

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2006-11

Contract Amendment with HNTB Corporation

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	1/19/06	Discussion/Possible Action to Recommend Board Approval Action	Jim Edwards, Deputy Director, Capital Projects Val Batey, Project Manager	(206) 398-5436
Board	1/26/06			(206) 398-5117

Contract/Agreement Type:	✓	Requested Action:	✓
Competitive Procurement		Execute New Contract/Agreement	
Sole Source	✓	Amend Existing Contract/Agreement	✓
Agreement with Other Jurisdiction(s)		Budget Amendment	
Real Estate		Property Acquisition	

PROJECT NAME

Reservation Junction to Freighthouse Square

PROPOSED ACTION

Authorizes the Chief Executive Officer to execute a contract amendment to the existing sole source contract with HNTB Corporation to provide independent technical review services for the remediation project and continued monitoring of the earth fill embankment and track bed structure, and continued inspection of the track on the connection between Reservation Junction and Freighthouse Square, in the amount of \$269,649, with a 10% contingency of \$26,965, totaling \$296,614, for a new total authorized contract amount not to exceed \$1,110,459.

KEY FEATURES of PROPOSED ACTION

- Retains HNTB Corporation to provide independent review and expertise as the final remediation efforts proceed through design and construction.
- Provides for the continuation of the current monitoring plan regarding settlement concerns/projections that have been presented in the initial assessment, observed by actual site conditions, and accepted by all parties. The monitoring plan includes:
 - Surveying of the structural earth walls (SEW) once a month from January through March;
 - Geotechnical analyses of the SEW following inclinometer readings once a month from January through March;
 - Surveying of the SEW during construction of remediation;
 - Geotechnical analyses of the SEW following inclinometer readings during construction;

- Post-construction surveying and geotechnical analysis of the remediation project through December 2006;
- Compiling a final report summarizing the monthly reports, construction, and post construction reports submitted to Sound Transit, in addition to the ongoing monitoring and reporting; and
- Continued track inspection

BUDGET IMPACT SUMMARY

Project Description: Reservation Junction to Freighthouse Square
 Current Project Phase: Construction
 Projected Completion Date: 2006

Action Outside of Adopted Budget:	✓	Comments on Checked Items
This Project		
This Phase	✓	This action will create a Final Design shortfall of \$81K.
This Task		
Budget Amendment Required		

Key Financial Indicators:	✓	Comments on Checked Items
Contingency Funds Required	✓	Some remediation expenses already incurred will be transferred to the claims account, the amount is sufficient to cover the Final Design shortfall
Funding required from other parties (other than what is in financial plan)		

Not checked = action is assumed in current Board-adopted budget. No budget action or adjustment to financial plan required.

There is no action outside of the Board-adopted budget; there are no contingency funds required, no subarea impacts, or funding required from other parties other than what is already assumed in the financial plan.

BUDGET and FINANCIAL PLAN DISCUSSION

The Adopted 2006 project budget is \$16,802,131 with a final design phase budget of \$962,332 and a construction phase budget of \$14,887,175. The proposed action is to execute a contract amendment with HNTB Corporation in the amount of \$269,649 with a 10% contingency for a total of \$296,614. Of this total amount, \$145,914 is final design and \$150,700 is construction. This action will leave a remaining final design phase shortfall of \$81,443 and a construction phase balance of \$262,241. The remaining balance for the project will be \$923,943. Past remediation costs will be transferred to and paid out of the claims account, thereby freeing up budget to cover the shortfall in the final design phase.

There are sufficient funds to complete this action. Committing these funds will not endanger any other project elements that are to be funded out of the overall project.

