

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2008-65

Contract Amendment for Design Services for South Tacoma Station

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	7/17/08	Discussion/Possible Action	Jim Edwards, Director, Capital Projects Hank Howard, Project Manager	(206) 398-5436 (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

South Tacoma Station

PROPOSED ACTION

Authorizes the chief executive officer to execute a contract amendment with OTAK, Inc. to provide design and other support services during construction for the South Tacoma Station commuter rail project in the amount of \$150,000, with a 10% contingency of \$15,000 totaling \$165,000, for a new total authorized contract amount not to exceed \$1,243,448.

KEY FEATURES of PROPOSED ACTION

- The purpose of this action is to amend the contract with OTAK, Inc. to provide the budget necessary for OTAK to continue to provide the desired level of support throughout the construction contract.
- The South Tacoma Station project consists of a single platform with passenger shelters and other amenities, passenger drop off zone and parking for approximately 215 vehicles.
- OTAK, Inc. is providing design and other services to support the resident engineer in the management of the construction contract. Design support services during construction include reviewing contractor submittals, responding to requests for information (RFI's), attending on site construction meetings and preparing as-built drawings at the completion of the project.

BUDGET IMPACT SUMMARY

Current Project Phase: Construction
Projected Completion Date: 2009

Action Outside of Adopted Budget:	✓	Comments on Checked Items
This Project		
This Phase	✓	The final design phase level shortfall is \$144K.
This Task		
Budget Amendment Required		

Key Financial Indicators:	✓	Comments on Checked Items
Contingency Funds Required	✓	The project has \$1M in contingency funds which is sufficient to cover the final design 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 2008 Board-adopted budget for this project is \$16,475,827 with a final design phase budget of \$1,120,732. The proposed action is to authorize a contract amendment with OTAK, Inc. for \$165,000. This action will leave a final design phase shortfall of \$144,010. The project contingency is \$1,040,532, which is more than sufficient to cover the shortfall. The uncommitted project budget after this action will be \$1,825,263.

BUDGET TABLE

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

Project: 251 - South Tacoma Station

	2008 Board Adopted Budget ¹ (A)	Committed To Date ² (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
1 Agency Administration	\$ 1,029	\$ 1,029	\$ -	\$ 1,029	\$ -
2 Preliminary Engineering	\$ 542	\$ 542	\$ -	\$ 542	\$ 0
3 Final Design	\$ 1,121	\$ 1,100	\$ 165	\$ 1,265	\$ (144)
4 Right of Way	\$ 2,041	\$ 2,320	\$ -	\$ 2,320	\$ (279)
5 Construction	\$ 10,703	\$ 9,495	\$ -	\$ 9,495	\$ 1,207
6 Contingency	\$ 1,041	\$ -	\$ -	\$ -	\$ 1,041
7 Total Current Budget	\$ 16,476	\$ 14,486	\$ 165	\$ 14,651	\$ 1,825

Phase Budget Detail

8 Final Design	\$ 1,121	\$ 1,100	\$ 165	\$ 1,265	\$ (144)
9 Misc. Activity	\$ -	\$ -	\$ -	\$ -	\$ -
10 Total Phase	\$ 1,121	\$ 1,100	\$ 165	\$ 1,265	\$ (144)

Contract Budget	Current Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
11 Otak, Inc.	\$ 980	\$ 949	\$ 150	\$ 1,130
12 Contingency	\$ 98	\$ 78	\$ 15	\$ 113
13 Total	\$ 1,078	\$ 1,027	\$ 165	\$ 1,243
14 Percent Contingency	10%	8%	10%	10%

Budget Shortfall³

Level	Shortfall Amt (J)	Potential Funds (K)	Funding Source (L)
15 Final Desgin	\$ (144)	\$ 1,041	Project Contingency
16 Total	\$ (144)	\$ 1,041	

Notes:

¹ Project budget is located on page 129 of the Adopted 2008 Budget book. The 2008 Budget was adopted by the Board on November 29, 2007.

² Committed to date amount includes actual outlays and commitments through May 31, 2008.

