

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2008-09

**Contract Amendment for Central Link Light Rail Tukwila Freeway Route
Construction and Post Construction Aquatic Resource Monitoring Contract**

| Meeting: | Date: | Type of Action: | Staff Contact: | Phone: |
|-------------------|--------------|----------------------------|--|--|
| Finance Committee | 1/17/08 | Discussion/Possible Action | Ahmad Fazel, Link Executive Director, James Irish, Link Environmental Division Manager Chris Townsend, Senior Environmental Planner | (206) 398-5389 (206) 398-5140 (206) 398-5135 |

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

PROJECT NAME

Central Link Initial Segment

PROPOSED ACTION

Authorizes the chief executive officer to execute a contract amendment with Parametrix, Inc. to provide additional construction monitoring services for the Tukwila Freeway Route segment within the Central Link Initial Segment project in the amount of \$55,000, for a new total authorized contract amount not to exceed \$310,200.

KEY FEATURES of PROPOSED ACTION

- The original contract procured services to monitor the construction of the Tukwila Freeway Route (C755) to ensure compliance with the Record of Decision from the Federal Transit Administration (FTA) and environmental permits from the City of Tukwila, Washington Department of Fish and Wildlife (WDFW), and the Army Corps of Engineers.
- During the first year of monitoring, it was determined that the services of Parametrix, Inc., the successful contractor for this project, were needed full-time during the rainy season to ensure full compliance with environmental commitments and permit conditions; this was more than was anticipated in the original scope of work.
- In addition, there were more issues to resolve regarding permit compliance than were originally anticipated.

- The Aquatic Resource Monitoring project is in the third year of a five-year contract. Due to the fact that Sound Transit requested full-time monitoring during the first year, this resulted in the contractor having to use more of the contract. Therefore, there will not be enough contract funding to complete the full scope of the work, namely the post-construction mitigation monitoring.
- The post-construction mitigation monitoring will be completed under a new contract. This new on-call monitoring contract is in the process of selecting a qualified consultant. This work will include conducting construction and post-construction mitigation monitoring for various contracts in Link and Capitol Projects. Restoration of impacts to wetlands, streams and their buffers associated with the C755 contract are required to be monitored for ten years.
- The action includes an additional \$55,000 to complete only the construction monitoring portion of this contract to ensure environmental compliance.
- Construction monitoring for sensitive areas is anticipated to end in April 2008.

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

The Adopted 2008 Budget for the Central Link Initial Segment is \$2.07 billion. Within that amount, \$3,320,000 has been set aside for Environmental Mitigation in the construction phase, which includes environmental mitigation commitments related to historic preservation and parking mitigation. When added to current commitments of \$929,876, the proposed action would increase that amount by \$55,000 to \$984,876, and leave a remaining balance of \$2,335,124 for this budget line item.

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

BUDGET TABLE

Action Item: Parametrix, Inc. (provide additional construction monitoring services for the C755 Tukwila Freeway Route segment within the Central Link Initial Segment project)

(Year of Expenditure \$000)

| Initial Segment | Adopted 2008 Budget (A) | Committed To Date (B) | This Action (C) | Total Committed & Action (D) | Uncommitted (Shortfall) (E) |
|-------------------------------|-------------------------------|-----------------------------|--------------------|------------------------------------|-----------------------------------|
| 1 Agency Administration | 193,274 | 147,034 | | 147,034 | 46,240 |
| 2 Preliminary Engineering | 33,310 | 33,310 | | 33,310 | - |
| 3 Final Design | 147,213 | 146,511 | | 146,511 | 702 |
| 4 Right of Way | 208,396 | 204,426 | | 204,426 | 3,970 |
| 5 Construction | 1,191,768 | 1,152,282 | 55 | 1,152,337 | 39,431 |
| 6 Construction Services | 100,317 | 96,977 | | 96,977 | 3,341 |
| 7 Third Party Agreements | 63,414 | 62,543 | | 62,543 | 871 |
| 8 Vehicles | 132,307 | 131,799 | | 131,799 | 508 |
| 9 Total Current Budget | 2,070,000 | 1,974,882 | 55 | 1,974,937 | 95,063 |

Construction Phase Detail

| | | | | | |
|---|------------------|------------------|-----------|------------------|---------------|
| 10 Environmental Mitigation | 3,320 | 930 | 55 | 985 | 2,335 |
| 11 Other Construction | 1,169,404 | 1,151,352 | | 1,151,352 | 18,052 |
| 12 Construction Unallocated Contingency | 19,044 | - | | - | 19,044 |
| 13 Total Phase | 1,191,768 | 1,152,282 | 55 | 1,152,337 | 39,431 |

| Contract Amount | Board Approvals to Date (F) | Current Approved Contract Value (G) | Proposed Action (H) | Proposed Total for Board Approval (I) | Proposed Contract Value (J) |
|--------------------------|-----------------------------------|--|------------------------|--|-----------------------------------|
| 14 Contract Amount | 232 | 232 | 55 | 287 | 287 |
| 15 Contingency | 23 | 23 | - | 23 | 23 |
| 16 Total Contract | 255 | 255 | 55 | 310 | 310 |
| 17 Percent Contingency | 10% | 10% | 0% | 8% | 8% |

(B) COMMITTED TO DATE amounts are from Agency WBS Report as of November 2007 + approved and pending board actions not recorded as of 11/30/07, or submitted after that date.

