

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2008-33

Amend Construction Management Contract for Everett Station

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	3/20/08	Postponed	Jim Edwards, Director of Capital Projects	(206) 398-5436
Finance Committee	4/3/08	Discussion/Possible Action	Jerry Dahl, Project Manager	(206) 398-5284

Contract/Agreement Type:	<input checked="" type="checkbox"/>	Requested Action:	<input checked="" type="checkbox"/>
Competitive Procurement	<input checked="" type="checkbox"/>	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 Project
Layover Project

PROPOSED ACTION

Authorizes the chief executive officer to execute a contract amendment with KBA, Inc. to provide construction management services for the Everett Station Project in the amount of \$211,290 with a 10% contingency of \$21,129 totaling \$232,419, for a new total authorized contract amount not to exceed \$1,803,556, contingent upon Board approval of Resolution No. R2008-06.

KEY FEATURES of PROPOSED ACTION

- This contract amendment provides additional funding for services required to administer construction of the Everett Station Phase 2 improvements.
- The construction contract for the Everett Phase 2 projects includes an operations building which is operationally part of the Layover Project and funded by the Layover budget.
- KBA, Inc. was selected as the construction management (CM) consultant for the Everett Station Phase 2 and layover track 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 the second train 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 the second train (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).
- Additional funds are required in order to have KBA, Inc. administer construction of the remaining Phase 2 improvements and to re-establish contingency at 10% of the value of this remaining construction management work.

BUDGET IMPACT SUMMARY

Current Project Phase:	Final Design
Projected Completion Date:	December 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 Everett Station is \$28,774,391; a concurrent action (Resolution No. R2008-06) to amend the budget to \$33,956,653 will be considered by the Board. With the approval of Resolution No. R2008-06 there will be sufficient funds to complete this action within both project budgets. Committing these funds will not endanger any other project elements that are to be funded out of the overall projects. The numbers shown in the budget table below reflect the amended amounts.

The proposed action is to amend the construction management services contract with KBA, Inc. increasing it by \$232,419 of which \$196,826 will be charged to the Everett Station Project and \$35,593 will be charged to Layover Project.

If Resolution No. R2008-06 is approved by the Board the amended budget for the construction phase of Everett Station will be \$21,737,921. The proposed action would leave a remaining construction phase balance of \$398,452 and a project balance of \$768,224.

The Adopted 2008 Budget for Layover is \$24,423,735, with a construction phase budget of \$21,719,678. The proposed action will leave a construction phase balance of \$5,657,037 and a project balance of \$6,618,697.

BUDGET TABLE

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

Project: 201 - Everett Station and 140 - Layover

	2008 Current Budget ¹ (A)	Committed To Date ² (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
1 Agency Administration	\$ 1,881	\$ 1,881	\$ -	\$ 1,881	\$ -
2 Preliminary Engineering	\$ 1,195	\$ 1,195	\$ -	\$ 1,195	\$ -
3 Final Design	\$ 1,511	\$ 1,511	\$ -	\$ 1,511	\$ 0
4 Right of Way	\$ 7,309	\$ 7,262	\$ -	\$ 7,262	\$ 47
5 Construction	\$ 21,738	\$ 21,143	\$ 197	\$ 21,339	\$ 398
6 Vehicles	\$ -	\$ -	\$ -	\$ -	\$ -
7 Contingency	\$ 323	\$ -	\$ -	\$ -	\$ 323
8 Total Current Budget	\$ 33,957	\$ 32,992	\$ 197	\$ 33,188	\$ 768

Project: 140 - Layover

9 Agency Administration	\$ 808	\$ 808	\$ -	\$ 808	\$ -
10 Preliminary Engineering	\$ 315	\$ 170	\$ -	\$ 170	\$ 145
11 Final Design	\$ 503	\$ 438	\$ -	\$ 438	\$ 65
12 Right of Way	\$ 870	\$ 325	\$ -	\$ 325	\$ 545
13 Construction	\$ 21,720	\$ 16,027	\$ 36	\$ 16,063	\$ 5,657
14 Vehicles	\$ -	\$ -	\$ -	\$ -	\$ -
15 Contingency	\$ 207	\$ -	\$ -	\$ -	\$ 207
16 Total Current Budget	\$ 24,423	\$ 17,769	\$ 36	\$ 17,804	\$ 6,619

