



**NORTHERN INDIANA COMMUTER TRANSPORTATION DISTRICT
BOARD MEETING**

July 24, 2023

Webinar ID: 86573363173

Passcode: 826975

Public Session – 10:30 a.m. (CST)

BOARD MEMBERS PRESENT

Michael Smith
Matt Murphy

Jim Arnold

Carl Baxmeyer

STAFF PARTICIPANTS

Michael Noland
Chuck Lukmann, Esq.
Nicole Barker
Kelly Wenger
Gary Babcoke

Tony Siegmund
Jessie Watts, Jr.
Amber Kettering
Michael Rowe
Christine Dearing

Connie Grashel
Anthony Hall
Rebekah Hammond
Melissa Jones

OTHERS PRESENT

Joe Crnkovich – NICTD retired
Andy Kostielky - DLZ
Tim Zorn – Post Tribune

Steven Lyons – Passenger
Greg Price – Passenger
Hodge Patel – Abonmarche
Consulting

Stephen Zolvinski – Passenger
Timothy Whalen – AECOM

CALL TO ORDER

Michael Smith, NICTD Board Chairman, called the meeting to order. Mr. Smith requested a roll call. Attorney Chuck Lukmann, NICTD's General Counsel, conducted the roll call. Michael Smith, Jim Arnold, Matt Murphy and Carl Baxmeyer were present. Board Vice Chairman Jerome Prince was absent.

BOARD MEETING MINUTES

Mr. Smith requested a motion to approve the Board Meeting Minutes of May 22nd, 2023. Mr. Baxmeyer made a motion to approve the board meeting minutes, Mr. Murphy seconded, and on roll call vote, the motion passed unanimously.

PUBLIC COMMENT

Passenger Steven Lyons stated that there is senior rate for the single ride and 25 ride tickets. He asked why there isn't a senior rate for the 10 ride tickets.

PURCHASING (Procurement Recommendation Packet Attached)

Tony Siegmund, NICTD's Purchasing Manager, presented eight recommendations to the Board. The purchasing items are listed in the recommendations that follow and the Board's vote was requested at the end of each recommendation.

The first item was for PTC modifications. The NICTD PTC Department has requested proposals from qualified firms to perform the updates to the NICTD PTC System to incorporate the modifications to the track alignment and signal system at NICTD's existing CP 70.0-70.5, Hegewisch.

Twenty-eight packets were requested for PTC Modifications at Hegewisch Station before the proposal opening. The request resulted in the receipt of one proposal. It was determined that the firm submitted all the necessary forms and was approved by the appropriate NICTD staff. All forms have been correctly submitted and were found to be within the guidelines set forth by the FTA.

The Staff recommends that Xorail, Inc. of Jacksonville, Florida be awarded the Contract for PTC Modifications at Hegewisch Station in the amount of Five Hundred Nine Thousand, Seven Hundred Fifty-Seven Dollars and ⁰⁰/₁₀₀ (\$509,757.00).

The Staff is requesting that the Board grant the President the authority to issue the Notice to Proceed for PTC Modifications at Hegewisch Station at his discretion.

Mr. Baxmeyer made a motion to grant authority to the NICTD President to issue a Notice to Proceed PTC modifications at Hegewisch Station, at his discretion, seconded by Mr. Arnold and on roll call vote the motion passed unanimously.

The second item was a change order for Contract 90332 for Double Track Final Engineering with AECOM on August 15, 2019 for a not-to-exceed cost of \$13,372,966.00. To keep the project moving forward, twenty-six amendments have been approved by the district totaling \$4,703,308.97. Since this approval, additional scope items were sought by the project team as further described below. Amendment 27 authorizes an additional \$164,999.45 to be added to the contract price. This funding is for AECOM's sub consultant, Burns Engineering, Inc., to continue to provide construction support services for the systems they designed, through completion of construction in 2023. The updated total contract price would be \$18,241,274.42.

The District is requesting the Board grant the President the authority to approve Amendment 27 to Contract 90332 in the amount of One Hundred Sixty-Four Thousand, Nine Hundred Ninety-Nine Dollars and ⁴⁵/₁₀₀ (\$164,999.45), pending RDA and IFA approval.

Mr. Murphy made a motion to grant authority to the NICTD President to issue a Notice to Proceed for Double Track Final Engineering, Change Order 27, at his discretion, seconded by Mr. Baxmeyer and on roll call vote the motion passed unanimously.

