

**SOUND TRANSIT  
STAFF REPORT**

**MOTION NO. M2008-22**

**Contract Amendment with INCA Engineers, Inc. for  
Preliminary Engineering / Environmental Documentation for the  
Kirkland Transit Center/3rd Street Project**

<b>Meeting:</b>	<b>Date:</b>	<b>Type of Action:</b>	<b>Staff Contact:</b>	<b>Phone:</b>
Finance Committee	02/21/08	Discussion/Possible Action	Jim Edwards, Director, Capital Projects <b>Mark Johnson, Project Manager</b>	(206) 398-5436  (206) 398-5192

<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**

Kirkland Transit Center/3<sup>rd</sup> Street

**PROPOSED ACTION**

Authorizes the chief executive officer to execute a contract amendment with INCA Engineers Inc. to provide additional environmental documentation services for the Kirkland Transit Center/3<sup>rd</sup> Street project in the amount of \$99,349, with a 10% contingency of \$9,935 totaling \$109,284, for a new total authorized contract amount not to exceed \$1,133,563.

**KEY FEATURES of PROPOSED ACTION**

- This action amends the existing PE/ED contract to provide additional funds to further evaluate noise and environmental effects of the transit center project.
- This action is needed because Sound Transit decided to conduct additional environmental analysis of the Kirkland Transit Enhancement Project in response to a number of comments from nearby residents on the State Environmental Policy Act (SEPA) documentation that was issued January 19, 2008, and subsequently withdrawn.
- The time needed to perform the additional analysis creates a risk to the project schedule. However, this contract amendment also includes services necessary to continue project efforts that could mitigate the risk.

## **BUDGET IMPACT SUMMARY**

Current Project Phase: Preliminary Engineering / Environmental Documentation  
Projected Completion Date: 2010

<b>Action Outside of Adopted Budget:</b>	<b>✓</b>	<b>Comments on Checked Items</b>
This Project		
This Phase	✓	This action will result in a phase level shortfall of \$35K. There are sufficient funds in the contingency phase to cover the shortfall.
This Task		
Budget Amendment Required		

<b>Key Financial Indicators:</b>	<b>✓</b>	<b>Comments on Checked Items</b>
Contingency Funds Required	✓	\$35K will be needed for the 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.

## **BUDGET and FINANCIAL PLAN DISCUSSION**

The Adopted 2008 Budget for this project is \$13,300,000, with a preliminary engineering/environmental documentation phase budget of \$1,050,000. The proposed action would leave an uncommitted phase shortfall of \$35,150. There are sufficient funds available in the contingency phase to cover the shortfall. The project balance will be \$11,518,798.

There are sufficient funds to complete this action within the project's budget, 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)

Project: 142 - Kirkland Transit Center

	2008 Adopted Budget <sup>1</sup> (A)	Committed To Date <sup>2</sup> (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
1 Agency Administration	\$ 692	\$ 692	\$ -	\$ 692	\$ -
2 Preliminary Engineering	\$ 1,050	\$ 976	\$ 109	\$ 1,085	\$ (35)
3 Final Design	\$ 2,070	\$ -	\$ -	\$ -	\$ 2,070
4 Right of Way/Construction	\$ 8,600	\$ 4	\$ -	\$ 4	\$ 8,596
5 Contingency	\$ 888	\$ -	\$ -	\$ -	\$ 888
6 Total Current Budget	\$ 13,300	\$ 1,672	\$ 109	\$ 1,781	\$ 11,519

### Phase Budget Detail

7 Preliminary Engineering	\$ 1,050	\$ 976	\$ 109	\$ 1,085	\$ (35)
8 Misc. Activity	\$ -	\$ -	\$ -	\$ -	\$ -
9 Total Phase	\$ 1,050	\$ 976	\$ 109	\$ 1,085	\$ (35)

