

**SOUND TRANSIT  
STAFF REPORT**

**MOTION NO. M2006-58**

**Contract Amendment for Construction Management Services for Everett Station, Layover Track Improvements and Mukilteo Station**

<b>Meeting:</b>	<b>Date:</b>	<b>Type of Action:</b>	<b>Staff Contact:</b>	<b>Phone:</b>
Finance Committee	7/20/06	Discussion/Possible Action	Jim Edwards, Deputy Director, Capital Projects Christine Engler, Construction Manager <b>Jerry Dahl, Construction Project Manager</b>	(206) 398-5436  (206) 398-5056  (206) 398-5284

<b>Contract/Agreement Type:</b>	<input checked="" type="checkbox"/>	<b>Requested Action:</b>	<input checked="" type="checkbox"/>
Competitive Procurement		Execute New Contract/Agreement	
Sole Source		Amend Existing Contract/Agreement	<input checked="" type="checkbox"/>
Agreement with Other Jurisdiction(s)		Budget Amendment	
Real Estate		Property Acquisition	

**PROJECT NAME**

Everett Station, Layover, and Mukilteo Station

**PROPOSED ACTION**

Authorizes the chief executive officer to execute a contract amendment with KBA, Inc. to (1) provide construction management services for the Everett Station project in the amount of \$371,541, with a contingency of \$78,871, totaling \$450,412, and the Layover project in the amount of \$31,008; and (2) exercise a contract option to provide construction management services for the Mukilteo Station project in the amount of \$280,652, with a 10% contingency of \$28,065, totaling \$308,717, for a new total authorized contract amount not to exceed \$1,571,137.

**KEY FEATURES of PROPOSED ACTION**

- This contract amendment provides additional funding for services required to administer construction of the Everett Station Phase II and layover track for Train 2 improvements.
  - KBA, Inc. was selected as the construction management (CM) consultant for the Everett Station Phase II and layover track for Train 2 improvements following the agency's standard RFP process in 2003.
  - Construction of these improvements was anticipated to start in spring of 2004 and to be complete in late spring of 2005. However, an agreement with the Burlington Northern Santa Fe railroad (BNSF) for commuter rail service to Everett was not finalized until December 2003. The design work to finalize the contract documents for the improvements lagged as a consequence, thereby delaying the ad date for construction. To ensure that the layover track for Train 2 would be in service by

- June 2005, procurement of the improvements was separated into three construction contracts in late summer 2004.
- To date, KBA, Inc. has managed the construction of the layover track for Train 2 (completed in June 2005) and demolition and remediation on Sound Transit's properties on the east side of the BNSF tracks (completed in January 2006). Due to the presence of contaminated soils during construction of the layover track and to the presence of contaminated soils in much greater quantities and at much higher levels of contamination than anticipated during demolition and remediation, the requirement for actual construction management services was increased in scope and duration. The task level budgets for KBA, Inc.'s services for these construction contracts were overrun as a result, leaving a balance, of the authorized contract amount, inadequate to support construction of the remaining Everett Station Phase II improvements.
  - Additional funds are required in order that KBA, Inc. can administer construction of the remaining Phase II improvements and to re-establish contingency at 10% of the value of this remaining CM work.
- This amendment also exercises a contract option for additional services to administer construction of the Mukilteo Station North Platform improvements.
    - The scope of work in the KBA, Inc. contract provided for optional services at the Edmonds and Mukilteo stations, and at other locations of work required to support Everett to Seattle commuter rail service. Due to the lower likelihood of recruiting a superior CM team to the relatively smaller amount of work to construct the Mukilteo Station North Platform improvements through an RFP process, and the associated administrative burden, KBA, Inc. was asked to submit a proposal for a portion of the optional scope of services. Subsequent negotiations were concluded successfully for the services of a highly qualified team and for a reasonable price.
    - This amendment defines work for CM of the Mukilteo Station North Platform improvements, including assistance during design and contract advertisement, construction contract administration, field services, monitoring of diversity/small business/EEO and apprenticeship goals, materials testing, and contract closeout.
    - This amendment provides for additional CM services for the construction of the Mukilteo North Platform improvements, including one commuter rail station platform; surface parking for 65 vehicles; paved roadway with curb, gutter, and sidewalk; and an on-site storm water infiltration system.

