

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2008-55

**Contract Amendment for INCA Engineers, Inc. for the
Final Design of the Kirkland Transit Center/3rd Street Project**

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	6/5/08	Discussion Possible Action	Jim Edwards, Director, Capital Projects Mark Johnson, Project Manager	(206) 398-5436 (206) 398-5192

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)			

PROJECT NAME

Kirkland Transit Center/3rd Street

PROPOSED ACTION

Authorizes the chief executive officer to execute a contract amendment with INCA Engineers, Inc. to exercise an option to provide final design services for the Kirkland Transit Center/3rd Street project in the amount of \$1,481,135, with a 10% contingency of \$148,114 totaling \$1,629,249, for a new total authorized contract amount not to exceed \$2,762,812.

KEY FEATURES of PROPOSED ACTION

- In 2005, INCA Engineers, Inc. was selected to provide PE/ED services for the Kirkland Transit Center/3rd Street Project with an option to provide final design services. This action authorizes the execution of that option.
- Final design phase work will include coordination of the transit center project with King County Wastewater Treatment Division's pump station renovation project; the pump station is located at Park Lane and 3rd in Kirkland, in the center of the transit center's western border.
- To mitigate risk of delays to the transit center construction, Sound Transit and King County have in principle agreed to bid and construct Phase I (underground piping work) of the pump station renovation as part of Sound Transit's project. Revisions to the transit center project resulting in betterments beneficial to King County will be made without additional cost to Sound Transit's project, as governed by an agreement now being negotiated between the parties.

BUDGET IMPACT SUMMARY

Current Project Phase: Final Design
 Projected Completion Date: August 2010

There is no action required outside of the Board-adopted budget; there are no project 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 is \$13,300,000, with a final design phase budget of \$2,070,000. The proposed action is to amend the INCA Engineers, Inc. contract increasing it by \$1,629,249 to provide final design services. The proposed action would leave an uncommitted final design phase balance of \$440,751, and a balance for the project of \$9,862,102.

There are sufficient funds to complete this action within the project's final design phase 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 ¹ (A)	Committed To Date ² (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) ³ (E)
1 Agency Administration	\$ 692	\$ 692	\$ -	\$ 692	\$ -
2 Preliminary Engineering	\$ 1,050	\$ 1,107	\$ -	\$ 1,107	\$ (57)
3 Final Design	\$ 2,070	\$ -	\$ 1,629	\$ 1,629	\$ 441
4 Right of Way/Construction	\$ 8,600	\$ 10	\$ -	\$ 10	\$ 8,590
5 Contingency	\$ 888	\$ -	\$ -	\$ -	\$ 888
6 Total Current Budget	\$ 13,300	\$ 1,809	\$ 1,629	\$ 3,438	\$ 9,862

Phase Budget Detail

7 Final Design	\$ 2,070	\$ -	\$ 1,629	\$ 1,629	\$ 441
8 Misc. Activity	\$ -	\$ -	\$ -	\$ -	\$ -
9 Total Phase	\$ 2,070	\$ -	\$ 1,629	\$ 1,629	\$ 441

Contract Budget

	Current Approved Contract Value (F)	Committed To Date ² (G)	Proposed Action (H)	Proposed Total Contract Value (I)
10 INCA Engineers Inc.	\$ 989	\$ 883	\$ 1,481	\$ 2,470
11 Contingency	\$ 144	\$ 144	\$ 148	\$ 292
12 Total	\$ 1,133	\$ 1,027	\$ 1,629	\$ 2,762
13 Percent Contingency	15%	0%	10%	12%

Notes:

¹ Project budget is located on page 147 of the Adopted 2008 Budget book. The Adopted 2008 Budget was approved by the Board on November 29, 2007.

² Committed to date amount includes actual outlays and commitments through April 30, 2008.

³ Consistent with Sound Transit Board budget policies, the phase level shortfall will be covered by reallocating project funds to align phase budget amounts with project phase activity.

