

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2003-34

Contract Amendment with Berger/Abam Engineers, Inc. to provide additional Civil Engineering Final Design Services and Design Support during Construction Services for D720 of Central Link

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	3/20/03	Discussion/Possible Action	Ahmad Fazel, Link Director Joe Gildner, Link Deputy Director, Technical Services Dick Rudolph, Line Section Manager	(206) 398-5389 (206) 689-3350 (206) 398-5158

Contract/Agreement Type:		Requested Action:	
	3		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 complete final design of civil facilities and to provide design support during construction for the C720, McClellan Station area in Rainier Valley.

ACTION

- Authorize the Executive Director to execute a contract amendment with Berger/Abam Engineers, Inc. to provide additional Civil Engineering Final Design and Design Support during Construction Services for the McClellan Station and alignment portion of the Central Link Initial Segment in the amount of \$580,000, with a \$20,000 contingency for a total of \$600,000 and for a new total authorized contract amount not to exceed \$3,364,819.

KEY FEATURES

- Allows for completing all necessary final design of civil facilities for a complete and fully operational civil system.
- Allows for the added work associated with Sound Transit requested changes to the station design.
- Allows for the added work associated with changes to the street system plans resulting from needed changes to truck access to local businesses.
- Allows for additional Sound Transit requested work to incorporate bus transfer facilities into the contract documents and design a bus pullout on Rainier Ave adjacent to the station.
- Allows added work for Task 12, Bid Support Services and Assistance during Construction.

BUDGET IMPACT SUMMARY

Project Description: Central Link Initial Segment

Current Status: Final Design

Projected Completion Date: 2009

Action Outside of Adopted Budget:	Y/N	Y Requires Comment
This Line of Business	N	
This Project	N	
This Phase	N	
This Task	Y	Requires a transfer from unallocated contingencies within the final design phase.
Budget amendment required	N	
Key Financial Indicators:	Y/N	Y Requires Comment
Contingency funds required	Y	Requires a transfer from unallocated contingencies within the final design phase.
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 2003 adopted budget for the Initial Segment is \$2.07 billion. Within that budget the activities considered by this motion are identified within the final design phase under two budget line items: \$2,850,000 for Segment D720 Final Design and \$460,000 for D720 Civil Design Support Services during Construction.

This proposed action would increase the total contract amount with Berger/Abam Engineers, Inc. to \$3,364,819 (\$3,098,527 services plus \$266,292 contingency).

The budgeted amount for Segment D720 Final Design is \$2,850,000. Total committed expenditures to date for these tasks is \$2,764,819. This action would increase the authorized amount by \$380,000 for a revised total of \$3,144,819. If the Finance Committee authorizes this action, the budget line item will have a shortfall of \$294,819. This shortfall will be funded through unallocated contingency within the final design phase leaving an uncommitted contingency balance of \$2,139,181.

The budgeted amount for D720 Civil Design Support Services during Construction is \$460,000. There are no current commitments for this task. If the Finance Committee authorizes this action, the total commitment would be \$220,000 (\$200,000 services plus \$20,000 contingency). This budget line item would have a remaining balance of \$240,000.

REVENUE, SUBAREA, AND FINANCIAL PLAN IMPACTS

The proposed action is consistent with the board adopted 2003 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

Action Item: Berger/Abam Engineering (Provide additional Civil Engineering Final Design Services and Design Support Services during Construction for D720 Line Segment)

(Year of Expenditure \$000)

Initial Segment	Adopted FY2003 Budget (A)	Committed To Date (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
Agency Administration	226,780	108,828		108,828	117,952
Preliminary Engineering	35,000	33,208		33,208	1,792
Final Design	123,000	101,710	600	102,310	20,690
Right of Way	233,016	76,921		76,921	156,095
Construction	1,172,633	8,496		8,496	1,164,137
Construction Services	82,464	3,119		3,119	79,345
Third Party Agreements	58,800	16,366		16,366	42,434
Vehicles	138,307	-		-	138,307
Contingency				-	-
Total Current Budget	2,070,000	348,648	600	349,248	1,720,752

Phase Budget Detail

Segment D720 Design	2,850	2,765	380	3,145	(295)
Segment D720 Design Support	460	0	220	220	240
Other Segments	116,530	98,219	-	98,219	18,310
Unallocated Contingency	3,160	726	-	726	2,434
Total Phase	123,000	101,710	600	102,310	20,690

(B) Committed To Date and Spent to Date amounts are from the Link *Program Cost Summary Report* (HQ Reports) dated 2/27/03

12(E) This Action is for Task 12, bid support services and assistance during construction.