Contract Budget	Current Approved Contract Value (F)	Committed To Date <sup>2</sup> (G)	Proposed Action (H)	Proposed Total Contract Value (I)
10 INCA Engineers Inc.	\$ 890	\$ 848	\$ 99	\$ 989
11 Contingency	\$ 134	\$ 127	\$ 10	\$ 144
12 Total	\$ 1,024	\$ 975	\$ 109	\$ 1,133
13 Percent Contingency	15%	0%	10%	15%

### Budget Shortfall<sup>3</sup>

Level	Shortfall Amt (J)	Potential Funds (K)	Funding Source (L)
15 Preliminary Engineering	\$ 35	\$ 888	Project Contingency
16 Total	\$ 35	\$ 888	

### Notes:

<sup>1</sup> Project budget is located on page 144 of the Proposed 2008 Budget book. The Adopted 2008 Budget was approved by the Board on November 29, 2007.

<sup>2</sup> Committed to date amount includes actual outlays and commitments through December 31, 2007.

<sup>3</sup> Phase level shortfall will be trued up during the next budget cycle.

## **SMALL BUSINESS PARTICIPATION**

### Prime Consultant/Contractor

INCA Engineers, Inc. committed to 24% small business participation and has achieved 24% small business participation for work to date.

### EEO Commitment

INCA Engineers, Inc. workforce demographics are 28.75% women and 25% minorities.

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

The project will provide a new and enhanced transit center on the existing transit center site in downtown Kirkland on 3rd Street between Kirkland Avenue and Central Way, adjacent to Peter Kirk Park.

The existing consultant contract included preliminary design and public outreach support for selecting a transit center project in downtown Kirkland. This early design and outreach included stakeholder meetings, public open houses, and City Council meetings. Based on this early design and outreach, the project's Executive Advisory Committee – senior staff from Sound Transit, the City of Kirkland, and King County Metro – unanimously supported a project on 3rd Street, at the site of the existing Kirkland Transit Center. The new transit center design includes use of approximately 3,000 square feet of Peter Kirk Park, as approved by the Kirkland City Council in June 2007.

The completed 30% design reflects Sound Transit's work to respond to the Kirkland City Council request that Sound Transit take additional steps to gather input from the community about how the project's design concepts integrate with improvements in Peter Kirk Park and in the City's commercial areas. Final design will build on this direction to provide a transit center that reflects its environment and surrounding development including the Kirkland Library addition, currently in design.

A SEPA Environmental Checklist has been prepared for this project and a Determination of Nonsignificance (DNS) was issued on January 16, 2008. Sound Transit and the City of Kirkland are co-lead agencies. Sound Transit is the nominal lead agency under SEPA as per WAC 197-11-944. Sound Transit issued the DNS under WAC 197-11-340(2) and Sound Transit rules (Resolution No. R7-1).

In response to a number of comments from nearby residents, Sound Transit and the City of Kirkland have withdrawn the DNS that was issued on January 16, 2008 under the SEPA. Staff decided to conduct additional environmental analysis of the Kirkland Transit Center Enhancement Project. This motion amends the existing PE/ED contract to provide additional funds to evaluate noise effects of the transit center project. After completion of this analysis, Sound Transit and the City will review and consider the additional information and make a new determination of the project's environmental impacts.

King County Metro Water Treatment Division (WTD) is currently designing an upgrade to a pump station abutting the western edge of the transit center project. The pump station project is not as far along as the transit center, and the construction was originally planned to start after the transit center would be completed. WTD's work includes reconstruction of utility lines under the street that will be rebuilt as part of the transit center project. In order to coordinate construction schedules and avoid demolition and replacement of the newly constructed transit

center pavement, Sound Transit, the City of Kirkland, and King County Metro are currently working to incorporate the in-street portion of the WTD work into Sound Transit's project. This amendment allows INCA to continue to work toward coordinating these efforts. King County Metro would pay for any additional costs. Once the terms are agreed to, this change in project scope would be incorporated into the Finance Committee's action on the INCA final design contract.