BUDGET TABLE

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

Action Item: Execute a contract amendment with HNTB Corporation to provide independent technical review services for the remediation project and continued monitoring of the earth fill embankment and track bed structure, and continued inspection of the track on the connection between Reservation Junction and Freighthouse Square. (Project #247)

	2006 Board Adopted Budget (A)	Committed To Date (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
1 Agency Administration	\$ 235	\$ 9	\$ -	\$ 9	\$ 226
2 Preliminary Engineering	\$ 201	\$ 201	-	\$ 201	(0)
3 Final Design	\$ 962	\$ 898	146	\$ 1,044	(81)
4 Right of Way	\$ -	\$ -	-	\$ -	-
5 Construction	\$ 14,887	\$ 14,474	151	\$ 14,625	262
7 Contingency	\$ 517	\$ -	-	\$ -	517
8 Total Current Budget	\$ 16,802	\$ 15,582	\$ 297	\$ 15,878	\$ 924
Phase Budget Detail					
9 Final Design	\$ 962	\$ 898	\$ 146	\$ 1,044	\$ (81)
10 Total Phase	\$ 962	\$ 898	\$ 146	\$ 1,044	\$ (81)
Phase Budget Detail					
11 Construction	\$ 14,887	\$ 14,474	\$ 151	\$ 14,625	\$ 262
12 Total Phase	\$ 14,887	\$ 14,474	\$ 151	\$ 14,625	\$ 262

Contract Budget	2006 Board Adopted Budget (F)	Spent to Date (G)	Proposed Action - Final Design (H)	Proposed Action - Construction (H)	Proposed Total Contract Value (I)
13 HNTB Corporation	\$ 716	\$ 563	\$ 133	\$ 137	\$ 986
14 Contingency	97	-	13	14	\$ 124
15 Total	814	563	146	151	\$ 1,110
16 Percent Contingency	14%		10%	10%	13%

Budget Shortfall	Shortfall Amt (J)	Potential Funds (K)	Funding Source (L)
Final Design	\$ (81)	\$ 81	Claims Account

Notes:

- (1) Project budget is located on page 107 of the Proposed 2006 Budget book. Amounts shown reflect the combined Reservation-Freighthouse budget for South King and Pierce subareas.
- (2) Committed to-date amount includes actual outlays and commitments for the Reservation-Freighthouse project in South King and Pierce subareas combined, through January 12, 2006.
- (3) Funds from the claims account covered past remediation costs, thereby freeing up budget to pay for additional monitoring through construction and post construction, these funds will cover the shortfall.

M/W/DBE – SMALL BUSINESS PARTICIPATION

Prime Consultant/Contractor

HNTB Company is the prime consultant for this contract and will be performing 33% of the work on this contract. Baseline Engineering, Inc. is a small business. M/W/DBE performance to date on this contract has been 15.5%.

Utilization Breakdown Table

Subconsultant	Business Type	% of Work	Dollar Value
Baseline Engineering	Small Business	17%	\$45,980
Total		17%	\$45,980

EEO Commitment

HNTB workforce demographics are 28% women and 18% minorities.

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

Sounder revenue service started on the Reservation Junction to Freighthouse Square segment in September 2003. Service was halted in January 2004 pending remediation of a portion of an embankment that experienced excessive settlement. Phase 1 of the remediation was completed in May 2004 and the track system was monitored. In June 2004, it was determined that further remediation work to stabilize the embankment was necessary. The work was performed in July 2004 and Sounder service was restored in August 2004. In January 2005, concrete wing walls were added to reinforce the embankment at the Bay Street Underpass abutments as Phase 2 Remediation.

In October 2005 Sound Transit amended the contract with David Evans Associates, Inc. to obtain additional engineering services to design a supplemental structural wall system as Phase 3 Remediation. The Phase 3 Remediation will be designed so that Sounder operations will experience minimal disruption during the construction period.

Sound Transit has used HNTB Corporation and its subconsultants, Shannon & Wilson, to perform monthly monitoring and surveying of the embankment since 2003, and to assist Sound Transit with reviewing design and geotechnical issues.

As Sound Transit's independent technical experts, HNTB Corporation will review the Phase 3 Remediation design and monitor the embankment through construction of the remediation work as well as post construction. It is anticipated that this third phase of remediation work will be constructed between March and September of 2006.