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

SMALL BUSINESS PARTICIPATION

Prime Consultant

OTAK, Inc. is the prime consultant and will perform 70% of the work. OTAK committed to an 18% M/W/DBE and small business goal. To date, the utilization of M/W/DBE and other small businesses is 15.5%. Small Business utilization for this amendment will be 6.5%. With this amendment, overall small business participation is projected to be 14.2%.

Utilization Breakdown Table

Subconsultant	Business Type	% of Work	Dollar Value
Milbor-Pita Associates	MBE/DBE	1.02%	\$ 12,731
Enviroissues	WBE/DBE	1.15%	\$ 14,277
K2 & Associates	MBE	1.73%	\$ 21,450
Matson-Carlson & Associates	WBE/DBE	4.14%	\$ 51,459
Technical resource Consultants	WBE	0.60%	\$ 7,470
Tres West Engineers	DBE	2.78%	\$ 34,565
Clinkston Brunner	Small Business	2.80%	\$ 34,859
Total		14.22%	\$ 176,811

Herrera Environmental is also on the consultant team and was certified as a MBE/DBE until May 2003 when they graduated from the state and federal programs.

EEO Commitment

OTAK's workforce demographics are approximately 35% women and 10% minorities.

Apprentice Utilization Commitment

Not applicable for this action. There are no apprentice utilization requirements since this is a professional services contract.

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

The South Tacoma Station project consists of a single platform with passenger shelters and other amenities, passenger drop off zone and parking for approximately 215 vehicles.

Construction began in early 2008 and is approximately 40% complete.

The contract amendment will add \$165,000, inclusive of a 10% contingency, which will enable OTAK to continue providing the desired level of support necessary to complete the project. There are sufficient project funds to complete this action.

The construction design support budget of \$114,784 included in the final design contract was not adequate to enable OTAK to provide the desired level of support during construction. The total design support services budget with this action will be \$264,784 plus contingency. Design support services during construction include reviewing contractor submittals, responding to requests for information (RFI's), attending on site construction meetings and preparing as-built drawings at the completion of the project.

The proposed action is consistent with environmental documentation prepared under the National Environmental Policy Act (NEPA) and the State Environmental Policy Act (SEPA). In May 2002, Sound Transit and the Federal Transit Administration (FTA) issued the Environmental Impact Statement (EIS) under SEPA and NEPA for the South Tacoma Station Project. The FTA issued the Record of Decision for the Lakewood-to-Tacoma Commuter Rail and SR-512 Park-and-Ride Expansion Project on December 31, 2002.

Prior Board/Committee Actions

Motion/Resolution Number and Date	Summary of Action
M2005-25 03/03/2005	Authorized the chief executive officer to execute a contract with OTAK, Inc. to provide final design and design support services during construction for the Sounder Commuter Rail South Tacoma Station in the amount of \$980,408 with a 10% contingency for a total authorized contract amount not to exceed \$1,078,448.

CONSEQUENCES of DELAY

OTAK’s existing budget for construction services will soon be exhausted. A two-week delay would not create adverse impacts on the project; significantly longer delay will result in OTAK being unable to provide the desired level of support to the resident engineer.

PUBLIC INVOLVEMENT

Significant public involvement occurred on this project during the preliminary engineering and environmental documentation phase and during final design. Outreach included open houses, direct mailings, Tacoma City Council presentations and several station design open houses, community briefings and web site updates.

ENVIRONMENTAL COMPLIANCE

SSK 6-17-08

LEGAL REVIEW

JW 7/9/08

SOUND TRANSIT

MOTION NO. M2008-65

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 OTAK, Inc. to provide design and other support services during construction for the South Tacoma Station commuter rail project in the amount of \$150,000, with a 10% contingency of \$15,000 totaling \$165,000, for a new total authorized contract amount not to exceed \$1,243,448.

Background:

The South Tacoma Station project consists of a single platform with passenger shelters and other amenities, passenger drop off zone and parking for approximately 215 vehicles.

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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 OTAK, Inc. to provide design and other support services during construction for the South Tacoma Station commuter rail project in the amount of \$150,000, with a 10% contingency of \$15,000 totaling \$165,000, for a new total authorized contract amount not to exceed \$1,243,448.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority
at a regular meeting thereof held on July 17, 2008.



Aaron Reardon
Finance Committee Chair

ATTEST:



Marcia Walker
Board Administrator