

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2008-24

Construction Task Order for the Totem Lake Freeway Station/NE 128th Project

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	2/21/08	Discussion/Possible Action to Recommend Board Approval	Jim Edwards, Director, Capital Projects	206-398-5436
Board	2/28/08	Action	Hank Howard, Project Manager	206-398-5078

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

Totem Lake Freeway Station/NE 128th

PROPOSED ACTION

Authorizes the chief executive officer to increase the contingency for GCA 3361 Task Order Agreement A-5 with the Washington State Department of Transportation for the Totem Lake Freeway Station/NE 128th project in the amount of \$3,865,171 for a new total authorized contract amount not to exceed \$61,086,267.

KEY FEATURES of PROPOSED ACTION

- In December 2006, the contractor removed the forms and temporary structures supporting the concrete direct access ramps to and from the north on I-405. They discovered longitudinal cracks in the concrete paving and settlement of the concrete paving in the bus stop areas of the ramps overhanging the freeway.
- WSDOT Bridge and Structures Office was the designer of the ramps and determined that the cracking and settlement were due to a design errors which underestimated the steel reinforcing required in the concrete slabs.
- In order to mitigate delay and cost impacts to the project, the Board agreed to fund the costs to rectify this error up front, while pursuing full reimbursement of those costs from WSDOT.
- Based on a review of the change orders or potential change orders and/or outstanding issues that could become change orders and any anticipated bid item overruns/underruns, WSDOT and Sound Transit predict that an additional \$3.8 million is needed to ensure there is adequate funding available for the replacement of the failed portion of the northern direct access ramps and completion of the project.

- The Governor's 2008 Proposed Budget includes \$6 million for WSDOT, in order to fully reimburse Sound Transit for the expected demolition and repair costs related to the WSDOT design error.

BUDGET IMPACT SUMMARY

Current Project Phase: Construction
Projected Completion Date: 2008

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 this project was amended to \$80,338,777 in an action being taken concurrently with this motion. The proposed action is to increase the WSDOT task order contingency by \$3,865,171. The amended budget for the construction phase is \$62,894,215. This action will result in a new phase level balance of \$142,010. The project balance will be \$570,301.

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)

Project: 140 - Totem Lake Freeway Station

	2008 Amended Budget ¹ (A)	Committed To Date ² (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) ³ (E)
1 Agency Administration	\$ 4,551	\$ 4,551	\$ -	\$ 4,551	\$ -
2 Preliminary Engineering	\$ 6,283	\$ 6,283	\$ -	\$ 6,283	\$ -
3 Final Design	\$ 4,564	\$ 4,564	\$ -	\$ 4,564	\$ -
4 Right of Way	\$ 2,047	\$ 1,618	\$ -	\$ 1,618	\$ 428
5 Construction	\$ 62,894	\$ 58,887	\$ 3,865	\$ 62,752	\$ 142
6 Contingency	\$ -	\$ -	\$ -	\$ -	\$ -
7 Total Current Budget	\$ 80,339	\$ 75,903	\$ 3,865	\$ 79,768	\$ 570

Phase Budget Detail

8 Construction	\$ 62,894	\$ 58,887	\$ 3,865	\$ 62,752	\$ 142
9 Misc. Activity					\$ -
10 Total Phase	\$ 62,894	\$ 58,887	\$ 3,865	\$ 62,752	\$ 142

Contract Budget	Current Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
11 WSDOT Task Order	\$ 51,477	\$ 51,477	\$ -	\$ 51,477
12 Contingency	\$ 5,745	\$ 2,353	\$ 3,865	\$ 9,610
13 Total	\$ 57,221	\$ 53,829	\$ 3,865	\$ 61,086
14 Percent Contingency	0%	0%	100%	19%

Notes:

¹ Project budget is located on page 142 of the Proposed 2008 Budget book. The Adopted 2008 Budget was approved by the Board on November 29, 2007 and is being amended by an action being taken concurrent to this one.

² Committed to date amount includes actual outlays and commitments through December 31, 2007 and the commitment in the action being taken concurrently to this one.

SMALL BUSINESS PARTICIPATION

Not applicable for this action.

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

The Totem Lake Freeway Station Project connects NE 128th Street across I-405 and provides direct access to the Totem Lake area of Kirkland from the north and southbound HOV lanes on I-405, including the Kingsgate Park-and-Ride lot and the Totem Lake Transit Center to be located on the Evergreen Hospital campus.

The project is funded by Sound Transit and a grant from the Federal Transit Administration. WSDOT performed the engineering design work and is the construction manager for the project.

Construction of the project has been underway since June 2005 by Max J. Kuney Company. In December 2006, the contractor removed the forms and temporary structures supporting the concrete direct access ramps to and from the north on I-405. Both the contractor and construction inspectors discovered long cracks in the concrete paving and settlement of the concrete paving in the bus stop areas of the ramps overhanging the freeway. The WSDOT Bridge and Structures Office was the designer of the concrete paving for the ramps and performed an investigation that determined the cracking and settlement were due to design errors. During the course of alternatives development, independent review, and discussions with the contractor, the Bridge and Structures Office and Sound Transit jointly determined that the only real option to ensure long-term performance, durability, and safety of the ramps structure was to remove and replace the defective portions of the concrete.

