

**SOUND TRANSIT  
STAFF REPORT**

**MOTION NO. M2009-22**

**Mountlake Terrace Freeway Station Construction Contract**

<b>Meeting:</b>	<b>Date:</b>	<b>Type of Action:</b>	<b>Staff Contact:</b>	<b>Phone:</b>
Board	03/12/09	Discussion/Possible Action	Jim Edwards, Capital Projects Director <b>Hank Howard, Construction Manager</b>	(206) 398-5436 (206) 398-5078

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

**PROJECT NAME**

Mountlake Terrace Freeway Station/236<sup>th</sup> SW (51312)

**PROPOSED ACTION**

Authorizes the chief executive officer to execute Agreement GCA 3361 Task Order A-11 with the Washington State Department of Transportation to provide construction and construction management services for the Mountlake Terrace Freeway Station Project in the amount of \$22,613,927 with a 5% contingency of \$1,130,696, for a total authorized amount not to exceed \$23,744,624.

**KEY FEATURES of PROPOSED ACTION**

- The Task Order agreement with Washington State Department of Transportation (WSDOT) defines a scope of services, funding, roles and responsibilities for construction and construction management of the Mountlake Terrace Freeway Station Project.
- Constructs a freeway station in the median of I-5 at 236<sup>th</sup> Street SW in the City of Mountlake Terrace with transit only ramps connecting to the HOV lanes. The project includes a new overhead pedestrian bridge that will connect the freeway station to the existing Mountlake Terrace Park-and-Ride Lot.
- The freeway station allows Sound Transit to serve Mountlake Terrace with ST Express Bus service and supports efficient transit operations.

**BUDGET IMPACT SUMMARY**

Current Project Phase: Final Design  
Projected Completion Date: 2011

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 2009 Project Budget is \$40,869,197 with a construction phase budget of \$28,437,792. The proposed action is to execute an agreement to provide construction and construction management services in an amount not to exceed \$23,744,624. This action will leave a construction phase balance of \$3,999,467. The remaining project balance after this action will be \$8,110,231.

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: Mountlake Terrace Freeway Station/236th SW

	2009 Adopted Budget <sup>1</sup> (A)	Committed To Date <sup>2</sup> (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
1 Agency Administration	\$ 2,218	\$ 2,218	\$ -	\$ 2,218	\$ -
2 Preliminary Engineering	\$ 2,585	\$ 2,511	-	\$ 2,511	74
3 Final Design	\$ 3,802	\$ 3,523	-	\$ 3,523	280
4 Right of Way	\$ 129	\$ 69	-	\$ 69	60
5 Construction	\$ 28,438	\$ 694	23,745	\$ 24,438	3,999
6 Contingency	\$ 3,698	\$ -	-	\$ -	3,698
7 Total Current Budget	\$ 40,869	\$ 9,014	\$ 23,745	\$ 32,759	\$ 8,110

Phase Budget Detail

8 Construction	\$ 28,438	\$ 694	\$ 23,745	\$ 24,438	3,999
9 Misc. Activity					-
10 Total Phase	\$ 28,438	\$ 694	\$ 23,745	\$ 24,438	\$ 3,999

Contract Budget	Current Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
11 WSDOT GCA 3361 Task Order A-11			\$ 22,614	\$ 22,614
12 Contingency			1,131	\$ 1,131
13 Total	-	-	23,745	23,745
14 Percent Contingency	0%		5%	5%

Notes:

<sup>1</sup> Project budget is located on page 160 of the Proposed 2009 Budget book. The 2009 Budget was adopted by the Board on December 11, 2008.

<sup>2</sup> Committed to date amount includes actual outlays and commitments through December 31, 2008.

**SMALL BUSINESS PARTICIPATION**

During the construction phase of the project WSDOT is responsible for complying with the WSDOT DBE goals and policies set forth in the WSDOT DBE Program in accordance with WSDOT regulations.

**PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION**

The Mountlake Terrace Freeway Station/236th SW project provides a freeway transit station in the I-5 median adjacent to the Mountlake Terrace Park-and-Ride Lot at I-5 and 236<sup>th</sup> Street SW in the City of Mountlake Terrace. The station and access ramps will provide direct access to existing I-5 HOV lanes. The project also includes a pedestrian bridge connecting the existing Mountlake Terrace Park-and-Ride Lot to the proposed freeway station. The freeway station allows Sound Transit to serve Mountlake Terrace with ST Express Bus service and supports efficient transit operations.