Prior Board/Committee Actions on this Project and Relevant Board Policies

Motion Number	Summary of Action	Date of Action
M2005-98	Executed a contract amendment with David Evans and Associates, Inc. for design services for Reservation to Freighthouse Square Phase 2 Embankment Remediation.	10/6/05
M2005-02	Executed a contract amendment with HNTB Corporation to continue providing additional independent engineering services for geotechnical monitoring for the earth fill embankment and track bed structure between Reservation and Freighthouse Square.	1/13/05
M2004-41	Executed a contract amendment with HNTB Corp for additional independent engineering services for Sounder Commuter Rail's Reservation Junction to Freighthouse Square embankment and track bed structure.	4/15/04

M2004-40	Executed a contract amendment with Stacy and Witbeck, Inc. for remediation of the embankment for the Reservation to Freighthouse Square track connection.	4/15/04
M2004-36	Executed a contract with HNTB Corporation to continue to provide additional independent engineering services for the Reservation to Freighthouse Square retained earth fill embankment and track bed structure.	4/8/04
M2003-93	Executed a contract amendment with David Evans and Associates, Inc. to increase authorized contingency for increased construction and design support services for the Reservation to Freighthouse Square track improvements.	9/4/03
M2003-49	Executed a contract amendment with David Evans and Associates, Inc. to provide construction support services for the Reservation to Freighthouse Square track improvements.	5/1/03
M2002-14	Executed a contract amendment with David Evans and Associates, Inc for final design services for the Reservation to Freighthouse Square track improvements.	2/21/02
M2000-13	Executed a contract amendment with David Evans and Associates, Inc. for design and construction support services for the Reservation to Freighthouse Square track improvements.	2/17/00

CONSEQUENCES of DELAY

This action is required so that Sound Transit can have an independent review of Phase 3 Remediation and provide continued monitoring of the structural earth wall embankment. Staff desires to have this expertise available so that the Phase 3 Remediation can proceed as scheduled. Staff desires to pursue the remediation as quickly as possible in order to supplement the wall stability and provide for the track facility to enter into normal maintenance.

ENVIRONMENTAL COMPLIANCE

Not applicable to this action.

PUBLIC INVOLVEMENT

Not applicable for this action.

LEGAL REVIEW

JW 1/13/06

SOUND TRANSIT

MOTION NO. M2006-11

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the Chief Executive Officer to execute a contract amendment to the existing sole source contract with HNTB Corporation to provide independent technical review services for the remediation project and continued monitoring of the earth fill embankment and track bed structure, and continued inspection of the track on the connection between Reservation Junction and Freighthouse Square, in the amount of \$269,649, with a 10% contingency of \$26,965, for a new total authorized contract amount not to exceed \$1,110,459.

Background:

Souder revenue service started on the Reservation Junction to Freighthouse Square segment in September 2003. Service was halted in January 2004 pending remediation of a portion of an embankment that experienced excessive settlement. Phase 1 of the remediation was completed in May 2004 and the track system was monitored. In June 2004, it was determined that further remediation work to stabilize the embankment was necessary. The work was performed in July 2004 and Souder service was restored in August 2004. In January 2005, concrete wing walls were added to reinforce the embankment at the Bay Street Underpass abutments as Phase 2 Remediation.

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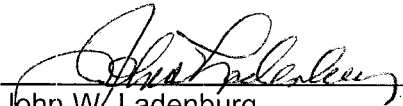
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As Sound Transit's independent technical experts, HNTB Corporation will review the Phase 3 Remediation design and monitor the embankment through construction of the remediation work as well as post construction. It is anticipated that this third phase of remediation work will be constructed between March and September of 2006.

Motion:

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the Chief Executive Officer is authorized to execute a contract amendment to the existing sole source contract with HNTB Corporation to provide independent technical review services for the remediation project and continued monitoring of the earth fill embankment and track bed structure, and continued inspection of the track on the connection between Reservation Junction and Freighthouse Square, in the amount of \$269,649, with a 10% contingency of \$26,965, for a new total authorized contract amount not to exceed \$1,110,459.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on January 26, 2006.



John W. Ladenburg
Board Chair

ATTEST:



Marcia Walker
Board Administrator