The third item was for Double Track Construction Management, Change Order 9.

The District executed Contract 93793 for Double Track Construction Management with WSP USA on March 2, 2021 for a not to exceed cost of \$17,119,918.00. To keep the project moving forward, eight Amendments have been approved by the District totaling \$177,182.67. Since this approval, additional scope items have been sought by the project team as further described below. Amendment 9 authorizes an additional \$3,495,134.00 be added to the contract price. This additional amount is needed due to the extended schedule as a result of the rebid process for the construction contract and current construction delays. This amendment is projected for the level of effort and costs for Construction Management Services through May 2024. Additionally, this amendment will increase WSP's DBE participation from 20.70% to 23.04%. The updated total contract price would be \$20,792,234.67.

The District is requesting the Board grant the President the authority to approve Amendment 9 to Contract 93793 in the amount of Three Million, Four Hundred Ninety-Five Thousand, One Hundred Thirty-Four Dollars and ⁰⁰/₁₀₀ (\$3,495,134.00), pending RDA and IFA approval.

Mr. Arnold made a motion to grant authority to the NICTD President to issue a Notice to Proceed for Change Order 27, at his discretion, seconded by Mr. Murphy and on roll call vote the motion passed unanimously.

The fourth item was a recommendation for Double Track Project One, Change Order 11.

The District executed Contract 95603 for Double Track Project One with Walsh-Herzog Joint Venture on December 21, 2021, for a not to exceed cost of \$375,519,909.30. To keep the project moving forward, the District has approved ten Change Orders, totaling \$1,233,365.99. Since this approval, additional scope items were sought by the project team as further described below. Change Order 11 authorizes an additional \$662,989.92. The updated total contract price would be \$377,416,265.21.

An independent cost estimate has been prepared for the PCOs and the costs associated with each have been determined to be fair and reasonable.

The District is notifying the Board that the President has approved Change Order 11 to Contract 95603 in the amount of Six Hundred Sixty-Two Thousand, Nine Hundred Eighty-Nine Dollars and ⁹²/₁₀₀ (\$662,989.92), with RDA and IFA approval.

Mr. Baxmeyer made a motion to accept the change previously approved by NICTD's President, seconded by Mr. Murphy, and on roll call vote, the motion passed unanimously.

The fifth item was a recommendation for Double Track Project Three, Change Order 4.

The District executed Contract 94936 for Double Track Project Three with Hasse Construction Company on September 9, 2021, for a not to exceed cost of \$4,069,000.00. To keep the project moving forward, the District has approved three Change Orders, totaling \$99,864.75. Since this approval, additional scope items were sought by the project team as further described below.

Change Order 4 authorized an additional \$163,353.00. The updated total contract price is \$4,332,217.75.

An independent cost estimate has been prepared for the PCOs and the costs associated with each have been determined to be fair and reasonable.

The District is notifying the Board that the President has approved Change Order 4 to Contract 94936 in the amount of One Hundred Sixty-Three Thousand, Three Hundred Fifty-Three Dollars and ⁰⁰/₁₀₀ (\$163,353.00), with RDA and IFA approval.

Mr. Murphy made a motion to accept the change previously approved by NICTD's President, seconded by Mr. Arnold, and on roll call vote, the motion passed unanimously.

The sixth item was a recommendation for West Lake Program Management, Change Order 9.

The District executed Contract 88823 for West Lake Phase II Program Management Services to HDR Engineering, Inc. on December 12, 2018, for a not to exceed \$11,000,000.00. To keep the project moving forward, thirteen Amendments have been approved by the District totaling \$3,269,929.59. Amendment 14 authorizes an additional \$1,368,384.32 be added to the contract price. This additional amount is requested to cover out-of-scope services including: Additional Design Oversight, PCO/ICE, and Shop Drawing Reviews projected through January 2024, Out of Scope Betterments, Out of Scope Deputy PM Services, Out of Scope Environmental/Other Work, Supplementary Burns Engineering Design Oversight, and Extra Design Oversight by American Surveying & Engineering (ASE). An additional contingency amount of \$150,000.00 has been added to this total to allow additional work that may be needed to serve the West Lake Project, as well as emergency and unscheduled requests. The updated total contract amount would be \$15,788,313.91.

The District is requesting the Board grant the President the authority to approve Amendment 14 to Contract 88823 in the amount of One Million, Five Hundred Eighteen Thousand, Three Hundred Eighty-Four Dollars and ³²/₁₀₀ (\$1,518,384.32), pending RDA and IFA approval.