### **BUDGET IMPACT SUMMARY**

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**

Everett Station: The Board-adopted budget for this project is \$26,872,031 with a construction phase Board-adopted budget of \$14,616,465. The proposed action is to amend a contract with KBA, Inc. increasing it by \$450,412. This action will leave a remaining construction phase balance of \$6,742,455 and a project balance of \$8,475,901.

Layover: The Board-adopted budget for this project is \$24,248,218 with a construction phase Board adopted budget of \$21,068,061. The proposed action is to amend a contract with KBA, Inc. increasing it by \$31,008. This action will leave a remaining construction phase balance of \$5,391,467 and a project balance of \$8,063,350.

Mukilteo Station: The Board-adopted budget for this project is \$18,213,772 with a construction phase Board adopted budget of \$10,673,052. The proposed action is a contract with KBA, Inc. in the amount of \$308,717. This action will leave a remaining construction phase balance of \$10,291,057 and a project balance of \$14,035,557.

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)

Everett Station - 31201

	2006 Board Adopted Budget (A)	Committed To Date (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
1 Agency Administration	\$ 1,593	\$ 782	\$ -	\$ 782	\$ 811
2 Preliminary Engineering	1,195	1,188	-	1,188	7
3 Final Design	1,360	1,392	-	1,392	(31)
4 Right of Way	7,349	7,160	-	7,160	189
5 Construction	14,616	7,424	450	7,874	6,742
7 Contingency	758	-	-	-	758
8 Total Current Budget	\$ 26,872	\$ 17,946	\$ 450	\$ 18,396	\$ 8,476

Phase Budget Detail

9 Construction	\$ 14,616	\$ 7,424	\$ 450	\$ 7,874	\$ 6,742
10 Misc.	-	-	-	-	-
11 Total Phase	\$ 14,616	\$ 7,424	\$ 450	\$ 7,874	\$ 6,742

Contract Budget	Current Approved Contract Value (F)	Committed to Date (G)	Proposed Action - Construction (H)	Amended Total Contract Value (I)
12 KBA, Inc. Contract	\$ 672	\$ 741	\$ 372	\$ 1,044
13 Contingency	67	-	79	146
14 Total	740	741	450	1,190
15 Percent Contingency	10%		21%	14%

Notes:

Committed to-date amount includes actual outlays and commitments through June 29, 2006.  
Project budget is located on page 101 of the Adopted 2006 Budget book.

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

Layover - 3X140

	2006 Board Adopted Budget (A)	Committed To Date (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
1 Agency Administration	\$ 1,079	\$ 2	\$ -	\$ 2	\$ 1,077
2 Preliminary Engineering	\$ 156	\$ 126	-	\$ 126	30
3 Final Design	\$ 493	\$ 381	-	\$ 381	112
4 Right of Way	\$ 660	\$ -	-	\$ -	660
5 Construction	\$ 21,068	\$ 15,646	31	\$ 15,677	5,391
7 Contingency	\$ 793	\$ -	-	\$ -	793
8 Total Current Budget	\$ 24,248	\$ 16,154	\$ 31	\$ 16,185	\$ 8,063

Phase Budget Detail

9 Construction	\$ 21,068	\$ 15,646	\$ 31	\$ 15,677	\$ 5,391
10 Misc.	-	-	-	-	-
11 Total Phase	\$ 21,068	\$ 15,646	\$ 31	\$ 15,677	\$ 5,391

Contract Budget	Current Approved Contract Value (F)	Committed to Date (G)	Proposed Action - Construction (H)	Amended Total Contract Value (I)
12 KBA, Inc. Contract	\$ 41	\$ 72	\$ 31	\$ 72
13 Contingency	-	-	-	\$ -
14 Total	41	72	31	\$ 72
15 Percent Contingency	10%		0%	0%

Notes:

Committed to-date amount includes actual outlays and commitments through June 29, 2006.

