

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2008-12

**Contract Award for Link Construction of
Southcenter Boulevard Improvements**

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	1/17/08	Discussion/Possible Action to Recommend Board Approval Action	Ahmad Fazel, Link Executive Director	(206) 398-5389
Board	1/24/08		Joe Gildner, Link Deputy Executive Director John Sleavin, Link Civil Engineering Manager	(206) 689-3350 (206) 398-5150

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

Central Link Light Rail Initial Segment

PROPOSED ACTION

Authorizes the chief executive officer to execute a contract with SCI Infrastructure, LLC to provide construction services for Southcenter Boulevard improvements and an expanded park-and-ride facility within the Central Link Initial Segment project in the amount of \$21,317,365, with a contingency of \$2,131,737, for a total authorized contract amount not to exceed \$23,449,102, which includes reimburseable costs to Sound Transit from the City of SeaTac and other third parties for betterments.

KEY FEATURES of PROPOSED ACTION

- The scope of work in this contract includes the construction of:
 - a) Street and utility improvements along Southcenter Boulevard per the terms of the Development and Transitway Agreement between Sound Transit and the City of Tukwila, executed in December 2004. The improvements include curb, gutters, sidewalks, bike lanes, surface water drainage, street lighting, pedestrian lights, and a raised, landscaped median.
 - b) A supplemental park-and-ride with 162 parking spaces at the Tukwila International Boulevard Station to meet the City of Tukwila's requirements for a total of 600 parking spaces.

- c) A regional stormwater detention facility in Gilliam Creek, in lieu of an onsite underground stormwater detention vault in the Tukwila International Boulevard Station main parking lot.
- Sound Transit advertised this project as a competitive bid and received four bids. The low bid from SCI Infrastructure in the amount of \$21,317,365 is 2.5% below the Link engineer's estimate of \$21,859,000.
- Sound Transit's share of the \$23,449,102 not to exceed amount of the contract is \$22,453,041.
 - a) This contract includes relocation of selected facilities owned by private utility companies. In accordance with executed project cost sharing agreements, Water District No. 125, Qwest and Comcast will be reimbursing Sound Transit in the amounts of \$62,382, \$57,176, and \$134,792, respectively, for betterment work performed under this contract.
 - b) Work to be performed under this contract will include construction of underground electrical distribution facilities for which the City of SeaTac will reimburse Sound Transit in the approximate amount of \$741,711. Final adjustments will be made after the work is completed and the actual costs are determined.
- Staff recommends assignment of a 10% contingency for this contract, given the risks associated with underground utility construction relative to the magnitude of the contract.
- Sound Transit has obtained all critical property required in connection with this contract. Any outstanding property acquisitions are on track to be completed in advance of construction access requirements.
- Sound Transit has obtained all key construction permits from the City of Tukwila, the City of SeaTac, the Washington State Department of Transportation (WSDOT), the Army Corps of Engineers, the Washington Department of Fish and Wildlife, and the Washington State Department of Ecology and has incorporated permit conditions into the C759 Contract. The City of SeaTac remains responsible for the environmental review and permits related to the work they have requested.

BUDGET IMPACT SUMMARY

Current Project Phase: Construction
 Projected Completion Date: 2009

Action Outside of Adopted Budget:	✓	Comments on Checked Items
This Project		
This Phase		
This Task		
Budget Amendment Required		

Key Financial Indicators:	✓	Comments on Checked Items
Contingency Funds Required		
Funding required from other parties (other than what is in financial plan)	✓	Proposed action includes betterment work that will be reimbursed to Sound Transit by the City of SeaTac and other third parties.

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

BUDGET and FINANCIAL PLAN DISCUSSION

The Adopted 2008 Lifetime Capital Budget for the Central Link Initial Segment is \$2.07 billion. Within that amount, \$23 million has been set aside for Sound Transit's share of Southcenter Boulevard Improvements (C759 Tukwila Roadwork and Parking) in the construction phase. The proposed action would commit \$22,453,041 for this line item, leaving a remaining budget balance of \$546,959.

In addition to the above amounts, the proposed action includes approximately \$996,061 for betterments that will be reimbursed to Sound Transit by third parties in the following approximate amounts: \$741,711 from the City of SeaTac, \$62,382 from Water District No. 125, \$57,176 from Qwest, and \$134,792 from Comcast. The City of SeaTac reimbursements will be finalized based upon the actual costs after completion of the work.