Mr. Arnold made a motion to grant authority to the NICTD President to issue a Notice to Proceed for West Lake Program Management, Change Order 14, at his discretion, seconded by Mr. Baxmeyer and on roll call vote the motion passed unanimously.

The seventh item was a recommendation for West Lake Project Administration, Change Order 5.

The District executed Contract 89136 for West Lake Project Administration Services with HDR Engineering, Inc. on January 9, 2019, for a not to exceed \$2,434,500.00. To keep the project moving forward, four Amendments have been approved by the District with no cost added to the contract. Amendment 5 authorizes \$289,873.52 be added to the contract price. This additional amount is requested to cover out of scope services including Supplementary Lead Civil/Rail Support, PCO Review/ICE Development, NEPA Reevaluation Work, and an MSF Yard Environmental Remediation VE Study. An additional contingency amount of \$100,000.00 was added to this total to allow additional work that may be needed to serve the West Lake Project, as well as emergency and unscheduled requests. The updated total contract amount would be \$2,824,373.52.

The District is requesting the Board grant the President the authority to approve Amendment 5 to Contract 89136 in the amount of Three Hundred Eighty-Nine Thousand, Eight Hundred Seventy-Three Dollars and ⁵²/₁₀₀ (\$389,873.52), pending RDA and IFA approval.

Mr. Baxmeyer made a motion to grant authority to the NICTD President to issue a Notice to Proceed for West Lake Project Administration, Change Order 5, at his discretion, seconded by Mr. Murphy and on roll call vote the motion passed unanimously.

The eighth item was a recommendation for West Lake Design-Build, Change Orders 10 and 11.

The District executed Contract 94028 for West Lake Design-Build with F.H. Paschen/Ragnar Benson Joint Venture on October 29, 2020, for a not-to-exceed cost of \$554,940,521.00. To keep the project moving forward, the District has approved nine Change Orders totaling \$19,593,106.62, of which \$8,225,856.90 can be attributed to third party betterments to be paid for by others. Change Order 10 authorizes an additional \$7,894,770.74 and Change Order 11 authorizes an additional \$260,341.96. The updated total contract price would be \$582,688,740.32.

An independent cost estimate has been prepared for the PCOs and the costs associated with each have been determined to be fair and reasonable.

The District is requesting the Board grant the President the authority to approve Change Orders 10 and 11 to Contract 94028 in the amount of Eight Million, One Hundred Fifty-Five Thousand, One Hundred Twelve Dollars and ⁷⁰/₁₀₀ (\$8,155,112.70), pending RDA and IFA approval.

Mr. Baxmeyer made a motion to grant authority to the NICTD President to issue a Notice to Proceed for West Lake Design-Build, Change Orders 10 AND 11, at his discretion, seconded by Mr. Murphy and on roll call vote the motion passed unanimously.

PRESIDENT'S REPORT

Double Track NWI and West Lake Corridor Project Updates

Mr. Noland gave a brief update on the Double Track NWI Project and West Lake Corridor Project.

Double Track is currently 78.93% complete. Phase 1 and 2 of the project are complete and are in the testing stage, which is necessary to ensure that it is safe for commuter operations. It is anticipated that the section between Michigan City and Dune Park will open soon.

The third phase of the project, the area west of Dune Park towards Gary Metro, is actively underway. Track installation is currently in progress, catenary installation is continuing, bridges and platforms are being erected. The contractual, substantial completion date is November 15th, 2023, with expected revenue service beginning in May of 2024.

The West Lake Corridor Design-Build Project is approximately 35% complete. The target date is May of 2025. There have been challenges getting design work approved by CSX Railroad. Some of the schedule related to this has pushed that date back. We are working to mitigate these delays and are optimistic that lost time can be regained.

Board President Michael Smith asked Mr. Noland to address the actual cost of these two projects, in relationship to the original projected budget. Mr. Noland stated that the Double Track Project is currently less than 1% above our original construction contract amount. The original construction contract was reduced by \$6 million due to a value engineering opportunity.

On the West Lake Design Build Project, direct contract related increases are currently 1 to 2% above the original contract amount. The original construction contract amount was originally \$555 million and is currently at \$582 million. The majority of the increase is due to third party community betterment requests and environmental costs. The betterment requests total \$8 million. The original environment projection was \$5 million and currently is at \$18 million.

Mr. Noland stated that both projects have been monitored very closely in regards to scope, cost, schedule, and quality.