The inadequacy of the initial project budget (\$3.8 million) was recognized when the project was initiated. A project definition study conducted in 2001 estimated that the cost to complete the project would significantly exceed the project budget.

Work on the preliminary engineering and environmental documentation phase (PE/ED) began in April 2003. The PE/ED has been completed, including environmental documentation in compliance with the State Environmental Policy Act (SEPA) and National Environmental Policy Act (NEPA). A SEPA Environmental Checklist and Determination of Non-significance (DNS) were issued by Sound Transit and WSDOT in May 2005. A NEPA Documented Categorical Exclusion (DCE) was approved by the Federal Transit Administration and the Federal Highway Administration in November 2005. No significant design changes have been made that would necessitate further environment documentation.

The PE/ED work resulted in a refined cost estimate. In June 2005 the Board authorized a transfer of \$20.15 million from the Snohomish Program Reserve to bring the project budget in line with the refined cost estimate.

Following completion of the PE/ED, staff worked with WSDOT, the City of Mountlake Terrace, Community Transit and the project design team to develop specific strategies intended to refine the design of the project and control the final cost of the project. During this time, staff also sought additional funding from other sources and negotiated the scope and budget for the developing the final design and construction documents.

Work on the final design began in November 2006. As the design of the project evolved through the 30%, 60%, and 90% completion milestones, the cost continued to increase in spite of value engineering and scope reductions.

Key elements of the 60% plans were sent to the Association of General Contractors (AGC) for additional technical review and advice regarding how to proceed. The AGC's recommendations have been incorporated into the design plans and schedule, including bidding the project early in the year to provide two summer construction seasons.

The Adopted 2009 Budget included a budget amendment to resolve the funding shortfall by transferring uncommitted funds in the amount of \$3.9 million from the Regional Express Snohomish County subarea Capital Program reserve, increasing the project budget by an additional \$6 million in grant funds and seeking use of \$5.2 million in funds from additional financial capacity from the Snohomish subarea.

The project was advertised for bid on December 1, 2008. Bids were opened on February 19, 2009 and the project is scheduled to begin construction in April 2009.

## Prior Board/Committee Actions

<b>Motion/ Resolution Number and Date</b>	<b>Summary of Action</b>
M2006-82 11/16/06	Authorized the chief executive officer to execute Agreement GCA 3536 Task Order with the Washington State Department of Transportation for final design services for the Mountlake Terrace Freeway Station/236 <sup>th</sup> SW Project in the amount of \$3,434,749, with 10% contingency of \$343,475, for a total authorized task order amount not to exceed \$3,778,224.
R2005-13 6/23/05	Amended the Adopted 2005 Budget from \$3,800,000 to \$25,550,000 to reflect a transfer from the Regional Express Snohomish County Program Reserve and a grant contribution.
M2003-38 4/17/03	Board authorized PE/ED contract with HNTB for the Mountlake Terrace In-line Station Project in the amount of \$1,651,751 with a 10% contingency of \$165,175, for a total authorized contract amount not to exceed \$1,816,926.
M2003-39 4/17/03	Board authorized PE/ED contract with the WSDOT for the Mountlake Terrace In-line Station in the amount \$533,640 with a contingency of \$46,811 for a total authorized contract amount not to exceed \$580,451.
M2002-72 6/13/02	Authorized the chief executive office to negotiate and execute an umbrella agreement with WSDOT for construction administration of Sound Transit projects to be constructed on WSDOT right-of-ways ("Umbrella Agreement").

### **CONSEQUENCES of DELAY**

A delay of this action will delay the start of construction and could result in weather-sensitive work being delayed into the winter months and less optimal work conditions.

### **PUBLIC INVOLVEMENT**

A project newsletter was mailed to adjacent property owners on April 2, 2004 and an Open House was conducted at the Mountlake Terrace Library on April 14, 2004. In addition, staff attended the Mountlake Terrace Arts Commission and City Council on June 5, 2006.

### **ENVIRONMENTAL COMPLIANCE**

SSK 1-30-09

### **LEGAL REVIEW**

JW 2/27/09

**SOUND TRANSIT BOARD MEETING**  
**Summary Minutes**  
**February 12, 2009**

**Call to Order**

The meeting was called to order at 1:10 p.m. by Chair Greg Nickels, in the Ruth Fisher Boardroom, 401 South Jackson Street, Seattle, Washington.

