

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2009-12

Contract Award for University Link Construction of I-5 Undercrossing Construction Pits

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	1/22/09	Discussion to Recommend Board Approval	Ahmad Fazel, Link Executive Director	(206) 398-5389
Board	1/29/09	Action	John Harrison, U-Link Project Director Ben Emam, University Link Construction Manager	(206) 398-5309 (206) 398-5394

Contract/Agreement Type:	<input checked="" type="checkbox"/>	Requested Action:	<input checked="" type="checkbox"/>
Competitive Procurement	<input checked="" type="checkbox"/>	Execute New Contract/Agreement	<input checked="" type="checkbox"/>
Sole Source	<input type="checkbox"/>	Amend Existing Contract/Agreement	<input type="checkbox"/>
Agreement with Other Jurisdiction(s)	<input type="checkbox"/>	Budget Amendment	<input type="checkbox"/>
Real Estate	<input type="checkbox"/>	Property Acquisition	<input type="checkbox"/>

PROJECT NAME

University Link – Pine Street Stub Tunnel (PSST) to University of Washington (UW) Station

PROPOSED ACTION

Authorizes the chief executive officer to execute a contract with Condon Johnson and Associates Inc., to provide construction services at the Interstate-5 undercrossing site within the University Link project in the amount of \$19,687,810, with a contingency of \$2,950,000, for a total authorized contract amount not to exceed \$22,637,810, which includes costs reimbursable to Sound Transit from the Washington State Department of Transportation for betterments.

KEY FEATURES of PROPOSED ACTION

- The scope of work in the Interstate-5 (I-5) Undercrossing Construction Pits Contract with Condon Johnson and Associates Inc. (U215 Contract) includes:
 - a) Demolition and construction of four construction pits bound by cylinder piles and reinforced concrete walls (construction pits); two located in the I-5 Olive Way northbound off-ramp, and two located in the Pine/Pike reversible ramp;
 - b) Removal of existing cylinder piles from the excavated tunnel profile of the U230 Contract (Tunnel Boring Machine (TBM) Tunnels Capitol Hill Station to Pine Street Stub Tunnel);
 - c) Installation of temporary anchor tie-backs within the pit walls and within the adjacent existing I-5 retaining walls;
 - d) Backfilling, restoring pavement, planing and re-paving of the Pike/Pine reversible ramp, and restoring utilities;
 - e) Installation of Sound Transit's temporary construction offices; and
 - f) Maintenance of traffic provisions to allow full closures of the two I-5 ramps and detour of all non-construction traffic onto city streets.

- Sound Transit advertised this project as a competitive bid and received six bids. The lowest responsive and responsible bid was submitted by Condon Johnson in the amount of \$19,687,810. This bid is below the Link engineer's estimate of \$29,659,635.

- Staff recommends assignment of \$2,950,000, or approximately 15%, contingency for this contract given the uncertainty of underground conditions, construction risks, potential schedule delays, and potential additional traffic control measures on I-5 or city streets that may be imposed by third parties.
- Washington State Department of Transportation (WSDOT) will reimburse Sound Transit the fixed amount of \$228,442 for betterment work requested by the agency. Thus, Sound Transit's share of the not-to-exceed contract amount is \$19,459,368 plus \$2,950,000 in contingency. The betterment work to be performed under this contract includes the paving of the entire Pike/Pine reversible ramp.
- Sound Transit has obtained all key construction permits, and has incorporated permit conditions into this contract. The Washington State Department of Ecology is expected to issue a renewed National Pollutant Discharge Elimination System (NPDES) Permit for the University Link Project in late January 2009.
- Sound Transit is in final negotiation with WSDOT on an airspace lease. All other necessary properties, easement, and rights of entries for the U215 work have been acquired.

BUDGET IMPACT SUMMARY

Current Project Phase: Construction
 Projected Completion Date: 2016

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 2009 Lifetime Capital Budget for University Link is \$1.8 billion. Within that amount \$35,775,000 has been set aside for Sound Transit's share of costs for the I-5 Undercrossing U215 Contract in the construction phase. The proposed action would commit \$22,409,368 for this line item, leaving a remaining balance of \$13,365,632 compared to the 2009 Lifetime Budget for this line item.

The proposed contract amount for Condon Johnson includes betterment work in the amount of \$228,442 for which Sound Transit will be reimbursed by WSDOT, and subsequently not charged to the University Link project.

The proposed action is consistent with the current adopted budget, and is affordable within the agency's long-term financial plan and subarea financial capacity. The action will have no new revenue impact on Sound Transit.