South Bend Airport Station

Mr. Noland stated that approximately one year ago, we embarked with the authority to retain services to start the process to relocate our services from the east side of the terminal, to the west side of the terminal.

The Strategic Plan, adopted in 2014, included obtaining a permanent home in the airport. The board authorized NICTD to move forward and DLZ was hired to perform environmental and full design services, to redesign our entry to the west side of the airport. A public meeting has been held where the plans were outlined.

We are continuing with the environmental portion of the plan. An environmental analysis was completed and approved for this exact route with the FAA in 2007-2008. The plan is being updated so that changes in the laws are reflected and demographic changes are incorporated.

There will be a public hearing held on the design phase late summer or early fall of 2023. The goal is to obtain the environmental clearance and get to 30% engineering by early 2024. We will then be able to compete for funding to make this project a reality.

Moving to the west side of the airport will save every train 13 to 15 minutes from Chicago to South Bend. This will create a significant reduction in travel time.

This will allow us the opportunity to run shuttle service from 11th Street in Michigan City to the relocated terminal at South Bend, authorizing almost hourly service from Michigan City to the South Bend airport.

Mr. Noland asked the board consider granting a sixty day extension of the airport agreement. We are still in negotiation with the airport, thus we are requesting an extension of the agreement until September 30, 2023.

Mr. Baxmeyer made a motion to extend the South Bend Airport Agreement, seconded by Mr. Arnold, and on roll call vote the motion passed unanimously.

Metra Track 4 Project

This project is also in the 20 Year Strategic Plan. Capacity on the Metra system needs to be increased to accommodate the 26 trains NICTD will be adding as a result of the Double Track and West Lake Projects. NICTD will be asking the board to approve a bond issue this fall. The bond will be approximately \$160 to \$170 million, to fund the project. The expected completion date of this project in early 2026.

Resolution 23-04

Mr. Noland stated that there has been community interest expressed in the possibility to also bring NICTD service to the downtown area of South Bend.

Mr. Noland recommended that the board amend the Strategic Business Plan to formally reflect that the board supports working with St. Joseph County and South Bend to explore, and potentially study, the connection to continue on into the downtown South Bend area.

Mr. Lukmann introduced Resolution No. 23-04.

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE NORTHERN INDIANA COMMUTER TRANSPORTATION DISTRICT ADOPTING THE AMENDMENT TO NICTD'S 20-YEAR STRATEGIC BUSINESS PLAN

Mr. Baxmeyer made a motion to accept Resolution 23-04 adopting the amendment to NICTD's 20-Year Strategic Business Plan, seconded by Mr. Murphy, and on roll call vote the motion passed unanimously.

ADVERTISING AND MARKETING REPORT

Nicole Barker, NICTD Director of Capital Investment & Implementation, presented the Advertising and Marketing Report.

Ms. Barker shared the current social media and marketing promotions, including the Connecting You campaign and the new Ride Safe and Worry Free Campaign images. Upcoming promotions include the annual Teachers Ride Free event which honors teachers and shows our appreciation. Ms. Barker also shared the Social Media Graphic which shows how passengers communicate with NICTD.

Ms. Barker stated that the Taylor Swift concert and the NASCAR Race showed significant ridership numbers.

Upcoming events include Pierogi Fest, Lollapalooza, the Gary Airshow, the Air & Water show, and the Bears and Notre Dame football games.

TICKET SALES, RIDERSHIP AND OPERATIONS REPORT

Ms. Kelly Wenger stated that NICTD ticket sales are trending positive. Reduced fare promotions are similar to last year and the numbers are comparable to last year. Digital sales and revenue continue to trend upward.

Ms. Wenger stated that events like the Taylor Swift concert and NASCAR race allow us to obtain more discretionary riders. June ridership is slightly increased, up 14.1% higher than last year.

Bike ridership numbers continue to be affected by the busing. The East Chicago bike numbers are higher due to the construction at stations to the east.

Busing numbers increased significantly for June of 2023. The busing leg is longer in 2023, and the numbers reflect this change. The busing numbers should decrease when the upcoming changes are in place.

Mr. Anthony Hall, Chief Operating Officer, presented the On-Time Performance statistics. Mr. Hall stated that they met with Royal Excursion to be certain that ~~the~~ communication levels are maintained throughout the process and with the upcoming changes to the busing configuration.

