

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2002-73

Contract Amendment with Berger Abam for Contract D720 Final Design

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	6/6/02	Discussion/Possible Action	Ahmad Fazel, Link Director Cliff Kurtzweg, Engineer	(206) 398-5389 (206) 398-5127

Contract/Agreement Type:	3	Requested Action:	3
Competitive Procurement	3	Execute New Contract/Agreement	
Sole Source		Amend Existing Contract/Agreement	3
Memorandum of Agreement		Contingency Funds Required	
Purchase/Sale Agreement		Budget Amendment Required	

4 Applicable to proposed transaction.

OBJECTIVE OF ACTION

- To amend the final civil design contract to complete work for Segment D720, the McClellan section of the Central Link Initial Segment.

ACTION

- Authorize the Executive Director to execute a contract amendment with Berger/Abam Engineers Inc. to provide final design services for Contract RTA/LR 110-99, Segment D720 in the amount of \$617,892 plus a contingency of \$56,228 (9.1%) for a total of \$674,120 and a new total authorized amount not to exceed \$2,764,819.

KEY FEATURES

- Authorize the Executive Director to execute a contract amendment with Berger/Abam Engineers Inc. to provide final design services for Contract RTA/LR 110-99, Segment D720 in the amount of \$617,892 plus a contingency of \$56,228 (9.1%) for a total of \$674,120 and a new total authorized amount not to exceed \$2,764,819.
- Increases the scope of work to:
 - Add the design of sidewalks and other area improvements.
 - Include the design of a long span structure over Cheasty Boulevard that will eliminate a support column on park property.
- Adjusts the work schedule to meet the current master project schedule by extending the contract duration to April 2003.
- Eliminates the 2% fee on sub-consultant work.

BUDGET IMPACT SUMMARY

Project Description: Initial Segment
Current Status: Construction
Projected Completion Date: 07/2009

Action Outside of Adopted Budget:	Y/N	Y	Requires Comment
This Line of Business	N		
This Project	N		
This Phase	N		
This Task	N		
Budget amendment required	N		
Key Financial Indicators:	Y/N	Y	Requires Comment
Contingency funds required	N		
Subarea impacts	N		
Funding required from other parties other than what is already assumed in financial plan	N		

N = Action is assumed in current Board-adopted budget. Requires no budget action or adjustment to financial plan

BUDGET DISCUSSION

The total capital budget for the Initial Segment from CPS to South 154th is \$2.07 billion. Within that budget, the activity contemplated within this motion is identified within the Final Design phase.

This activity was included within the cost estimate and there are sufficient funds identified for work identified in this motion. The budget for final design of the McClellan section is \$2,850,000 including previously approved work leaving a remaining budget surplus of approximately \$85,000.

REVENUE, SUBAREA, AND FINANCIAL PLAN IMPACTS

The proposed action is consistent with the current board adopted budget and is affordable within the agency's current long-term financial plan and subarea financial capacity. The action will have no new revenue impacts on Sound Transit.

SUMMARY FOR BOARD ACTION

Summary for Board Action (Year of Expenditure \$000)

Action Item: Berger Abam

Initial Segment	Current Board Adopted Budget (A)	Committed To Date (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
1 Agency Administration	226,200	8,373		8,373	217,827
2 Preliminary Engineering	37,992	36,600		36,600	1,392
3 Final Design	116,340	67,846	674	68,521	47,819
4 Right of Way	233,000	52,923		52,923	180,077
5 Construction	1,175,092	5,824		5,824	1,169,268
6 Construction Services	77,500			0	77,500
7 Third Party Agreements	58,800	14,136		14,136	44,664
8 Vehicles	145,076			0	145,076
9 Contingency				0	0
10 Total Current Budget	2,070,000	185,702	674	186,377	1,883,623

Phase Budget Detail

11 Final Design (D720)	2,850	2,091	674	2,765	85
15 Other Final Design	113,490	65,756	0	65,756	47,734
16 Total Phase	116,340	67,846	674	68,521	47,819

Contract Budget

	Current Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
17 Berger Abam	1,901	308	618	2,519
18 Contingency	190		56	246
19 Total	2,091	308	674	2,765
20 Percent Contingency	10%	0%	9%	10%

A Provisional budget based on estimates of historic costs to be allocated between the Initial Segment and Capital Hill. Upon completion of recoding costs to the current project structure, a finalized phase-level budget will be presented to the Board.

