

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2004-47

**Contract Amendment with KPFF for Design Services During Construction for the C510
Pine Street Stub Tunnel**

| Meeting: | Date: | Type of Action: | Staff Contact: | Phone: |
|-----------------|--------------|----------------------------|---|----------------------------------|
| Finance | 5/6/04 | Discussion/Possible Action | Ahmad Fazel, Link Director Robert Parsons, Link Civil Engineering Manager | (206) 398-5389 (206) 398-5150 |

| Contract/Agreement Type: | <input checked="" type="checkbox"/> | Requested Action: | <input checked="" type="checkbox"/> |
|---------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| Competitive Procurement | <input checked="" type="checkbox"/> | Execute New Contract/Agreement | |
| Sole Source | | Amend Existing Contract/Agreement | <input checked="" type="checkbox"/> |
| Interagency Agreement | | Contingency Funds (Budget) Required | |
| Purchase/Sale Agreement | | Budget Amendment Required | |

✓Applicable to proposed transaction.

OBJECTIVE OF ACTION

To amend the existing contract with KPFF to provide design services during construction of the Pine Street Stub Tunnel.

ACTION

Authorize the Chief Executive Officer to execute a contract amendment with KPFF to provide design services during construction of the Pine Street Stub Tunnel in the Central Link Light Rail Initial Segment Project in the amount of \$350,000 with no contingency for a new total authorized contract amount not to exceed \$3,056,000.

KEY FEATURES

- Services will include, but are not limited to reviewing submittals, responding to Requests for Information from the Contractor, reviewing shop drawings, preparing design modifications as required by existing conditions and providing design change management.
- Design services during construction will be provided by KPFF on an on-call basis. Services to be provided will be negotiated by Sound Transit staff and will be consistent with the project scope of work contained in the request for proposals.
- The need for design services during construction was anticipated in the original contract with KPFF, as noted in Motion No. M2003-29

BUDGET IMPACT SUMMARY

Project Description: Central Link Initial Segment

Current Status: Final Design/Construction

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 | N | | |
| Budget amendment required | | | |
| 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

This action would authorize execution of a contract amendment in the amount of \$350,000 with KPFF to provide design services during construction for the for the Pine Street Stub Tunnel in the Initial Segment of Central Link, for a revised total authorized amount not to exceed \$3,056,000.

The 2004 Adopted Budget for the Central Link Initial Segment is \$2.07 billion. Within that budget, \$350,000 was set aside for design services during construction (DSDC) for the Pine Street Stub Tunnel (C510) in the final design phase. Should the proposed action be approved, it would commit the remaining balance for this item.

REVENUE, SUBAREA, AND FINANCIAL PLAN IMPACTS

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

BUDGET TABLE

Action Item: KPFF (Provide design services during construction (DSDC) for the Pine Street Stub Tunnel in the Central Link Initial Segment.)

(Year of Expenditure \$000)

| Initial Segment | Adopted FY2004 Budget (A) | Committed To Date (B) | This Action (C) | Total Committed & Action (D) | Uncommitted (Shortfall) (E) |
|--------------------------------|--|--------------------------------------|----------------------------|---|--|
| 1 Agency Administration | 226,780 | 109,133 | | 109,133 | 117,647 |
| 2 Preliminary Engineering | 35,000 | 33,639 | | 33,639 | 1,361 |
| 3 Final Design | 123,523 | 117,794 | 350 | 118,144 | 5,380 |
| 4 Right of Way | 233,016 | 137,235 | | 137,235 | 95,781 |
| 5 Construction | 1,171,837 | 277,853 | | 277,853 | 893,983 |
| 6 Construction Services | 82,737 | 63,824 | | 63,824 | 18,913 |
| 7 Third Party Agreements | 58,800 | 52,469 | | 52,469 | 6,331 |
| 8 Vehicles | 138,307 | 131,799 | | 131,799 | 6,508 |
| 9 Contingency | | | | - | - |
| 10 Total Current Budget | 2,070,000 | 923,746 | 350 | 924,096 | 1,145,904 |

Phase Budget Detail

| | | | | | |
|------------------------|----------------|----------------|------------|----------------|--------------|
| 11 DSDC 510 | 350 | - | 350 | 350 | - |
| 12 DSDC Other Segments | 4,958 | 613 | | 613 | 4,345 |
| 13 Other Final Design | 118,215 | 117,181 | | 117,181 | 1,034 |
| 14 Total Phase | 123,523 | 117,794 | 350 | 118,144 | 5,380 |

(B) Committed to Date amounts are from the Link Program Cost Summary Report (HQ Reports) for March 2004 + adopted Board motions not yet included in the report as follows:

| | Final Design | Construction | Construct Svcs | Third Parties | Vehicles |
|--------------------------------|----------------|----------------|----------------|---------------|----------------|
| Commitments through March 2004 | 116,329 | 146,248 | 20,593 | 52,469 | 131,799 |
| Other board motions | 1,465 | 131,606 | 43,230 | - | - |
| Total phase commitments | 117,794 | 277,853 | 63,824 | 52,469 | 131,799 |

| Contract Budget | Current Approved Contract Value (F) | Spent to Date (G) | Proposed Action (H) | Proposed Total Contract Value (I) |
|------------------------|--|------------------------------|------------------------------------|--|
| 15 Contract Amount | 2,460 | 2,196 | 350 | 2,810 |
| 16 Contingency | 246 | - | - | 246 |
| 17 Total | 2,706 | 2,196 | 350 | 3,056 |
| 18 Percent Contingency | 10% | 0% | 0% | 9% |

M/W/DBE – SMALL BUSINESS PARTICIPATION

KPFF is the prime consultant for this contract. During construction, the need to send work to the designer of record is driven by the scope of the change as well as the timeliness of the response required. The actual M/W/DBE and Small Business utilization will vary depending on these needs and cannot, at this time, be confirmed. However, consistent with the actions of KPFF through Final Design, KPFF is committed to distributing the work to the subconsultant designer of record as necessary to provide the services as required.