OTHER BUSINESS

None

ADJOURNMENT

Mr. Arnold made a motion to adjourn the meeting, seconded by Mr. Murphy, and on roll call vote, the motion passed unanimously. The next board meeting is scheduled for September 25th, 2023, however, may be rescheduled to October 2nd, 2023.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jim Arnold", written in a cursive style.

Jim Arnold, Secretary



PROCUREMENT RECOMMENDATIONS
JULY 24, 2023

PTC Department:

Proposal:

- **PTC Modifications at Hegewisch Station**

Double Track Project:

Sole Source:

- **Final Engineering – Amendment 27**
- **Construction Management – Amendment 9**
- **Project One – Change Order 11**
- **Project Three – Change Order 4**

West Lake Corridor:

Sole Source:

- **Program Management – Amendment 14**
- **Project Administration – Amendment 5**
- **Design-Build – Change Orders 10 and 11**

PTC Modifications at Hegewisch Station

A. SCOPE

B. ADMINISTRATIVE REVIEW

South Bend Tribune - South Bend, Indiana
Herald-Dispatch - LaPorte County, Indiana
Chesterton Tribune - Chesterton, Indiana
Gary Crusader - Gary, Indiana
The Times - Hammond, Indiana
NICTD Plan Room

Twenty-eight (28) packets were requested for PTC Modifications at Hegewisch Station before the proposal opening. The request resulted in the receipt of one (1) proposal.

The proposal was evaluated for responsiveness to determine if it could be accepted for further review. It was determined that the firm submitted all the necessary forms and was approved by the appropriate NICTD staff. All forms have been correctly submitted and were found to be within the guidelines set forth by the FTA.

[illegible]

C. STAFF REVIEW

Team Evaluation Review:

The team was composed of two (2) individuals that evaluated the proposals on:

- i) Pricing Structure
- ii) Project Understanding / Technical Approach
- iii) Business Organization & History

An interview revealed that Xorail, Inc. had a comprehensive and complete approach. The District held additional interviews with Xorail to clarify the details of their proposal. As a result, Xorail, Inc. was requested to submit a revised proposal that addressed these items, and this has been received. The contract amount for these PTC modifications is \$509,757.00 and is deemed fair and reasonable.

D. RECOMMENDATION

The Staff recommends that Xorail, Inc. of Jacksonville, Florida be awarded the Contract for PTC Modifications at Hegewisch Station in the amount of Five Hundred Nine Thousand, Seven Hundred Fifty-Seven Dollars and ⁰⁰/₁₀₀ (\$509,757.00).

The Staff is requesting that the Board grant the President the authority to issue the Notice to Proceed for PTC Modifications at Hegewisch Station at his discretion.

RECOMMENDATION
Double Track Final Engineering
Change Order 27
July 24, 2023

RECOMMENDATION:

The District executed Contract 90332 for Double Track Final Engineering with AECOM on August 15, 2019 for a not to exceed cost of \$13,372,966.00. To keep the project moving forward, twenty-six Amendments have been approved by the District totaling \$4,703,308.97. Since this approval, additional scope items were sought by the project team as further described below. Amendment 27 authorizes an additional \$164,999.45 be added to the contract price. This funding is for AECOM's subconsultant, Burns Engineering, Inc., to continue to provide construction support services for the systems they designed, through completion of construction in 2023. The updated total contract price would be \$18,241,274.42.

	Date	Amendment Description	Cost
1	2020.03.05	Authorizing the substitution of a subconsultant	No Cost
2	2020.04.28	Authorizing the use of a non-direct employee	No Cost
3	2020.08.20	Soil Characterization	\$114,405.00
4	Not Used	Not Used	Not Used
5	2020.09.09	Authorizing the use of contingency	\$568,282.00
6	2021.01.05	Use of contingency - \$121,820.91 and reallocate \$86,602.70	No Cost
7	2021.04.27	Create a separate bid package to remove historic façade in Michigan City	\$30,306.04
8	2021.05.19	Authorizes use of existing funding for Cardno to provide EPA monitoring & seeding	No Cost
9	2021.05.19	Authorizes Patrick Eng. to compute quantities & specifications for advance rail procurement	No Cost
10	2021.07.08	Additional services needed to prepare & review documents for the DT-1 Rebid	\$681,872.50
11	2021.07.28	Authorizes funds for Burns Engineering to assist with the DT-1 Rebid	\$27,940.21
12	2021.09.29	Construction Phase Support	\$3,135,804.19
13	2021.12.27	Supplemental funding request for 4 car set out track at Miller	\$53,247.46
14	2022.01.20	Design of modifications for pedestrian crossing at Broadway and preliminary engineering for Kemil and Mineral Spring	\$33,130.80
15	2022.01.21	Final design of Kemil and Mineral Springs along with INDOT petition revisions	\$42,460.39
16	2022.01.25	Amendment for Quiet Zone	\$46,055.16
17	2022.01.31	Proposal for Support of NICTD on the MC 11th Street Station TOD project	\$30,689.49
18	2022.06.16	Design, plan preparation and cost estimates for quiet zone supplemental safety measures	\$99,960.92
19	2022.06.21	Benesch to design and prepare for providing SSMs in support of Quiet Zone	\$16,915.33
20	2022.06.21	VS Engineering to prepare the electrical design for Miller and Portage/Ogden Dunes special signs	\$7,774.21
21	2022.11.14	Burns additional out of scope work	\$175,000.00
22	2022.12.20	VS Engineering to provide 30% design for PED crossing with RRFB at Portage/Ogden Dunes	\$19,525.55