Project budget is located on page 99 of the Adopted 2006 Budget book.

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

Mukilteo Station - 31205

	2006 Board Adopted Budget (A)	Committed To Date (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
1 Agency Administration	\$ 1,255	\$ 416	\$ -	\$ 416	\$ 839
2 Preliminary Engineering	684	618	-	\$ 618	65
3 Final Design	2,726	2,421	-	\$ 2,421	305
4 Right of Way	2,876	341	-	\$ 341	2,535
5 Construction	10,673	73	309	\$ 382	10,291
7 Contingency	-	-	-	\$ -	-
8 Total Current Budget	\$ 18,214	\$ 3,869	\$ 309	\$ 4,178	\$ 14,036

Phase Budget Detail

9 Construction	\$ 10,673	\$ 73	\$ 309	\$ 382	\$ 10,291
10 Misc.	-	-	-	-	-
11 Total Phase	\$ 10,673	\$ 73	\$ 309	\$ 382	\$ 10,291

Contract Budget	Current Approved Contract Value (F)	Committed to Date (G)	Proposed Action - Construction (H)	Amended Total Contract Value (I)
12 KBA, Inc. Contract	\$ -	\$ -	\$ 281	\$ 281
13 Contingency	-	-	28	\$ 28
14 Total	-	-	309	\$ 309
15 Percent Contingency	10%		10%	10%

Notes:

Committed to-date amount includes actual outlays and commitments through June 29, 2006.

Project budget is located on page 102 of the Adopted 2006 Budget book.

## **M/W/DBE – SMALL BUSINESS PARTICIPATION**

### **Prime Consultant**

KBA Inc. is the prime consultant for this contract. KBA is a certified Disadvantaged Business Enterprise and a Women Business Enterprise (DBE/WBE) and will self perform significant portions of the work. KBA committed to a 72% M/W/DBE and Small Business goal (including its participation) for this contract. To date, M/W/DBE and Small Business participation has been utilized for 57% of the contract amount spent.

KBA and its M/W/DBE and Small Business subcontractors are projected to perform 90.5% of the work of this contract amendment.

### **Utilization Breakdown Table**

<b>Prime Consultant</b>	<b>Business Type</b>	<b>% of Work</b>	<b>Dollar Value</b>
KBA, Inc	DBE/WBE	89%	\$ 960,331
<b>Subconsultants</b>	<b>Business Type</b>	<b>% of Work</b>	<b>Dollar Value</b>
Approach Management	Small Business	1%	\$ 11,600
On-Site Environmental	DBE/MBE	0.5%	\$ 5,000
<b>Subtotal</b>		<b>1.5%</b>	<b>\$ 16,600</b>
<b>Total</b>		<b>90.5%</b>	<b>\$ 976,931</b>

### **EEO Commitment**

KBA, Inc workforce demographics are 42% women and 25% minorities.

## **PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION**

### **Everett Station**

Everett Station is a multimodal station accommodating Amtrak, Greyhound, Everett Transit, Community Transit, ST Express Bus, Sounder Commuter Rail, charters, taxis, and shuttles.

The initial phase of the project was developed by the City of Everett and includes the Everett Station building; the off-street bus transit center; parking for commuters, Amtrak and Greyhound customers, and other patrons; a portion of the commuter rail platform and canopies; and the Amtrak passenger boarding platform.

Sound Transit is responsible for the final phase of the station including the 440-stall east parking lot, a pedestrian bridge over the tracks, pedestrian access plazas on both sides of the tracks, completion of the 330-stall south parking lot, and an operations building for maintenance equipment and supplies, security personnel, and BNSF train crews. This work was broken into two parts: the first, including the Amtrak platform, a portion of the station track, and a portion of the commuter rail platform, was completed and has been in service since December 2003.

