

CALENDAR ITEM NO.: 7.3
FOR THE MEETING OF: August 31, 2006

TRANSBAY JOINT POWERS AUTHORITY

BRIEF DESCRIPTION:

Authorize the Executive Director to execute Amendment No. 2 to the Agreement between the Transbay Joint Powers Authority and Parsons Transportation Group, Inc. for Engineering Design Services for the Caltrain Downtown Extension Project (Agreement No. 03-02-DTX ENGR-000) to modify any reference in the Agreement to the Transbay Joint Powers Authority representative from the Deputy Director/Chief Engineer or his/her designee to the Executive Director or his/her. The Transbay Joint Powers Authority representative reference change is necessary because of staff changes within the TJPA organization.

SUMMARY:

In various locations, the Agreement refers to the TJPA Deputy Director/Chief Engineer or his/her designee for certain decisions. The language would be modified to change the reference to the Executive Director or his/her designee.

ENCLOSURES:

1. Resolution
2. Agreement

RECOMMENDATION:

Staff recommends that the Board of Directors authorize the Executive Director to execute Amendment No. 2 to the Engineering Design Services for Caltrain Downtown Extension Project Agreement with Parsons Transportation Group, Inc. to revise the reference of the Deputy Director/Chief Engineer or his/her designee to Executive Director or his/her designee.

**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

Resolution No. _____

WHEREAS, On December 16, 2004, the Transbay Joint Powers Authority Board of Directors unanimously resolved to authorize the Executive Director to execute an Engineering Design Services for the Caltrain Downtown Extension Project Agreement; and

WHEREAS, On January 7, 2005, the Executive Director executed an Agreement (Agreement No. 03-02-DTX ENGR-000) with Parsons Transportation Group, Inc. for Engineering Design services (the "DTX Agreement"); and

WHEREAS, On May 25, 2006, The TJPA Board of Directors authorized the Executive Director to execute Amendment No.1 to the DTX Agreement to modify the Agreement to substitute the Parsons Team Program Manager; and

WHEREAS, In various locations, the Agreement refers to the TJPA Deputy Director/Chief Engineer or his/her designee for certain decisions; and

WHEREAS, The language would be modified to change the reference to the Executive Director or his/her designee; now, therefore be it

RESOLVED, That the TJPA Board of Directors authorizes the Executive Director to execute Amendment No. 2 to the DTX Agreement with Parsons Transportation Group, to modify the Agreement to replace any reference of the Deputy Director/Chief Engineer to the Executive Director with no modification to any other material provision of such Agreement.

I hereby certify that the foregoing resolution was adopted by the Transbay Joint Powers Authority Board of Directors at its meeting of August 31, 2006.

Secretary, Transbay Joint Powers Authority

AGREEMENT

AMENDMENT NO. 02

BETWEEN

TRANSBAY JOINT POWERS AUTHORITY

AND

PARSONS TRANSPORTATION GROUP, INC.

FOR

ENGINEERING DESIGN SERVICES

FOR

CALTRAIN DOWNTOWN EXTENSION PROJECT

(Agreement No. 03-02-DTX ENG-000)

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Agreement Amendment No. 02
Between
The Transbay Joint Powers Authority
and
PARSONS TRANSPORTATION GROUP, INC.
for
ENGINEERING DESIGN SERVICES
FOR
CALTRAIN DOWNTOWN EXTENSION PROJECT
(Agreement No. 03-02-DTX ENG-000)

THIS AMENDMENT for AGREEMENT is entered into as of the ____ day of _____, 2006 by and between the TRANSBAY JOINT POWERS AUTHORITY (“Authority”) and Parsons Transportation Group, Inc. (the “Contractor”).

Recitals

- A. Authority wishes the services of a consulting individual firm to provide engineering design professional services for the Transbay Terminal Program (“Program”)
- B. Contractor submitted a written Proposal in response to a Request for Proposals issued February 2, 2004, which was orally presented and rated highest by the Contractor selection committee.
- C. Contractor represents and warrants that it is qualified to perform the services required by Authority as set forth under this Agreement.
- D. Authority and Contractor intend that this Agreement comply with the regulations of the Federal Transit Administration of the United States Department of Transportation (“FTA”).
- E. On December 16, 2004, the Authority Board of Directors adopted Resolution No. 04-021, which authorized the Executive Director to execute the Agreement for said services by Contractor.
- F. On May 25, 2006, the Authority Board of Directors adopted Resolution No. 06-008, which authorized the Executive Director to execute Amendment No. 1 to modify the Agreement to substitute the Parsons Team Program Manager.

Now, THEREFORE, the parties agree as follows:

Terms and Conditions

The agreement between the Authority and the Contractor which was executed by the parties on December 16, 2004 is amended as follows:

1. In any instance where there is reference in the Agreement to the Authority “Deputy Director/Chief Engineer or his/her designee,” the reference shall be changed to read “Executive Director or his/her designee.”
2. All other terms, covenants, and conditions in the original agreement shall remain in full force and effect and shall be applicable to this amendment.

The individuals executing this amendment to the agreement represent and warrant that they have the legal capacity and authority to do so on behalf of their respective legal entities.

IN WITNESS WHEREOF, the parties hereto have executed this contract Amendment No. 02 on the day first mentioned above.

TRANSBAY JOINT POWERS AUTHORITY

Maria Ayerdi
Executive Director

Transbay Joint Powers Authority
Board of Directors
Resolution No. _____
Adopted: _____
Attest:

Secretary, TJPA Board

Approved as to Form:

Dennis J. Herrera, City Attorney

By _____
Deputy City Attorney

Parsons Transportation Group, Inc.

Contractor

By signing this Agreement, I certify that I comply with the requirements of the Minimum Compensation Ordinance, which entitle Covered Employees to certain minimum hourly wages and compensated and uncompensated time off.

I have read and understood paragraph 383, the Authority's statement urging companies doing business in Northern Ireland to move towards resolving employment inequities, encouraging compliance with the MacBride Principles, and urging San Francisco companies to do business with corporations that abide by the MacBride Principles.

Authorized Signature

Printed Name

Title

Company Name

Address

Authority, State, ZIP

Phone Number

Federal Employer ID Number