23	2023.01.11	VS Engineering to provide additional engineering and design services Green-Chicago Street	\$25,407.31
24	2023.01.11	Patrick Engineering to perform additional design-based construction support services	\$104,509.81
25	2023.02.08	Final design for pedestrian crossing of Dunes Hwy at Portage/Ogden Dunes station south parking lot	\$38,201.24
26	2023.05.23	Additional construction support services by Alfred Benesch & Co.	\$20,103.36
27	2023.06.07	Burns Engineering - Additional construction support	\$164,999.45

The District is requesting the Board grant the President the authority to approve Amendment 27 to Contract 90332 in the amount of One Hundred Sixty-Four Thousand, Nine Hundred Ninety-Nine Dollars and ⁴⁵/₁₀₀ (\$164,999.45), pending RDA and IFA approval.

RECOMMENDATION
Double Track Construction Management
Change Order 9
July 24, 2023

RECOMMENDATION:

The District executed Contract 93793 for Double Track Construction Management with WSP USA on March 2, 2021 for a not to exceed cost of \$17,119,918.00. To keep the project moving forward, eight Amendments have been approved by the District totaling \$177,182.67. Since this approval, additional scope items have been sought by the project team as further described below. Amendment 9 authorizes an additional \$3,495,134.00 be added to the contract price. This additional amount is needed due to the extended schedule as a result of the rebid process for the construction contract and current construction delays. This amendment is projected for the level of effort and costs for Construction Management Services through May 2024. Additionally, this amendment will increase WSP's DBE participation from 20.70% to 23.04%. The updated total contract price would be \$20,792,234.67.

	Date	Amendment Description	Cost
1	2021.04.23	Confirming any savings due to staff changes will go to contingency	No Cost
2	2021.08.13	Added two herpetologists to the team to support original herpetologist	No Cost
3	2021.10.06	Replaced Mike McCarthy with John Kirk and cost reallocation	No Cost
4	2021.10.15	Reallocation of funds from WSP to ESI	No Cost
5	2021.12.28	Addition of estimation staff for support	No Cost
6	2022.01.11	Staking Wetlands	\$56,100.00
7	2022.02.17	Authorizes a merit raise increase for DLZ, SQN and WSP	No Cost
8	2022.11.03	Rail activation support	\$121,082.67
9	Pending	Additional funding due to extended schedule	\$3,495,134.00

The District is requesting the Board grant the President the authority to approve Amendment 9 to Contract 93793 in the amount of Three Million, Four Hundred Ninety-Five Thousand, One Hundred Thirty-Four Dollars and ⁰⁰/₁₀₀ (\$3,495,134.00), pending RDA and IFA approval.

RECOMMENDATION
Double Track Project One
Change Order 11
July 24, 2023

RECOMMENDATION:

The District executed Contract 95603 for Double Track Project One with Walsh-Herzog Joint Venture on December 21, 2021, for a not to exceed cost of \$375,519,909.30. To keep the project moving forward, the District has approved ten Change Orders, totaling \$1,233,365.99. Since this approval, additional scope items were sought by the project team as further described below. Change Order 11 authorizes an additional \$662,989.92. The updated total contract price would be \$377,416,265.21.