Due to the delay in reaching an agreement with BNSF to provide commuter rail service to Everett, Sound Transit elected to stop design work and to delay construction of the second part of the final phase of the station. When an agreement was reached with BNSF in December 2003, the design team was directed to update the contract documents for the remaining improvements, a bus layover area, and the layover track for Train 2.

In late 2004, to ensure that the layover track for Train 2 would be in service by June 2005, procurement of the remaining improvements at the Everett Station was separated into three contracts. Layover track construction was completed in June 2005. Demolition and remediation work was completed in January 2006. The remaining construction contract is scheduled to be advertised in the third quarter of this year, pending execution of an agreement with BNSF for the property rights needed for the pedestrian bridge and the platform.

### Prior Board/Committee Actions on the Everett Station Project

Motion/Resolution Number and Date	Summary of Action
M2006-09	Authorizing the Chief Executive Officer to execute a contract amendment with Zimmer Gunsul Frasca Partnership to complete revisions to the final design for station improvements, provide architectural support during construction contract procurement, and provide architectural support during construction for the Everett Station project in the amount of \$150,840, with a 10% contingency of \$15,084, for a new total authorized contract amount not to exceed \$1,666,112.
M2005-60	Executing a contract with Clearcreek Contractors, Inc. to provide demolition and remediation services for the Everett Commuter Rail Station project in the amount of \$896,715, with a 20% contingency of \$179,343, for a total authorized contract amount not to exceed \$1,076,058.
M2005-47	Authorizing the addition of \$100,000 to the approved contingency amount for the construction contract with Clearcreek Contractors, Inc., to provide construction services for a layover track at the Everett Station, for a new total contingency amount of \$143,522, and a total authorized contract amount not to exceed \$361,134.
M2005-31	Executing a contract with Clearcreek Contractors, Inc. to construct a layover track and associated improvements for the Everett Station project in the amount of \$217,612, with a 20% contingency of \$43,522, for a total authorized contract amount not to exceed \$261,134.
M2004-22	Authorizing the Chief Executive Officer to execute a contract with KBA, Inc. to provide construction management services for the Sounder Commuter Rail Everett Station Phase II Project in the amount of \$710,000 with a 10 percent contingency of \$71,000, for a total authorized contract amount not to exceed \$781,000, for a period of three years, with options for two one-year extensions.
M2004-14	Executing a contract amendment with Zimmer Gunsul Frasca Partnership to provide finalization of design, including design of a bus layover area, and design support services during construction for the Everett Commuter Rail Station Phase II project in the amount of \$180,012, with a 10 percent contingency of \$18,001, totaling \$198,013, for a new total authorized contract amount not to exceed \$1,499,386.

### Mukilteo Station

Mukilteo Station is a two-platform station, with an overhead pedestrian walkway with elevators and stairwells that will connect the two platforms. Parking will be provided for up to 120 vehicles adjacent to the platform. The project is being developed in coordination with the Washington State Ferries Multimodal Station and the Port of Everett's and City of Mukilteo waterfront redevelopment plans.

Service at Mukilteo is dependent upon BNSF track improvements. BNSF has scheduled the construction of the track improvements that would provide the ability to serve the station North Platform to begin in January 2007. BNSF anticipates that construction of the track improvements that would provide the ability to serve the station South Platform would be complete no sooner than 4<sup>th</sup> quarter 2007. As a consequence, Sound Transit will stage construction of the station project. The North Platform will be constructed during Stage 1 and is anticipated for an October 2006 construction start, pending execution of an agreement with BNSF for the property rights needed for the platform.