BUDGET TABLE

Action Item: Condon Johnson (Provide construction services for contract U215 I-5 Undercrossing Construction Pits within the University Link project)

(Year of Expenditure \$000)

University Link	Adopted 2009 Budget (A)	Committed To Date (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
Agency Administration	115,229	36,779		36,779	78,450
Preliminary Engineering	24,388	24,329		24,329	59
Final Design	77,944	69,717		69,717	8,227
Right of Way	167,332	113,280		113,280	54,052
Construction	1,180,033	18,638	22,409	41,047	1,138,986
Construction Services	68,526	64,704		64,704	3,822
Third Party Agreements	18,646	10,188		10,188	8,458
Vehicles	103,909	101,911		101,911	1,998
Total Current Budget	1,756,007	439,545	22,409	461,955	1,294,052

Construction Phase Budget Detail

U215 I-5 Undercrossing Pits	35,775	-	22,409	22,409	13,366
Other Construction	1,144,258	18,638	-	18,638	1,125,620
Total Phase	1,180,033	18,638	22,409	41,047	1,138,986

Contract Amount	Board Approvals to Date (F)	Current Approved Contract Value (G)	Proposed Action (H)	Proposed Total for Board Approval (I)	Proposed Contract Value (J)
Contract Amount	-	-	19,688	19,688	19,688
Contingency	-	-	2,950	2,950	2,950
Total	-	-	22,638	22,638	22,638
Percent Contingency	0%	0%	15%	15%	15%
Less Betterments	-	-	228	228	228
Total Sound Transit Share	-	-	22,409	22,409	22,409

(A) ADOPTED 2009 BUDGET amounts as adopted by resolution of the Sound Transit Board (R2008-14, approved 12/11/08).

(B) COMMITTED TO DATE amounts are from Agency WBS Report as of November 2008 + approved and pending board actions not recorded as of 11/30/08, or submitted after that date.

SMALL BUSINESS PARTICIPATION

Prime Consultant/Contractor

Condon Johnson is the prime contractor and has committed to a 24.98% Small Business participation goal, which exceeds Sound Transit's 18.00% goal for this contract.

Utilization Breakdown Table

Subconsultant/Subcontractor	Business Type	% of Work	Dollar Value
Leajak Concrete Construction Inc.	MBE	0.71%	\$128,000
Meko Construction, Inc.	MBE	9.79%	\$1,760,000
Novito Construction Inc.	DBE	3.55%	\$639,000
Otto Rosenau & Associates, Inc.	WBE	1.17%	\$211,000
Rainier Steel Inc.	MBE	3.99%	\$718,000
Geo-Instruments, NW	Small Business	5.76%	\$1,035,000
Total		24.98%	\$4,491,000

EEO Commitment

Condon Johnson workforce demographics are 9% women and 41% minorities.

Apprentice Utilization Commitment

Condon Johnson is committed to hiring apprentices for 20% of all labor hours.

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

Final design for the University Link project began after the Board authorized a contract execution with Northlink Transit Partners (NTP) on November 9, 2006 to provide civil engineering and architectural final design services, and permission to enter final design from the Federal Transit Administration (FTA) was received on December 11, 2006.

On July 14, 2008, through Resolution No. R2008-09, the Sound Transit Board approved the revised University Link Baseline Cost Estimate (BCE) and authorized the submission of a revised Federal Full Funding Grant Agreement (FFGA) application. The FTA approved and signed the FFGA on January 15, 2009.

On October 3, 2008, Sound Transit advertised this project contract as a competitive bid through local and regional publications and received six bids. The lowest responsive and responsible bid was submitted by Condon Johnson and Associates, Inc. in the amount of \$19,687,810 and is 34% below the Link engineer's estimate of \$29,659,635. The highest bid is 3% below the Link engineer's estimate.

Staff recommends assignment of approximately 15% contingency for this contract given the uncertainty of underground conditions, construction risks, potential schedule delays, and potential additional traffic control measures on I-5 or city streets that may be imposed by third parties.

This contract scope consists of early construction work in advance of Contract U230 (TBM Tunnels Capitol Hill Station to Pine Street Stub-Tunnel), which will subsequently bore two tunnels under I-5. This preparatory work will provide support for the retaining walls and a stable control-density fill area for the U230 TBMs to pass under I-5 without conflicting with existing I-5 underground cylinder pile structures.

During the design process of this I-5 undercrossing project, Sound Transit and NTP worked in close coordination with WSDOT, Seattle Department of Transportation (SDOT), and King County Metro staff. A number of design, scheduling, and traffic control planning meetings were conducted to determine the most optimal engineering solution.