SMALL BUSINESS PARTICIPATION

Prime Consultant/Contractor

INCA Engineers, Inc. is the prime consultant for this contact and has committed to 24% Small Business participation. INCA Engineers, Inc. has achieved 17.9% Small Business participation for work to date.

For this contract amendment, INCA anticipates 10.7% Small Business participation. INCA projects achieving 15% Small Business participation at the conclusion of the work for this contract.

The declining rate of Small Business participation and projected participation reflects the acquisition of several subconsultants certified as Small Businesses at contract inception that have been acquired in the past year by much larger firms, eliminating their contributions to the overall percentage of Small Business participation in the contract.

EEO Commitment

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

Utilization Breakdown Table

Subconsultant/Subcontractor	Business Type	% of Work	Dollar Value
Tres West Engineering, Inc	Small Business	3.3%	\$49,272.61
Radiance Lighting Design	WBE/ DBE	1%	\$14,650.00
Matson Carlson	Small Business	1.1%	\$16,605.60
PRR Inc.	MWBE/ DBE	5.3%	\$78,574.90
TOTAL		10.7%	\$159,103.11

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

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

The original contract with INCA Engineers, Inc. included preliminary design and public outreach support for selecting a site for the transit center project in downtown Kirkland, with an option to amend the contract to include professional services for final design. 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 30% design reflects Sound Transit's work to respond to the Kirkland City Council's request that Sound Transit take additional steps to gather input from the community about how the

project's design integrates 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 that is currently in design.

King County Metro Water Treatment Division (WTD) is now designing an upgrade to a pump station abutting the western edge of the transit center project. The pump station project's design has lagged behind the design of the transit center, and the pump station construction was planned to start after the transit center would be completed. The pump station work includes reconstruction of utility lines under 3rd Street, which 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, City of Kirkland, and King County are currently working to incorporate the under-street portion of the WTD work into Sound Transit's project. King County would pay for any additional costs. Once the terms are agreed to, this change in project scope may require future Finance Committee action to modify the INCA design contract. There is the potential for schedule revision as the details of the coordination are addressed, however this risk is mitigated by the benefits of coordinating the projects.

An Environmental Checklist has been prepared for this project and a Determination of Nonsignificance (DNS) was issued on May 12, 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 a DNS under WAC 197-11-340(2) and Sound Transit rules (Resolution R7-1). The DNS issued May 12, 2008 is based upon a SEPA Environmental Checklist (January 2008), a SEPA Addendum (May 2008) to the Environmental Checklist, and a Noise Technical Report (May 2008) prepared in response to comments received on the original DNS, issued January 16, 2008 and subsequently withdrawn.

Prior Board or Committee Actions and Relevant Board Policies

Motion or Resolution Number	Summary of Action	Date of Action
M2008-22	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 in the amount of \$99,349 with a 10% contingency of \$9,935 for a new total amount not to exceed \$1,133,563.	2/21/08
M2007-26	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.	2/15/07
M2005-141	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.	12/15/05

CONSEQUENCES of DELAY

A two-week delay would not create adverse impacts on the project; significantly longer delay will affect the project's opening date for start of service and will lead to reductions in project scope.

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 to the City Council and hold a final design public open house.

ENVIRONMENTAL COMPLIANCE

SSK 5-28-08

LEGAL REVIEW

JW 5/28/08

SOUND TRANSIT

MOTION NO. M2008-55

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 exercise an option to provide final design services for the Kirkland Transit Center/3rd Street project in the amount of \$1,481,135, with a 10% contingency of \$148,114 totaling \$1,629,249, for a new total authorized contract amount not to exceed \$2,762,812.

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 INCA Engineers, Inc. to exercise an option to provide final design services for the Kirkland Transit Center/3rd Street project in the amount of \$1,481,135, with a 10% contingency of \$148,114 totaling \$1,629,249, for a new total authorized contract amount not to exceed \$2,762,812.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority _____
at a regular meeting thereof held on June 5, 2008.



Fred Butler
Finance Committee Vice-Chair

ATTEST:



Marcia Walker
Board Administrator