**Prior Board/Committee Actions on the Mukilteo Station Project**

<b>Motion/Resolution Number and Date</b>	<b>Summary of Action</b>
M2005-81	Authorizing the Chief Executive Officer to execute a contract with DMJM Harris to provide refined preliminary engineering and final design services for the Mukilteo Station Project in the amount of \$2,292,891, with a 10% contingency of \$229,290, for a total authorized contract amount not to exceed \$2,522,181.
M2003-55	Execute an amendment to the existing station design services contract with Streeter & Associates Architects for the Mukilteo Commuter Rail Station in the amount of \$65,676 with a contingency of \$6,567 totaling \$72,243, for a new total authorized contract amount not to exceed \$254,663, contingent upon Board of approval of Motion No. M2003-54, authorizing the Executive Director to execute the necessary agreement with the City of Mukilteo to provide \$25,000 for the City's share of the cost of this contract amendment.
M2003-54	Executed an interlocal agreement with the City of Mukilteo providing for the City to pay \$25,000 as its share of the cost of a concept study of Mukilteo Commuter Rail Station Park-and-Ride Lot on Mukilteo Lane.
M2002-126	Executed a contract amendment with Streeter & Associates Architects to provide design and cost estimating services for the Mukilteo Sounder Commuter Rail Station in the amount of \$63,000 and a contingency of \$6,300 totaling \$69,300, for a new total authorized contract amount not to exceed \$251,720.

**CONSEQUENCES of DELAY**

A significant delay will likely prohibit the involvement of the construction management consultant in design review and advertising activities for, and may delay both projects.

**PUBLIC INVOLVEMENT**

Not applicable to this action.

**ENVIRONMENTAL COMPLIANCE**

SK 7/12/06

**LEGAL REVIEW**

JW 7/14/06

## **SOUND TRANSIT**

### **MOTION NO. M2006-58**

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 KBA, Inc. to (1) provide construction management services for the Everett Station project in the amount of \$371,541, with a contingency of \$78,871, totaling \$450,412, and the Layover project in the amount of \$31,008; and (2) exercise a contract option to provide construction management services for the Mukilteo Station project in the amount of \$280,652, with a 10% contingency of \$28,065, totaling \$308,717, for a new total authorized contract amount not to exceed \$1,571,137.

#### **Background:**

Everett Station is a multimodal station accommodating Amtrak, Greyhound, Everett Transit, Community Transit, ST Express Bus, Sounder Commuter Rail, charters, taxis, and shuttles.

The initial phase of the project was developed by the City of Everett and includes the Everett Station building; the off-street bus transit center; parking for commuters, Amtrak and Greyhound customers, and other patrons; a portion of the commuter rail platform and canopies; and the Amtrak passenger boarding platform.

Sound Transit is responsible for the final phase of the station including the 440-stall east parking lot, a pedestrian bridge over the tracks, pedestrian access plazas on both sides of the tracks, completion of the 330-stall south parking lot, and an operations building for maintenance equipment and supplies, security personnel, and BNSF train crews. This work was broken into two parts: the first, including the Amtrak platform, a portion of the station track, and a portion of the commuter rail platform, was completed and has been in service since December 2003.

Due to the delay in reaching an agreement with BNSF to provide commuter rail service to Everett, Sound Transit elected to stop design work and to delay construction of the second part of the final phase of the station. When an agreement was reached with BNSF in December 2003, the design team was directed to update the contract documents for the remaining improvements, a bus layover area, and the layover track for Train 2.

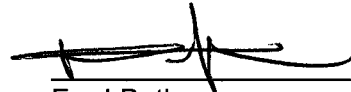
In late 2004, to ensure that the layover track for Train 2 would be in service by June 2005, procurement of the remaining improvements at the Everett Station was separated into three contracts. Layover track construction was completed in June 2005. Demolition and remediation work was completed in January 2006. The remaining construction contract is scheduled to be advertised in the third quarter of this year, pending execution of an agreement with BNSF for the property rights needed for the pedestrian bridge and the platform.



**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 KBA, Inc. to (1) provide construction management services for the Everett Station project in the amount of \$371,541, with a contingency of \$78,871, totaling \$450,412, and the Layover project in the amount of \$31,008; and (2) exercise a contract option to provide construction management services for the Mukilteo Station project in the amount of \$280,652, with a 10% contingency of \$28,065, totaling \$308,717, for a new total authorized contract amount not to exceed \$1,571,137.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on July 20, 2006.



Fred Butler  
Finance Committee Chair

ATTEST:



Marcia Walker  
Board Administrator