charts below. The figures presented are the estimates based on the identified conflicts, the Authority will be invoiced for actual costs up to the not to exceed figure. The numbers presented are an estimate based on industry standards for the known conflicts and types of facilities; however, until the engineering designs have been developed further and Buy America requirements can be fully addressed, these costs are only estimates.

These agreements will be managed by the Authority's Supervising Transportation Engineer in conjunction with the Authority's CP 1 Contract Manager. Funding for these agreements is included in the cost estimates contained in the Revised 2012 Business Plan.

Recommendations:

The staff recommends that the Board approve the proposed resolution allowing the High-Speed Rail Authority CEO to enter into a series of agreements with AT&T for performance of Relocation work for AT&T's facilities in Construction Package 1 of the High-Speed Rail Project with a total not to exceed amount of \$18,412,133. The estimate breakdown is approximately \$2 million for plans, specifications, and estimates, (PS &E) \$15.4 million for Relocation, and \$1 million for staff time coordination with the Authority on CP 1.

The staff recommends that the Board approve the proposed resolution allowing the High-Speed Rail Authority CEO to enter into a series of agreements with PG&E for performance of Relocation work for PG&E's facilities in Construction Package 1 of the High-Speed Rail Project with a total not to exceed amount of \$50,433,506. The estimate breakdown is approximately \$15.6 million for plans, specifications, and estimated, \$34.2 million for Relocation, and \$2 million for staff time coordination with the Authority on CP 1.

AT&T		
Construction	\$12,340,730	
Construction Contingency	\$3,085,183	
	Construction Subtotal	\$15,425,913
Preliminary Specifications & Engineering (PS&E)	\$1,851,110	

PS&E Contingency	\$185,111	
	PS&E Subtotal	\$2,036,221
	Coordination Subtotal	\$950,000
	TOTAL	\$18,412,133

PG&E		
Construction	\$34,228,626	
Construction Contingency	\$8,557,157	
	Construction Subtotal	\$42,785,783
Preliminary Specifications & Engineering (PS&E)	\$5,134,294	
PS&E Contingency	\$513,429	
	PS&E Subtotal	\$5,647,723
	Coordination Subtotal	\$2,000,000
	TOTAL	\$50,433,506

Attachments:

- Resolution HSRA #13-22
- Resolution HSRA #13-23