SMALL BUSINESS PARTICIPATION

Prime Consultant/Contractor

Parametrix is the prime consultant for this contract. Sound Transit determined that subcontracting portions of the work was infeasible due to the specific nature of the services required. Proposers were not required to submit a plan for subcontracting. However, Parametrix will utilize one small business firm to perform approximately 6% of the total dollar value of the work.

Utilization Breakdown Table

| Subconsultant/Subcontractor | Business Type | % of Work | Dollar Value |
|------------------------------------|----------------------|------------------|---------------------|
| Karen Kiest | WBE/DBE | 6% | \$20,000 |
| Total | | | \$20,000 |

EEO Commitment

Parametrix workforce demographics are 43% women and 8% minorities.

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

The Tukwila Freeway Route (C755) Light Rail Project passes through an area with numerous wetlands and streams. These aquatic resources are important elements of the natural landscape and contribute to the health of habitat of species listed under the Endangered Species Act (ESA). Sound Transit has made numerous environmental commitments to federal, state and local agencies regarding the Light Rail Project and these aquatic resources. The Construction and Post Construction Aquatic Resources Monitoring for Contract C755 provides quality assurance that Sound Transit's contractors are complying with all relevant environmental commitments through third-party environmental oversight during construction.

In January of 2005, a Request for Proposals was advertised for a qualified environmental firm with expertise conducting construction and post-construction monitoring. In response to the RFP solicitation, Sound Transit received proposals from six firms/teams. Four firms were interviewed prior to selecting Parametrix as the top-ranked firm. The Parametrix contract is for 5 years to perform both construction and post-construction mitigation monitoring.

In addition to general site specific inspections, Parametrix's general tasks include; conducting weekly environmental walk-through with construction management team staff, City of Tukwila staff, Department of Ecology staff, other construction management team staff, and the Contractor in addition to a monthly environmental meeting and bi-monthly landscape meeting. Parametrix's staff report to Sound Transit indicates whether or not Best Management Practices, environmental commitments, and permit requirements / conditions are being implemented. Also, subcontractors to the team include landscape architect Karen Kiest.

During initial construction efforts it became clear that the original contract planned for the Aquatic Resource Monitoring project, which required the contractor to conduct about one site visit per week in addition to spot inspections, would not be sufficient enough to ensure that construction efforts would not adversely affect sensitive areas within the Tukwila alignment. Therefore, Sound Transit requested that Parametrix dedicate a full-time staff member to be co-located at the C755 trailer in Tukwila for the duration of the initial portion of the contract; this initial phase of construction began in the late summer of 2005 and continued through the early part of the 2006 construction season. In order to cover the greater-than-anticipated costs during the first years of the contract, we are removing the post-construction monitoring tasks from the contract and we are requesting an increase in the overall contract value. The requested increase in contract value will enable Parametrix to complete the construction monitoring portion of the contract. The post-construction monitoring work will be performed under a new on-call contract that is currently being procured.

Prior Board/Committee Actions

| Motion/Resolution Number and Date | Summary of Action |
|--|---|
| M2005-57 6/2/05 | Executing a contract with Parametrix to provide construction and post construction aquatic resource monitoring services for the Tukwila Freeway Route Project of the Central Link Light Rail Initial Segment project in the amount of \$232,000, with a contingency of \$23,200, for a total authorized contract amount not to exceed \$255,200 |

CONSEQUENCES of DELAY

If the Committee delays voting on the action or does not approve this action, environmental monitoring of the Tukwila Freeway Route project will be severely limited. The Environmental Compliance Division has determined that several site visits per week are necessary to oversee construction activities and that without it the Contractor may violate environmental permits and commitments. The Contractor is due to be completed in April 2008 and we are requesting additional funds to ensure that Parametrix has sufficient funds for oversight during the final stages of this regionally significant and visible project.

PUBLIC INVOLVEMENT

Not applicable to this action.

ENVIRONMENTAL COMPLIANCE

JI 1/7/08

LEGAL REVIEW

JW 1/9/08

SOUND TRANSIT

MOTION NO. M2008-09

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 Parametrix, Inc. to provide additional construction monitoring services for the Tukwila Freeway Route segment within the Central Link Initial Segment project in the amount of \$55,000, for a new total authorized contract amount not to exceed \$310,200.

Background:

The Tukwila Freeway Route (C755) Light Rail Project passes through an area with numerous wetlands and streams. These aquatic resources are important elements of the natural landscape and contribute to the health of habitat of species listed under the Endangered Species Act (ESA). Sound Transit has made numerous environmental commitments to federal, state and local agencies regarding the Light Rail Project and these aquatic resources. The Construction and Post Construction Aquatic Resources Monitoring for Contract C755 provides quality assurance that Sound Transit's contractors are complying with all relevant environmental commitments through third-party environmental oversight during construction.

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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 Parametrix, Inc. to provide additional construction monitoring services for the Tukwila Freeway Route segment within the Central Link Initial Segment project in the amount of \$55,000, for a new total authorized contract amount not to exceed \$310,200.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on January 17, 2008.



Fred Butler
Finance Committee Vice Chair

ATTEST:



Marcia Walker
Board Administrator