Contract Budget	Current Approved Contract Value (F)	Committed To Date ² (G)	Proposed Action (H)	Proposed Total Contract Value (I)
17 KBA, Inc. - Everett Station	\$ 1,081	\$ 1,110	\$ 179	\$ 1,260
18 Contingency - Everett Station	\$ 150	\$ -	\$ 18	\$ 168
19 Total - Everett Station	\$ 1,231	\$ 1,110	\$ 197	\$ 1,428
20 KBA, Inc. - Layover	\$ 31	\$ 72	\$ 32	\$ 63
21 Contingency - Layover	\$ -	\$ -	\$ 3	\$ 3
22 Total - Layover	\$ 31	\$ 72	\$ 36	\$ 67
23 KBA, Inc. - Mukilteo Station, North Platform	\$ 281	\$ 281	\$ -	\$ 281
24 Contingency - Mukilteo Station, North Platform	\$ 28	\$ -	\$ -	\$ 28
25 Total - Mukilteo Station, North Platform	\$ 309	\$ 281	\$ -	\$ 309
26 KBA, Inc. - Total Contract	\$ 1,571	\$ 1,463	\$ 232	\$ 1,803
27 Percent Contingency	13%	0%	10%	12%

Notes:

1

The Everett Station project budget is located on page 118 and the Layover project is on page 116 of the Proposed 2008 Budget book. The Adopted 2008 Budget was approved by the Board on November 29, 2007, and for Everett Station is being amended by Resolution No. R2008-06 which is being taken to the board concurrently with this action. With the approval of R2008-06 there is sufficient budget to fund this action.

2 Committed to date amount includes actual outlays and commitments through December 31, 2007, construction commitments include amounts for two other pending board actions that are being taken concurrently with this action. This action is contingent upon the Board's approval of the budget amendment.

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 perform significant portions of the work. KBA committed to a 72% Small Business participation goal for this contract. To date, Small Businesses have been utilized for 57% of the contract amount spent. KBA and its Small Business subcontractors are projected to perform 90.5% of the work of this contract amendment.

Utilization Breakdown Table

Prime Consultant	Business Type	% of Work	Dollar Value
KBA, Inc	DBE/WBE	89%	\$ 206,853
Subconsultants			
Approach Management	Small Business	1%	\$ 2,324.19
On-Site Environmental	DBE/MBE	0.5%	\$ 1,162.09
Subtotal		1.5%	\$ 3,486.28
Total		90.5%	\$ 210,339.28

EEO Commitment

KBA, Inc workforce demographics are 42% women and 25% minorities. KBA, Inc. has committed to uphold all applicable state and federal EEO rules and regulations.

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

On December 16, 2003, Sound Transit requested proposals for construction management services for the Everett Station Phase 2 Project. On January 22, 2004, Sound Transit received eight proposals. A selection panel evaluated the proposals and three firms were selected for interviews. On February 17, 2004, KBA, Inc. was selected as the top ranked firm.

KBA, Inc. provided construction management services for Sound Transit's initial phase of construction at Everett Station, including the construction of the of the layover track for Train 2 completed in June 2005 and the demolition and remediation of Sound Transit's properties at the station site completed in January 2006. Construction of the Everett Station Phase 2 improvements was put on hold until Sound Transit was able to conclude negotiations with BNSF regarding acquisition of right of way required for the project. The negotiations with BNSF concluded in December 2007.

Prior Board/Committee Actions

Motion/Resolution Number and Date	Summary of Action
M2004-22 3/18/04	Executing a contract with KBA, Inc. for construction management services for the Everett Station project.
M2006-58 7/20/06	Execute a contract amendment with KBA, Inc. to (1) provide construction management services for the Everett Station project and the Layover project and (2) exercise a contract option to provide construction management services for the Mukilteo Station project.

CONSEQUENCES of DELAY

The construction management consultant needs to be under contract before the construction contractor begins work. A delay to the CM consultant contract beyond the date that Notice to Proceed is issued to the construction contractor would result in delays to the construction contractor's schedule. That Notice To Proceed is expected in late April.

PUBLIC INVOLVEMENT

Not applicable to this action.

ENVIRONMENTAL COMPLIANCE

SSK 3-6-08

LEGAL REVIEW

JW 3/12/08

SOUND TRANSIT

MOTION NO. M2008-33

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 provide construction management services for the Everett Station Project in the amount of \$211,290 with a 10% contingency of \$21,129 totaling \$232,419, for a new total authorized contract amount not to exceed \$1,803,556, contingent upon Board approval of Resolution No. R2008-06.

Background:

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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 KBA, Inc. to provide construction management services for the Everett Station Project in the amount of \$211,290 with a 10% contingency of \$21,129 totaling \$232,419, for a new total authorized contract amount not to exceed \$1,803,556, contingent upon Board approval of Resolution No. R2008-06.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on April 3, 2008.



Fred Butler
Finance Committee Vice-Chair

ATTEST:



Marcia Walker
Board Administrator