Contract Budget	Current Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
Contract Amount	2,519	1,753	580	3,099
Contingency	246	0	20	266
Total	2,765	1,753	600	3,365
Percent Contingency	10%	0%	3%	9%

Budget Shortfall

Task Level	\$ (J)	Potential Resources (K)	Source (L)
Segment D720 Final Design	295	2,434	Unallocated Final Design Phase Contingency

M/W/DBE – SMALL BUSINESS PARTICIPATION

Berger/Abam is the prime consultant on this contract. Berger/Abam Engineers, Inc., committed to a M/W/DBE and Small Business Participation goal of 28.4% in 2000. As of the October 2002 payment invoice, the participation was 26.8%. As of January 2003 it is estimated that the participation was 27.5%.

On this action, Berger/Abam Engineers, Inc., will utilize two M/W/DBE subcontractors to participate on this work at a 24% participation commitment. The final overall M/W/DBE and Small Business Participation on this contract is estimated to be 27%. The subconsultants/contractors used on this contract are as follows:

<u>Subconsultant</u>	<u>M/W/DBE or SBE</u>	<u>% of Work</u>	<u>Type of Work Performed</u>
Exeltech Consulting, Inc.	MBE/DBE	13.5%	Civil/Structural Engineering
Rosewater Engineering, Inc.	WBE/DBE	13.5%	Civil Engineering

HISTORY OF PROJECT

The Board approved Motion No. M2000-61 on July 20, 2000, which authorized Procurement No. RTA/LR –110-99 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. During this period, delay costs in the amount of \$29,756 were incurred. This amount was then added to the original contract amount and removed from the contract contingencies prior to the contract being signed to cover the delay costs.

On November 13, 2000, the agreement for final design services was executed 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.

From May 2001 to February 2002, Sound Transit coordinated efforts with the City of Seattle and the community to refine the McClellan station footprint. This coordination resulted in changes to the scope of work included in the original contract including relocating the bus transit facility, adding city street reconfigurations and including a “long span” design to eliminate a column in park property. On February 4, 2002, a task order was given to Berger/Abam Engineers, Inc., to restart work under the original contract while an amendment to the contract was prepared.

The Board approved Motion No. M2002-73 on June 13, 2002, which authorized an increase to Procurement No. RTA/LR –110-99 with Berger/Abam Engineers, Inc. of \$617,892 plus a 9.1% contingency of \$56,228 for a total of \$2,764,819 and a contract period of one year beginning in February of 2002.

During the progress of final design, Sound Transit has requested the following changes in the station design:

- Relocate the traction power substation away from the station to reduce the length of power cables and reduce construction costs.
- Widen escalators to be consistent with revised Sound Transit standards to reduce maintenance costs.
- Move the station entrance to take advantage of the City agreement to abandon Stevens Street.

During the progress of the design, Sound Transit has requested the following other changes:

- Changes in large truck delivery patterns to the UW laundry and retail store resulted in the need to change city street design criteria.
- The decision was made by Sound Transit to incorporate the McClellan Station bus transfer facility into the C720 construction contract and add a bus pull out on Rainier Avenue to improve the functionality of this facility.

Task 12, Bid Support Services and Assistance during Construction, in the current contract includes only bid support but allows the addition of construction support by amendment to the contract. This amendment adds assistance during construction.

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

Motion or Resolution Number	Summary of Action	Date of Action
M2002-73	Authorized 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.	6/13/02
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 \$1,900,635 with a 10% contingency of \$190,064 for a total authorized amount not to exceed \$2,090,699.	7/20/00

CONSEQUENCES OF DELAY

- If action is not taken on March 20, 2003, there could be a delay to completion of the final design of the Link McClellan Station section along MLK Way through Rainier Valley. This will delay the completion of the construction plans and specifications, delaying notice to proceed for civil construction, which could lead to delay in the systems contracts and ultimately revenue service in 2009.

REGIONAL PARTNERSHIP AND COOPERATION

- Staff continues to work with City of Seattle agencies such as Seattle Department of Transportation, Seattle City Light, Seattle Public Utilities, and the Seattle Light Rail Review Panel.

PUBLIC INVOLVEMENT

N/A

LEGAL REVIEW

MB 3/6/03

SOUND TRANSIT

MOTION NO. M2003-34

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 additional Civil Engineering Final Design and Design Support during Construction Services for the McClellan Station and alignment portion of the Central Link Initial Segment in the amount of \$580,000, with a \$20,000 contingency for a total of \$600,000 and for a new total authorized contract amount not to exceed \$3,364,819.

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 additional Civil Engineering Final Design and Design Support during Construction Services for the McClellan Station and alignment portion of the Central Link Initial Segment in the amount of \$580,000, with a \$20,000 contingency for a total of \$600,000 and for a new total authorized contract amount not to exceed \$3,364,819.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on March 20, 2003.



Kevin Phelps
Finance Committee Chair

ATTEST:



Marcia Walker
Board Administrator