**Prior Board/Committee Actions**

Motion/Resolution Number and Date	Summary of Action
M2007-26 2/15/07	Authorizing the chief executive officer to increase the contingency for the contract with INCA Engineers Inc. for the Kirkland Transit Center/3rd Street project in the amount of \$45,000, for a new total authorized contract amount not to exceed \$1,024,279.
M2005-141 12/15/05	Authorizing the Chief Executive Officer to execute a contract with INCA Engineers, Inc. to provide preliminary engineering and environmental documentation services with an option for final design support services for the Kirkland Transit Center/3rd Street Project in the amount of \$890,254, with a 10% contingency of \$89,025, for a total authorized contract amount not to exceed \$979,279.

**CONSEQUENCES of DELAY**

A two-week delay would not create adverse impacts on the project; significantly longer delay would affect project's opening date for start of service.

**PUBLIC INVOLVEMENT**

The original contract scope included a series of public involvement outreach steps such as public open houses, stakeholder workshops, and City Council reviews. The consultant team held additional outreach steps to get input on the project's "look and feel" including developing design concepts for review at City Council study sessions and a public open house. During the final design phase, the team will continue study session presentations and hold a final design public workshop.

**ENVIRONMENTAL COMPLIANCE**

SSK 2-15-08

**LEGAL REVIEW**

JW 2/11/08

## SOUND TRANSIT

### MOTION NO. M2008-22

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 INCA Engineers Inc. to provide additional environmental documentation services for the Kirkland Transit Center/3<sup>rd</sup> Street project in the amount of \$99,349, with a 10% contingency of \$9,935 totaling \$109,284, for a new total authorized contract amount not to exceed \$1,133,563.

#### **Background:**

The project will provide a new and enhanced transit center on the existing transit center site in downtown Kirkland on 3rd Street between Kirkland Avenue and Central Way, adjacent to Peter Kirk Park.

The existing consultant contract included preliminary design and public outreach support for selecting a transit center project in downtown Kirkland. This early design and outreach included stakeholder meetings, public open houses, and City Council meetings. Based on this early design and outreach, the project's Executive Advisory Committee – senior staff from Sound Transit, the City of Kirkland, and King County Metro – unanimously supported a project on 3rd Street, at the site of the existing Kirkland Transit Center. The new transit center design includes use of approximately 3,000 square feet of Peter Kirk Park, as approved by the Kirkland City Council in June 2007.

The completed 30% design reflects Sound Transit's work to respond to the Kirkland City Council request that Sound Transit take additional steps to gather input from the community about how the project's design concepts integrate with improvements in Peter Kirk Park and in the City's commercial areas. Final design will build on this direction to provide a transit center that reflects its environment and surrounding development including the Kirkland Library addition, currently in design.

A SEPA Environmental Checklist has been prepared for this project and a Determination of Nonsignificance (DNS) was issued on January 16, 2008. Sound Transit and the City of Kirkland are co-lead agencies. Sound Transit is the nominal lead agency under SEPA as per WAC 197-11-944. Sound Transit issued the DNS under WAC 197-11-340(2) and Sound Transit rules (Resolution No. R7-1).

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the transit center would be completed. WTD's work includes reconstruction of utility lines under the street that will be rebuilt as part of the transit center project. In order to coordinate construction schedules and avoid demolition and replacement of the newly constructed transit center pavement, Sound Transit, the City of Kirkland, and King County Metro are currently working to incorporate the in-street portion of the WTD work into Sound Transit's project. This amendment allows INCA to continue to work toward coordinating these efforts. King County Metro would pay for any additional costs. Once the terms are agreed to, this change in project scope would be incorporated into the Finance Committee's action on the INCA final design contract.


**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 INCA Engineers Inc. to provide additional environmental documentation services for the Kirkland Transit Center/3rd Street project in the amount of \$99,349, with a 10% contingency of \$9,935 totaling \$109,284, for a new total authorized contract amount not to exceed \$1,133,563.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on February 21, 2008.

  
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Aaron Reardon  
Finance Committee Chair

ATTEST:

  
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Marcia Walker  
Board Administrator