The M/W/DBE and Small Business goal established for this contract was 21.6%. Performance to date on this contract has achieved 19.43% M/W/DBE participation. The M/W/DBE and Small Business participation estimate for KPFF's design services during construction is 20.28%, which

reflects a greater utilization of prime consultant staff during this phase. The resulting M/W/DBE participation for the overall contract is estimated to be 19.72% when the project is completed.

Utilization Breakdown Table

| Subconsultant | Business Type | % of Work | Dollar Value |
|------------------------------|----------------------|------------------|---------------------|
| Bolima Drafting | M/DBE | 8.57% | \$30,000 |
| Karen Kiest Landscape Design | W/DBE | 0.86% | \$3,000 |
| KDD & Associates | M/DBE | 4.28% | \$15,000 |
| Mat Harris | Small Business | 0.86% | \$3,000 |
| Streeter Architects | M/DBE | 5.71% | \$20,000 |
| Total | | 20.28% | \$71,000 |

EEO Commitment

KPFF's workforce demographics are 24.7% women and 17.4% minorities.

HISTORY OF PROJECT

Prior Board or Committee Actions and Relevant Board Policies

| Motion or Resolution Number | Summary of Action | Date of Action |
|------------------------------------|---|-----------------------|
| M2003-29 | Authorized the Executive Director to execute a contract with KPFF to provide civil final design services for the initial segment of Central Link for the Pine Street Stub Tunnel in the amount of \$2,460,000 with a 10% contingency of \$246,000 for a total authorized contract amount not to exceed \$2,706,000. | 3/6/03 |
| M2002-136 | Authorized the Executive Director to execute a contract amendment with Shannon & Wilson, Inc., for geotechnical services necessary for final design of the Link Pine Street Stub Tunnel in the amount of \$200,000 plus a 10% contingency of \$20,000 for a total of \$220,000 and for a new total authorized contract amount not to exceed \$10,801,601. | 12/12/02 |

A procurement process was carried out from November 2002 to January 2003 to select a design team for the civil final design of the Pine Street Stub Tunnel. The selection committee received and evaluated five proposals. Three teams were chosen for interviews and KPFF was selected as the most qualified firm.

The contract amount was \$2,460,000, with a 10% contingency of \$246,000 for a total contract amount of \$2,706,000. The contract period was 12 months, starting in March 2003 and ending March 2004 and included options for four one-year extensions. An extension of one year has already been executed and the contract provides for an additional three year extension. An allowance for design support during construction was to be negotiated at a later date and would require a return to the Finance Committee for action.

The final design for the Pine Street Stub Tunnel contract is complete and the construction contract is out to bid. Bids are due from potential contractors on May 18, 2004.

CONSEQUENCES OF DELAY

This scope of work is on the critical path of the Central Link Project Master Schedule. Delay in Finance Committee approval beyond May 2004 could cause a delay in the schedule for construction of this segment.

PUBLIC INVOLVEMENT

Sound Transit staff continues to work to keep local and area residents informed about the status of the project and the impact of construction on the neighborhoods.

LEGAL REVIEW

DB 4/23/04

SOUND TRANSIT

MOTION NO. M2004-47

A motion of the Finance Committee of the Central Puget Sound Regional Transit Authority authorizing the Chief Executive Officer to execute a contract amendment with KPFF to provide design services during construction of the Pine Street Stub Tunnel in the Central Link Light Rail Initial Segment Project in the amount of \$350,000 with no contingency for a new total authorized contract amount not to exceed \$3,056,000.

Background:

A procurement process was carried out from November 2002 to January 2003 to select a design team for the civil final design of the Pine Street Stub Tunnel. The selection committee received and evaluated five proposals. Three teams were chosen for interviews and KPFF was selected as the most qualified firm.

The contract amount was \$2,460,000, with a 10% contingency of \$246,000 for a total contract amount of \$2,706,000. The contract period was 12 months, starting in March 2003 and ending March 2004. An allowance for design support during construction was to be negotiated at a later date and would require a return to the Finance Committee for action.

The final design for the Pine Street Stub Tunnel contract is complete and the construction contract is out to bid. Bids are due from potential contractors on May 18, 2004.

Motion:

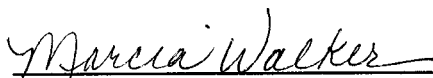
It is hereby moved by the Finance Committee of the Central Puget Sound Regional Transit Authority that the Chief Executive Officer is authorized to execute a contract amendment with KPFF to provide design services during construction of the Pine Street Stub Tunnel in the Central Link Light Rail Initial Segment Project in the amount of \$350,000 with no contingency for a new total authorized contract amount not to exceed \$3,056,000.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on May 6, 2004.



Kevin R. Phelps
Finance Committee Chair

ATTEST:



Marcia Walker
Board Administrator