PCO	Change Description	Cost
54	Michigan City - Storm Revisions East of York Street	No Cost
114	Pavement Removal on Central Avenue	\$10,077.90
124	Existing Light Pole Foundation STA 41+38	\$2,150.00
171	Concrete Pavement at East of Lake on Old Hwy 12 - Gary	\$39,059.29
190	Existing Sanitary and Proposed Water Main at Sheridan	\$7,699.27
191	Arc Mittal Bridge 47.321 - Existing US 12 West Abutment Conflict	\$85,479.40
194	Guard Rail Post Connections	\$6,336.94
214	GCW System Modifications - Franklin, Washington and Wabash at 11th Street	\$23,998.66
232	Traffic Pre-Emption Conduit and Pull Boxes	\$8,643.49
235	Culvert under Dune Park Access Road - Revision 61	\$15,019.87
237	Incorporate Drawing Revisions	No Cost
239	100HZ POR Step Down Transformer Needed	\$33,408.33
245	OCS poles 43-16, 43-15, and 43-14A Install	\$2,329.39
250	Huron / 10th St. Amtrak Crossing Overlay	\$63,310.54
260	Bridge 47.411 - H-Pile Quantity Overrun	\$175,886.89
267	Elimination of Bond Installations for Existing Insulated Joints Removed from Service	(\$13,212.45)
276	Michigan City & Miller Station / Gutter System - Revision 70	\$206,101.81
286	Track Access Occurrences Modifications - ETAO3 Cleveland Cliffs East Entrance	No Cost
287	Stain for Lower-Level Platforms	(\$19,252.47)
294	Elimination of Grounding Authorized in Revision 10	(\$49,788.69)
301	Concrete Removal on South side of Lafayette	\$7,926.05
303	Bolthouse Crossing Service Relocation	\$34,629.33
314	NACRs 38 & 40	\$23,186.37

An independent cost estimate has been prepared for the PCOs and the costs associated with each have been determined to be fair and reasonable.

The District is notifying the Board that the President has approved Change Order 11 to Contract 95603 in the amount of Six Hundred Sixty-Two Thousand, Nine Hundred Eighty-Nine Dollars and ⁹²/₁₀₀ (\$662,989.92), with RDA and IFA approval.

RECOMMENDATION
Double Track Project Three
Change Order 4
July 24, 2023

RECOMMENDATION:

The District executed Contract 94936 for Double Track Project Three with Hasse Construction Company on September 9, 2021, for a not to exceed cost of \$4,069,000.00. To keep the project moving forward, the District has approved three Change Orders, totaling \$99,864.75. Since this approval, additional scope items were sought by the project team as further described below. Change Order 4 authorized an additional \$163,353.00. The updated total contract price is \$4,332,217.75.

PCO	Change Description	Cost
07	Cost Fluctuations Due to Delayed NTP	\$161,444.00
31	Exterior Electrical Receptacles – Miller Station	\$1,909.00

An independent cost estimate has been prepared for the PCOs and the costs associated with each have been determined to be fair and reasonable.

The District is notifying the Board that the President has approved Change Order 4 to Contract 94936 in the amount of One Hundred Sixty-Three Thousand, Three Hundred Fifty-Three Dollars and ⁰⁰/₁₀₀ (\$163,353.00), with RDA and IFA approval.

RECOMMENDATION
West Lake Program Management
Change Order 14

July 24, 2023

RECOMMENDATION:

The District executed Contract 88823 for West Lake Phase II Program Management Services to HDR Engineering, Inc. on December 12, 2018, for a not to exceed \$11,000,000.00. To keep the project moving forward, thirteen Amendments have been approved by the District totaling \$3,269,929.59. Amendment 14 authorizes an additional \$1,368,384.32 be added to the contract price. This additional amount is requested to cover out of scope services including: Additional Design Oversight, PCO/ICE, and Shop Drawing Reviews projected through January 2024, Out of Scope Betterments, Out of Scope Deputy PM Services, Out of Scope Environmental/Other Work, Supplementary Burns Engineering Design Oversight, and Extra Design Oversight by American Surveying & Engineering (ASE). An additional contingency amount of \$150,000.00 has been added to this total to allow additional work that may be needed to serve the West Lake Project, as well as emergency and unscheduled requests. The updated total contract amount would be \$15,788,313.91.