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: SCI Infrastructure (construction services for Southcenter Boulevard Improvements (C759 Tukwila Roadwork and Parking) 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	1,129,884	22,453	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	1,952,484	22,453	1,974,937	95,063
Construction Phase Detail					
10 C759 Tukwila Roadwork & Parking	23,000	-	22,453	22,453	547
11 Other Construction	1,149,724	1,129,884		1,129,884	19,840
12 Construction Unallocated Contingency	19,044	-		-	19,044
13 Total Phase	1,191,768	1,129,884	22,453	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	-	-	21,317	21,317	21,317
15 Contingency	-	-	2,132	2,132	2,132
16 Total Contract	-	-	23,449	23,449	23,449
17 Percent Contingency	0%	0%	10%	10%	10%
18 Less Betterments	-	-	996	996	996
19 Total Sound Transit Share	-	-	22,453	22,453	22,453

(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

SCI Infrastructure, LLC is the prime contractor for this project. SCI has committed to 17.23% Small Business participation.

Utilization Breakdown Table

Subcontractor	Business Type	% of Work	Dollar Value
Earth Solutions Northwest	Small Business	0.94%	\$ 200,000
Able Security and Patrol	Small Business	0.49%	\$ 105,000
J. Harper Contractors	MBE/DBE	0.82%	\$ 175,000
Duane Hartman and Associates	Small Business	0.82%	\$ 175,000
Wilson Concrete Construction	Small Business	3.24%	\$ 690,000
Quality Fence Builders, Inc.	Small Business	0.49%	\$ 104,000
Corliss Resources, Inc.	Small Business	7.04%	\$ 1,500,000
Terra Dynamics	WBE/DBE	3.4%	\$ 724,000
Total		17.23%	\$ 3,673,000

EEO Commitment

SCI Infrastructure, LLC's workforce demographics are 19% women and 13% minorities.

Apprentice Utilization Commitment

SCI Infrastructure, LLC is committed to utilizing apprentices for 15% of all labor hours.

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

In October 2003, Sound Transit submitted land use permit applications to the City of Tukwila to permit development of the portion of the Link Light Rail Project within the City's jurisdiction, otherwise known as the Tukwila Freeway Route (TFR) Project. The TFR Project consists of approximately 4.9 miles of trackway, a bridge over the Duwamish River, the South 154th Street Station, two park-and-ride lots at the Station, five detention ponds, three traction power substations and street improvements. Subsequently, Sound Transit and City staff reached agreement on an approach that included obtaining City Council approval of three major land use permits and a Development and Transitway Agreement. Sound Transit and City staff agreed that this approach would serve as the most appropriate and effective mechanism to obtain and implement the land use permit approvals, establish an efficient process for future administrative permits, authorize use of city streets and satisfy Federal Transit Administration "continuing control" requirements.

On August 20, 2004, City staff issued a staff report to the City Council that recommended approval of the three land use permits and the Development and Transitway Agreement. After proper notice and public hearing, on September 20, 2004 the City Council approved the land use permit applications and authorized the Mayor of Tukwila to execute the proposed agreement. The Development and Transitway Agreement, which was approved by the Sound Transit Board in October 2004 and executed in December 2004, requires that Sound Transit construct certain specific street improvements along Southcenter Boulevard between International Boulevard and 53rd Avenue South including curb, gutters, sidewalks, bike lanes,

surface water drainage, street lighting, pedestrian lights, undergrounding of existing overhead utilities, and a raised, landscaped median.

In a separate action on July 1, 2004, the City's Director of Planning and Community Development issued an Administrative Parking Determination that established parking requirements and conditions for the TFR Project. This Parking Determination resolved the City's most significant concern about the impact of the TFR Project in its community. The Parking Determination required that Sound Transit provide 600 parking spaces upon opening the Tukwila International Boulevard Station.

At the time when the City of Tukwila's permitting requirements described above were being finalized in the summer and fall of 2004, Sound Transit was preparing to issue bid documents for the C755 contract for the five miles of light rail aerial guideway in Tukwila, including the Tukwila International Boulevard Station. Since the City's approval of the TFR Project and the associated requirements for offsite street improvements and supplemental parking did not come until after the project had entered the procurement phase, Link staff recommended that these scope elements not be included in the C755 contract documents. This allowed time for property acquisition of the supplemental parking lot and other necessary easements and to work out the design for the undergrounding of existing overhead utilities along Southcenter Boulevard as required by the City of Tukwila. Since these scope elements were not on the critical path of the Link project, it was also recommended by Link staff that this work be packaged and bid as a separate contract (C759) from the C755 work. In order to eliminate contract interface issues with the C755 contractor, it was determined that the C759 contract work should not begin until after the C755 contract work at the Tukwila International Boulevard Station was complete.