Sound Transit agreed to provide the initial funding necessary to complete the project while WSDOT sought the funding needed to reimburse Sound Transit from the Legislature.

Sound Transit authorized a task order supplement in the amount of \$2,178,519 on March 22, 2007 (Motion No. M2007-39). In accordance with a WSDOT commitment to Sound Transit, the Governor's 2008 Proposed Budget includes \$6 million for WSDOT, in order to fully reimburse Sound Transit for the expected cost to demolish and replace the failed portion of the northern direct access ramps. The requested board action authorizes a task order supplement needed to ensure that adequate funding is available to complete the project.

An Environmental Assessment (EA) was prepared for the Totem Lake Freeway Station and Totem Lake Transit Center projects in compliance with the National Environmental Policy Act (NEPA). The EA was issued in May 2002 and the Federal Highway Administration and Federal Transit Administration issued a Finding of No Significant Impact (FONSI) on November 13, 2002. The EA and FONSI were adopted under the Washington State Environmental Policy Act (SEPA) and the Determination of Nonsignificance was issued on November 13, 2002. There are no changes in the project requiring further environmental documentation.

Prior Board/Committee Actions

Motion/Resolution Number and Date	Summary of Action
M2007-39 3/22/07	Authorized the chief executive officer to (1) increase the contingency for GCA 3361 Task Order Agreement A-5 with the Washington State Department of Transportation for the Totem Lake Freeway Station/NE 128 th project in the amount of \$2,178,519, for the purpose of funding corrective work required because of design errors, for a new total authorized agreement amount not to exceed \$57,221,094, and (2) seek reimbursement of the repair costs through the established contractual process in accord with Federal Transit Administration grant requirements.
M2005-35 4/28/05	Authorized the Chief Executive Officer to execute Agreement GCA 3361 Task Order #5 with the Washington State Department of Transportation to provide construction and construction management of the Totem Lake Freeway Station Project in the amount of \$52,421,500, with a 5% contingency of \$2,621,075, for a total authorized Task Order amount not to exceed \$55,042,575.

CONSEQUENCES of DELAY

A delay in obtaining the additional task order authority will delay project completion.

PUBLIC INVOLVEMENT

Not applicable to this action.

ENVIRONMENTAL COMPLIANCE

SSK 1-29-08

LEGAL REVIEW

JW 2/11/08

SOUND TRANSIT

MOTION NO. M2008-24

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to increase the contingency for GCA 3361 Task Order Agreement A-5 with the Washington State Department of Transportation for the Totem Lake Freeway Station/NE 128th project in the amount of \$3,865,171 for a new total authorized contract amount not to exceed \$61,086,267.

Background:

The Totem Lake Freeway Station Project connects NE 128th Street across I-405 and provides direct access to the Totem Lake area of Kirkland from the north and southbound HOV lanes on I-405, including the Kingsgate Park-and-Ride lot and the Totem Lake Transit Center to be located on the Evergreen Hospital campus.

The project is funded by Sound Transit and a grant from the Federal Transit Administration. WSDOT performed the engineering design work and is the construction manager for the project.

Construction of the project has been underway since June 2005 by Max J. Kuney Company. In December 2006, the contractor removed the forms and temporary structures supporting the concrete direct access ramps to and from the north on I-405. Both the contractor and construction inspectors discovered long cracks in the concrete paving and settlement of the concrete paving in the bus stop areas of the ramps overhanging the freeway. The WSDOT Bridge and Structures Office was the designer of the concrete paving for the ramps and performed an investigation that determined the cracking and settlement were due to design errors. During the course of alternatives development, independent review, and discussions with the contractor, the Bridge and Structures Office and Sound Transit jointly determined that the only real option to ensure long-term performance, durability, and safety of the ramps structure was to remove and replace the defective portions of the concrete.

Sound Transit agreed to provide the initial funding necessary to complete the project while WSDOT sought the funding needed to reimburse Sound Transit from the Legislature.

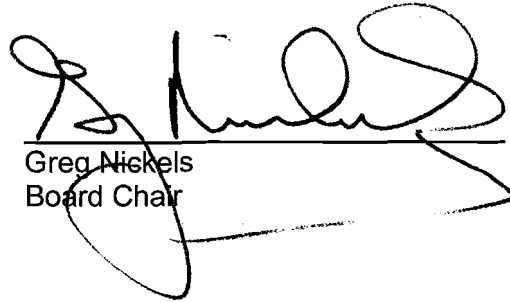
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An Environmental Assessment (EA) was prepared for the Totem Lake Freeway Station and Totem Lake Transit Center projects in compliance with the National Environmental Policy Act (NEPA). The EA was issued in May 2002 and the Federal Highway Administration and Federal Transit Administration issued a Finding of No Significant Impact (FONSI) on November 13, 2002. The EA and FONSI were adopted under the Washington State Environmental Policy Act (SEPA) and the Determination of Nonsignificance was issued on November 13, 2002. There are no changes in the project requiring further environmental documentation.

Motion:


It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to increase the contingency for GCA 3361 Task Order Agreement A-5 with the Washington State Department of Transportation for the Totem Lake Freeway Station/NE 128th project in the amount of \$3,865,171 for a new total authorized contract amount not to exceed \$61,086,267.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on February 28, 2008.



Greg Nickels
Board Chair

ATTEST:



Marcia Walker
Board Administrator