

**GREEN LINE EXTENSION PROJECT
STEERING COMMITTEE MEETING
OCTOBER 13TH, 2011**

The meeting was called to order at approximately 2:30 p.m.

ATTENDEES

- See Attached Attendance Register.

PURPOSE

- To explore options to expedite the Green Line Project Schedule in incremental phases.

OPENING

- David Mohler, MassDOT Director of Planning, stated that unless anyone takes exception the work of the Steering Committee is completed and this would be the final meeting.

DISCUSSION: CONSTRUCTION MANAGER/GENERAL CONTRACTOR PROJECT DELIVERY METHOD

- Michael McBride, HDR/Gilbane Program Manager, highlighted some of the challenges associated with the CMGC Project Delivery Method. He emphasized the following points:
 - The GMGC and client are not always able to reach agreement on the price.
 - There can be a perception that it is not possible to get the lowest bid, with CM/GC but Design-Bid-Build or D/B with change orders, etc., at the end one could say this method is just as economical.
 - Since teams have already formed to pursue a Design/Build contract, the Prime Contractors may push back in opposition to the CMGC Project Delivery Method. However, the Designers will likely support the use of CMGC because they generally don't like to work under the contractor.
 - Approximately 30% to 40% of the work would have to be self-performed by these teams. Some contractors don't like to submit their profit/fee early as contractually required by the CMGC process because if the fee is underestimated, then they have to absorb the cost.

STATUS OF DISCUSSIONS WITH THE FEDERAL TRANSIT ADMINISTRATION (FTA)

- Michael McBride reported that preliminary discussions with the FTA about the CMGC Project Delivery Method are positive and will continue.

DISCUSSION: GREEN LINE EXTENSION PHASING AND SCHEDULE

- Michael McBride reported that once a contractor is selected for the early Bridge/Phase I D-B-B work, the remaining phases of work will be performed by one CM/GC contractor. He also indicated that interim milestones and incentives will be built into the contract. Mike McBride also explained that the overlap of how the work may get started is being developed.
- Mary Ainsley, MBTA Senior Project Director, Design and Construction, Green Line Extension Project, highlighted the three key decision steps that must be completed before the CMGC Project Delivery Method can be implemented as follows:
 - Legislative approval by the end of 2011.
 - MassDOT Board Approval in early-mid January.
 - Approval of the State Inspector General by mid to late February.

- Michael McBride pointed out that MassDOT is currently working on legislative language that would give MassDOT the option to use CMGC on up to five projects and the Green Line Extension would be included as one of these projects. Therefore, it will not be necessary to get separate legislative approval for the project.
- Michael McBride and Mary Ainsley emphasized that the schedules for the completion of the early bridge work and for the initial service to Union and Washington from Lechmere were baseline schedules that represent the case if all goes as planned today and have not been developed as risk based schedules that would produce a range of completion dates likely later than the end of 2016. But our goal is to deliver by that date.

EARLY BRIDGE AND DEMOLITION PACKAGE SCOPE

- Ms. Ainsley indicated that once the key decision steps are completed, bid documents for the early Phase I work will be issued in late February. She stated that the early Phase work will be a standard Design-Bid-Build job, so this component of the project moves forward irrespective of any delays in the three key decision steps, previously discussed for CM/GC and the team will continue to move this work into construction.
- The Phase I scope of work will include the widening of the Medford Street Rail Bridge, the widening of the Harvard Street Rail Bridge, and the 21 Water Street Demolition. The breakdown of work includes:
 - Reconstruction and widening of 2 rail bridges
 - Associated track relocations and grade adjustments
 - Retaining walls and noise walls adjacent to Harvard Street Bridge
 - Noise mitigation activities adjacent to Harvard Street Bridge
 - MBTA commuter rail signal and system relocations
 - Utility Relocations
 - Traffic Management
 - Demolition and site preparation at 21 Water Street
 - Environmental Inspection/Testing at 21 Water Street
- It was also pointed out that the MBTA and project team will be meeting with the City of Medford on October 25, and Tufts University on November 1 to discuss among other things the Phase 1 work.