B Commitments reflect total commitments for Central Link as estimated to be allocated between the Initial Segment and North Link together with all commitments currently under consideration by the Board. This provides a more conservative measure of uncommit

M/W/DBE – SMALL BUSINESS PARTICIPATION

In its proposal to Sound Transit, Berger/Abam committed to a 24% goal for M/W/DBE participation. The projection of M/W/DBE for this amendment is 25%. Berger/Abam is projected to exceed its 24% goal at the end of this contract.

The firms assigned tasks are Exeltech, an MBE/DBE firm and Rosewater Engineering, a WBE/DBE firm.

HISTORY OF PROJECT

Board motion No. M2000-61 was approved by the Board on July 20, 2000, which authorized a contract in the amount of \$1,900,635 plus a 10% contingency of \$190,064 for a total of \$2,090,699. The execution of the contract was delayed by four months to allow added community input into the architectural station design. Delay costs of \$29,756 were incurred. This amount was added to the contract amount and removed from contingencies prior to the contract being signed.

On November 13, 2000, the agreement for final design services, Procurement No RTA/LR 110-99, was finalized between Sound Transit and Berger/Abam Engineers Inc. in the amount of \$1,930,391 with a contract period of 12 months. In May 2001 Sound Transit suspended work under this agreement because of budget and program uncertainties.

Prior to the suspension of work, the station footprint and architectural plans were developed in more detail. Public presentation of these plans resulted in significant concerns both by the City and the community. During the suspension Sound Transit staff worked with the City and the community to resolve these concerns. The results were significant changes in the scope of the Berger/Abam contract, including:

- Adding a “long span” alternative for the aerial structure south of McClellan Station that:
 - Eliminates the column on Park Department property in the median of Cheasty Boulevard,
 - Reduces the “jog” in the MLK Jr. Way South alignment, and
 - Eliminates the “straddle bents” over the southbound lanes of MLK Jr. Way South.
- Vacation of Stevens Street under the McClellan Station.
- Providing a cul-de-sac for South 27th Street.
- Reconfiguration of the alley and South Stevens Street located to the east of the McClellan Station.
- Addition of pedestrian facilities on South Forest Street and 26th Avenue South.

On February 4, 2002, a task order was given to the consultant to restart work under the original contract while an amendment to the contract was being prepared. Because of the protracted length of negotiations, additional task orders have been authorized to allow work to continue and schedules to be met.

This contract amendment will extend the contract duration to April 2003.

**Prior Board or Committee Actions
and Relevant Board Policies**

Motion or Resolution Number	Summary of Action	Date of Action
M2000-61	Authorized the Executive Director to execute a contract with Berger/Abam Engineers, Inc. for civil engineering final design services associated with the segment east of the Beacon Hill tunnel portal to the touchdown on Martin Luther King Jr. Way S. for the Central Link Light Rail Project for an amount of	7/20/00

	\$1,900,635 with a 10% contingency of \$190,064 for a total authorized amount not to exceed \$2,090,699.	
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CONSEQUENCES OF DELAY

Delay will impact the final design schedule for the civil, architectural and systems design.

REGIONAL PARTNERSHIP AND COOPERATION

N/A

PUBLIC INVOLVEMENT

N/A

LEGAL REVIEW

JDW 5/15/02

SOUND TRANSIT

MOTION NO. M2002-73

A motion of the Finance Committee of the Central Puget Sound Regional Transit Authority authorizing the Executive Director to execute a contract amendment with Berger/Abam Engineers Inc. to provide final design services for Contract RTA/LR 110-99, Segment D720 in the amount of \$617,892 plus a contingency of \$56,228 (9.1%) for a total of \$674,120 and a new total authorized amount not to exceed \$2,764,819.

Background:

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Motion:

It is hereby moved by the Finance Committee of the Central Puget Sound Regional Transit Authority that the Executive Director is authorized to execute a contract amendment with Berger/Abam Engineers Inc. to provide final design services for Contract RTA/LR 110-99, Segment D720 in the amount of \$617,892 plus a contingency of \$56,228 (9.1%) for a total of \$674,120 and a new total authorized amount not to exceed \$2,764,819.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on June 6, 2002.



Kevin Phelps
Finance Committee Chair

ATTEST:



Marcia Walker
Board Administrator