	Date	Amendment Description	Cost
1	2019.10.25	E-Builder Software	\$364,472.00
2	2019.10.29	Reallocation of funds	No Cost
3	2020.02.05	Add Fixed-Fee Language and Section 4.1.4 to the Contract	No Cost
4	2020.06.19	Additional Scope of Work	\$347,464.56
5	2020.07.13	Additional Scope of Work	\$68,526.00
6	2020.07.31	Move Scope of Work and E-Builder Funds to KFA	No Cost
7	2021.01.12	Additional E-Builder Licenses and On-Call Support	\$68,492.11
8	2021.02.17	Reflection of Revised Hourly Rates	No Cost
9	2021.10.11	Reallocation of Funds from HDR to ASE	No Cost
10	2022.02.07	Additional Out of Scope Services	\$1,927,305.00
11	2023.02.02	Out of Scope Services for Burns Engineering	\$378,465.52
12	2023.02.03	Out of Scope Services for Betterments and Environmental Work	\$105,475.80
13	2023.04.24	E-Builder License Renewal – 4 years	\$9,728.60
14	Pending	Additional Out of Scope Services and Contingency	\$1,518,384.32

The District is requesting the Board grant the President the authority to approve Amendment 14 to Contract 88823 in the amount of One Million, Five Hundred Eighteen Thousand, Three Hundred Eighty-Four Dollars and ³²/₁₀₀ (\$1,518,384.32), pending RDA and IFA approval.

RECOMMENDATION
West Lake Project Administration
Change Order 5
July 24, 2023

RECOMMENDATION:

The District executed Contract 89136 for West Lake Project Administration Services with HDR Engineering, Inc. on January 9, 2019, for a not to exceed \$2,434,500.00. To keep the project moving forward, four Amendments have been approved by the District with no cost added to the contract. Amendment 5 authorizes \$289,873.52 be added to the contract price. This additional amount is requested to cover out of scope services including Supplementary Lead Civil/Rail Support and PCO Review/ICE Development, NEPA Reevaluation Work, and an MSF Yard Environmental Remediation VE Study. An additional contingency amount of \$100,000.00 was added to this total to allow additional work that may be needed to serve the West Lake Project, as well as emergency and unscheduled requests. The updated total contract amount would be \$2,824,373.52.

	Date	Amendment Description	Cost
1	2019.08.30	Add additional team members to service Agreement	No Cost
2	2019.10.29	Updates reimbursable expenses listed in Attachment 2A	No Cost
3	2020.08.05	Add fixed fee language and section 4.1.4 to contract	No Cost
4	2021.12.06	Add additional personnel	No Cost
5	Pending	Additional Out of Scope Services and Contingency	\$389,873.52

The District is requesting the Board grant the President the authority to approve Amendment 5 to Contract 89136 in the amount of Three Hundred Eighty-Nine Thousand, Eight Hundred Seventy-Three Dollars and ⁵²/₁₀₀ (\$389,873.52), pending RDA and IFA approval.

RECOMMENDATION
West Lake Design-Build
Change Orders 10 and 11
July 24, 2023

RECOMMENDATION:

The District executed Contract 94028 for West Lake Design-Build with F.H. Paschen/Ragnar Benson Joint Venture on October 29, 2020, for a not to exceed cost of \$554,940,521.00. To keep the project moving forward, the District has approved nine Change Orders totaling \$19,593,106.62, of which \$8,225,856.90 can be attributed to third party betterments to be paid for by others. Change Order 10 authorizes an additional \$7,894,770.74 and Change Order 11 authorizes an additional \$260,341.96. The updated total contract price would be \$582,688,740.32.

CO	PCO	Change Description	Cost
10	205	Environmental Allowance Additional Funding Authorization 2 & CSX Spoil Disposal	\$7,894,770.74
11	151	EALM - IT Closet (Room 110) Equipment	\$19,085.92
11	170	South Hammond Parking Lot - Additional Sidewalk Lights	\$61,702.25
11	189	UPS Backup for Parking Lot Cameras & Emergency Phone	\$67,877.31
11	194	Additional Conduit for the Primary NIPSCO Feed - SH Station	\$71,770.52
11	195	Additional Conduit for the Primary NIPSCO Feed - MR station	\$39,905.96
Change Order 10 Total			\$7,894,770.74
Change Order 11 Total			\$260,341.96
Grand Total			\$8,155,112.70

An independent cost estimate has been prepared for the PCOs and the costs associated with each have been determined to be fair and reasonable.

The District is requesting the Board grant the President the authority to approve Change Orders 10 and 11 to Contract 94028 in the amount of Eight Million, One Hundred Fifty-Five Thousand, One Hundred Twelve Dollars and ⁷⁰/₁₀₀ (\$8,155,112.70), pending RDA and IFA approval.