QUESTIONS AND COMMENTS

- Will shovels be in the ground before 2014, and when will Phase 2 construction start? The Phase 1 work is expected to get underway in the fall of 2012 and work on Phases 2 and 2A is expected to begin sometime in 2013.
- Please explain what the asterisks depict on the large schedule. They represent a fixed milestone date.
- If FTA funding approval is delayed, will the project move forward with State funding? If the “Finding of No Significant Impact,” (FONSI) is not issued by FTS, the project will proceed to the advanced conceptual design phase using State funding. If the project does not receive FTA approval to enter into P/E by 2012, the MBTA will continue to advance the design work and get pre-authorizations.
- If there is no FTA approval by mid-2012, will construction start as scheduled or will the project be delayed pending a final FTA decision? Proceeding with the project without an FTA decision would require getting a “Letter of No Prejudice” from the agency. However, FTA requires a project to be in final design (60%-100%) as a condition for issuing the “Letter of No Prejudice.” If the FTA does not give approval to proceed to project design, then the project will continue using State funds. Dave Mohler pointed out that state funding for the Green Line project will be included in the Secretary of Administration and Finance Five-Year Capital Improvement Plan which is expected to be issued this

month. Mr. Mohler emphasized that there is a legal commitment to do this project with or without Federal money.

- A suggestion was made that when looking at Guaranteed Maximum Price it is important to retain a clear right to a “hard” bid, and hope was expressed that the MBTA has a mechanism to take advantage of this opportunity. The team responded that the MBTA and HDR/Gilbane are looking to exercise cost savings through the CMGC Project Delivery Method.
- Can the MBTA and team specify some of the jobs that might be available to local subs? It is anticipated that the CMGC team will have a list of recommended opportunities for local subs.
- A comment was made that the use of CMGC and the phasing plan maybe or could be looked at as a disadvantage to the community, since the project may not be fully implemented after completion of the Maintenance Facility in 2017 based on decisions by new political leadership. How can the community get assurances that the commitment to total project completion will remain? The response indicated that on the contracting side, the state has the right to terminate a contract with or without cause. However, at some point in project build out, it reaches a point where you cannot stop. Additionally, any decision by new political leadership not to complete the project can be equally true under the CMGC or Design/Build Project Delivery Systems.
- A concern was raised about “cost creep” associated with the expansion of the Maintenance Facility. Is this the wrong message to send to FTA, and will it undermine the political support for the project? Some “cost creep” is good if it significantly improves the project, but can hurt the project if any cost/benefit analysis indicates the benefits are not in sync with the costs. It was also pointed out that the MBTA is refining the costs as the project advances and the CMGC will also have to assess the costs.
- Is there a deadline for submission of the State finance plan to FTA? A draft of it has already been submitted as part of the New Starts P/E application.
- It was suggested that the Steering Committee meet by year end to get a progress report and an update on the status of achieving FTA milestones. David Mohler agreed that the meeting will be scheduled. Mr. Mohler pointed out that the purpose of the Committee was to take a fresh look at the project schedule and reach consensus that this is the optimum schedule and approach, and MassDOT thinks the work of the Steering Committee is done.
- Is there a fall-back plan if the CMGC Project Delivery Method is not approved? Yes, the project will be packaged as a Design/Build or as a Design/Bid/Build project.

NEXT STEPS

- David Mohler made a commitment to keep members of the Steering Committee up-to-date on the status of the three key decision steps associated with the CMGC Project Delivery Method.

The meeting adjourned at approximately 4pm.

10/13/11
Steering Committee
Attendance

Mary Ainsley (MBTA)
Aaron Carty (CLF)
Matthew Ciborowski (MassDOT)
Wally DeGugliemo (Sen. DiDomenico's Office)
Lauren Di Lorenzo (City of Medford)
Bob Fitzpatrick (Sen. Jehlen's Office)
Raffi Freedman-Gurspan (Rep. Sciortino's Office)
Mike Izzo (HDR/Gilbane)
Beverly Johnson (Bevco)
Stephen Kaiser (Assoc. Cambridge Neighborhoods)
Jon Lenicheck (Congressman Capuano's Office)
Michael McBride (HDR/Gilbane)
David Mohler (MassDOT)
Hayes Morrison (City of Somerville)
Ellin Reisner (STEP)
Tim Snyder (Rep. Toomey's Office)
Wig Zamore (STEP/MUTF)