The physical construction work is scheduled to begin no later than June 1, 2009 and end in the second quarter 2010. Sound Transit's contractor will close the Pike/Pine reversible ramp for up to one year for construction. During the design coordination, staff learned that WSDOT was planning pavement reconstruction and paving work on I-5 and on the ramp during the same time frame. In order to reduce impact to the public, Sound Transit and WSDOT coordinated the U215 and paving work; WSDOT has requested that Sound Transit include the Pike/Pine ramp paving work in the scope of U215, and has agreed to reimburse Sound Transit for this work. The northbound Olive Way off-ramp from I-5 will also be closed for up to one year to accommodate U215 construction work.

Environmental compliance for University Link pursuant to the National Environmental Policy Act (NEPA) and State Environmental Policy Act (SEPA) was completed with the North Link Final Supplemental Environmental Impact Statement (EIS) issued on April 7, 2006. The Federal Transit Administration issued a Record of Decision in June 2006.

Prior Board/Committee Actions

Motion/Resolution Number and Date	Summary of Action
R2008-09 7/24/08	Approval of Revised University Link Baseline Cost Estimate (BCE) and Authorizing Submission of Revised Federal Full Funding Grant Agreement Application.

CONSEQUENCES of DELAY

The Maintenance of Traffic (MOT) plan that has been approved by WSDOT allows Sound Transit to close one lane of I-5 northbound from June 1 through June 30, 2009, to allow the U215 Contractor to construct a cantilever bridge adjacent to the Olive Way off-ramp. The timeframe for this initial work is tightly coordinated with other WSDOT projects in the region. It is imperative that this work start and finish within this timeframe in order to have this I-5 lane reopened by July 1, 2009 to support lane closures on I-90 for expansion joint replacement. The delay in awarding this contract would jeopardize the ability for the contractor and Sound Transit to complete all of the necessary early submittals in order to begin construction on June 1, 2009. Missing this four-week work window could delay the U215 project by at least one year.

PUBLIC INVOLVEMENT

Sound Transit staff has held a number of station design workshops, project open houses, and other meetings since the beginning of environmental and preliminary engineering work; and during the final design work completed to date. Staff also meets regularly with the Capitol Hill community, Capitol Hill Chamber of Commerce, other interested parties and affected stakeholders throughout the project area.

Sound Transit also has an active community outreach program during construction, which includes a 24-hours/7-days-a-week construction hotline, a variety of written materials, and public meetings. For this contract, there is a budget for additional public outreach activities included in the contract amount as a provisional sum.

Sound Transit staff has been notifying potentially affected stakeholders and public about the upcoming I-5 ramp closures and planned traffic detours associated with U215 construction work. Staff will also continue to closely work with WSDOT, SDOT, and King County Metro staff to coordinate public notification efforts and other outreach activities during this construction.

ENVIRONMENTAL COMPLIANCE

JI, 01/05/09

LEGAL REVIEW

LA 1/15/09

SOUND TRANSIT

MOTION NO. M2009-12

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a contract with Condon Johnson and Associates Inc., to provide construction services at the Interstate-5 undercrossing site within the University Link project in the amount of \$19,687,810, with a contingency of \$2,950,000, for a total authorized contract amount not to exceed \$22,637,810, which includes costs reimbursable to Sound Transit from the Washington State Department of Transportation for betterments.

Background:

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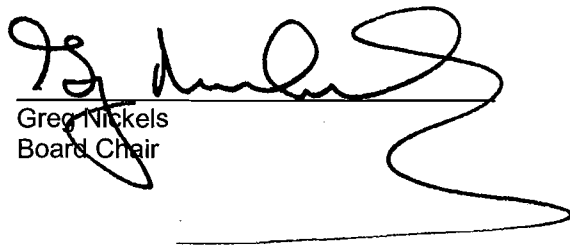
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Environmental Impact Statement (EIS) issued on April 7, 2006. The Federal Transit Administration issued a Record of Decision in June 2006.

Motion:

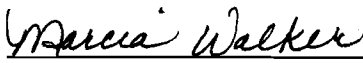
It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute a contract with Condon Johnson and Associates Inc., to provide construction services at the Interstate-5 undercrossing site within the University Link project in the amount of \$19,687,810, with a contingency of \$2,950,000, for a total authorized contract amount not to exceed \$22,637,810, which includes costs reimbursable to Sound Transit from the Washington State Department of Transportation for betterments.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on January 29, 2009.



Greg Nickels
Board Chair

ATTEST:



Marcia Walker
Board Administrator