Also, at the time the design of the main parking lot of the Tukwila International Boulevard Station was being finalized in the fall of 2004, Link staff approached the City of Tukwila with a proposal to eliminate the very large onsite underground stormwater vault that was required under the City's stormwater detention standards. The proposal offered to fund an amount equivalent to Sound Transit's cost for the onsite underground stormwater vault (approximately \$2 million) towards an appropriate downstream drainage project that the City was planning. This would eliminate Sound Transit's ongoing maintenance costs for the vault and preserve the feasibility of constructing a potential parking structure in the future. The City accepted the proposal by allowing Sound Transit to make improvements to an existing regional stormwater detention facility in Gilliam Creek, downstream from the Tukwila International Boulevard Station. Since the Gilliam Creek facility is adjacent to Southcenter Boulevard and integrated with much of the drainage systems in the vicinity, it made sense to include the work with the C759 contract. The net result of eliminating the onsite vault was an approximate \$1 million savings to Sound Transit.

Also, during the design development of the C759 contract, the City of SeaTac requested Sound Transit to underground a short section of existing overhead lines along International Boulevard, in order to complete the City's plan to bury all utilities along International Boulevard within their city limits. The parties agreed to include this scope in the C759 contract with all of Sound Transit's costs to be reimbursed at the City's expense. The City provided all design drawings and specifications for inclusion in the C759 contract documents and an interlocal agreement was drafted to provide for the reimbursement process. The interlocal agreement will require approval from both the SeaTac City Council and the Sound Transit Board. Reimbursement of construction costs will be based on actual field measured quantities and is estimated to be approximately \$790,000. The agreement with the City also provides that the City pay Sound Transit 10% of the actual construction cost of the City's facilities to cover Sound Transit's construction management costs.

Sound Transit advertised this project as a competitive bid through local and regional publications and received four bids. The low bid from SCI Infrastructure in the amount of \$21,317,365 is 2.5% below Link's engineer's estimate of \$21,859,000.

Construction of this project will be expected to begin in February 2008 and be completed by June 2009.

Environmental compliance pursuant to the National Environmental Policy Act (NEPA) and the State Environmental Policy Act (SEPA) for the Southcenter Boulevard improvements has been completed.

Prior Board/Committee Actions

Motion/Resolution Number & Date	Summary of Action
M2004-104 10/21/04	Executed a Development and Transitway Agreement with the City of Tukwila specifying the terms and conditions for development of the Tukwila Freeway Route (TFR) Project and to allow the use of City of Tukwila street right-of-way; and to execute all other subsequent agreements as may be necessary to implement this Agreement, subject to approval of the 2005 budget.

CONSEQUENCES of DELAY

A delay in starting construction beyond February 2008 will delay completion of the supplemental parking and street improvements as required by the City of Tukwila for operation of the Link light rail system in July 2009, under the land use permits and Development and Transitway Agreement.

PUBLIC INVOLVEMENT

Sound Transit has worked closely with the City of Tukwila, the City of SeaTac, and the Washington State Department of Transportation in the final design and permitting for this contract. Link staff has also worked closely with local jurisdictions to inform the public of the project through several open houses held during the design development phase.

ENVIRONMENTAL COMPLIANCE

JI 12/14/2007

LEGAL REVIEW

JW 1/9/08

SOUND TRANSIT

MOTION NO. M2008-12

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a contract with SCI Infrastructure, LLC to provide construction services for Southcenter Boulevard improvements and an expanded park-and-ride facility within the Central Link Initial Segment project in the amount of \$21,317,365, with a contingency of \$2,131,737, for a total authorized contract amount not to exceed \$23,449,102, which includes reimbursable costs to Sound Transit from the City of SeaTac and other third parties for betterments.

Background:

In October 2003, Sound Transit submitted land use permit applications to the City of Tukwila to permit development of the portion of the Link Light Rail Project within the City's jurisdiction, otherwise known as the Tukwila Freeway Route (TFR) Project. The TFR Project consists of approximately 4.9 miles of trackway, a bridge over the Duwamish River, the South 154th Street Station, two park-and-ride lots at the Station, five detention ponds, three traction power substations and street improvements. Subsequently, Sound Transit and City staff reached agreement on an approach that included obtaining City Council approval of three major land use permits and a Development and Transitway Agreement. Sound Transit and City staff agreed that this approach would serve as the most appropriate and effective mechanism to obtain and implement the land use permit approvals, establish an efficient process for future administrative permits, authorize use of city streets and satisfy Federal Transit Administration "continuing control" requirements.

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Motion:

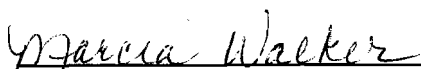
It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute a contract with SCI Infrastructure, LLC to provide construction services for Southcenter Boulevard improvements and an expanded park-and-ride facility within the Central Link Initial Segment project in the amount of \$21,317,365, with a contingency of \$2,131,737, for a total authorized contract amount not to exceed \$23,449,102, which includes reimbursable costs to Sound Transit from the City of SeaTac and other third parties for betterments.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on January 24, 2008.



Aaron Reardon
Board Vice-Chair

ATTEST:



Marcia Walker
Board Administrator