**Roll Call**

Chair

(P) *Greg Nickels, City of Seattle Mayor*

Vice Chairs

(P) *Aaron Reardon, Snohomish County Executive*

(A) *Claudia Thomas, Lakewood Councilmember*

(A) *Julie Anderson, Tacoma City Councilmember*

(P) *Mary-Alyce Burleigh, Kirkland Councilmember*

(P) *Fred Butler, Issaquah Deputy Council President*

(A) *Richard Conlin, Seattle Councilmember*

(P) *Dow Constantine, King County Council Vice Chair*

(P) *David Enslow, City of Sumner Mayor*

(A) *Paula Hammond, WSDOT Secretary*

(P) *John Marchione, City of Redmond Mayor*

(P) *Pat McCarthy, Pierce County Executive*

(P) *Julia Patterson, King County Council Chair*

(P) *Larry Phillips, King County Council Chair*

(A) *Paul Roberts, Everett Councilmember*

(P) *Ron Sims, King County Executive*

(P) *Peter von Reichbauer, King County Councilmember*

Ms. Marcia Walker, Board Administrator announced that a quorum of the Board was present at roll call.

**Report of the Chair**

Chair Nickels announced that today's meeting would likely be the last for Executive Sims who was recently nominated by President Obama as Deputy Secretary of the United States Department of Housing and Urban Development. Executive Sims joined the Sound Transit Board in 1997 right after the Sound Move plan was adopted by voters, and when the agency experienced rapid growth. He served as Board Chair from 2002 through 2003. During his time as Board Chair, he supported creation of the Community Development Fund to help affected businesses along the light rail alignment in the Rainier Valley. He also worked on the Downtown Seattle Transit Tunnel Joint Use agreement between Sound Transit and King County. In addition, an agreement was reached to extend light rail to the airport, and ST Express buses began running.

Chair Nickels thanked Executive Sims for his service as Chair of Sound Transit and as a long time member of the Board and presented him with a commemorative plaque.

Executive Sims thanked the Board, Sound Transit staff, and CEO Joni Earl in particular, for all their hard work and service to the public.

Ms. Earl commented that Executive Sims also helped negotiate the agreement between Sound Transit and Burlington Northern Santa Fe for the north Sounder line.

**Chief Executive Officer's Report**

Ms. Earl introduced Ron Tober, Deputy CEO to the Board. She noted that Mr. Tober is starting his second week at Sound Transit.

Ms. Earl also told the Board that the Puget Sound Chapter of the Public Relations Society of America awarded Pacific Rim Resources a Totem Award for Community Relations for a Governmental Entity for

their work on the Central Link Safety Fair. Pacific Rim Resources in turn recognized Sound Transit's and the City's leadership in making that event a success.

She gave a brief update on the economic stimulus package. She noted that agreement between the Senate and House of Representatives is still preliminary. \$8.4 billion has been set aside for public transportation, \$1.5 billion for competitive grants, and \$9.3 billion for rail transportation including intercity rail. \$27.5 billion has been set aside for highway investments. The amount of time allowed for obligating money to a project in order to secure funding is still being debated; the range is between 90 to 120 days. Ms. Earl noted that another list of Sound Transit projects would be sent to the Puget Sound Regional Council.

### **Public Comment**

(Comments on file with the Board Administrator)

Robert Scheuerman

### **Consent Agenda**

Voucher Certification for January 1, 2009 through January 15, 2009  
Minutes of the January 29, 2009 Meeting

**It was moved by Boardmember Burleigh, seconded by Boardmember Enslow, and carried by the unanimous vote of all members present that the consent agenda be approved as presented.**

### **Action Items**

Item referred by the Executive and Finance Committees

Motion No. M2009-16 – Authorizing the chief executive officer to execute a restated and amended interlocal agreement for the Smart Card project with Community Transit, Everett Transit, Kitsap Transit, King County Metro Transit, Pierce Transit, and Washington State Ferries to update the agreement for the operating phase.

**It was moved by Boardmember Butler, seconded by Boardmember Enslow, and carried by the unanimous vote of all Boardmembers present that Motion No. M2009-16 be approved as presented.**

Items referred by the Finance Committee

Resolution No. R2009-03 – Correcting the legal description in Resolution No. R2008-02 Exhibit A for the D to M Track and Signal Project and ratifying the actions of the chief executive officer with regard to the amended legal description as of the effective date of Resolution No. R2008-02.

**It was moved by Boardmember Butler, seconded by Boardmember Enslow, and carried by the unanimous vote of all Boardmembers present that Resolution No. R2009-03 be approved as presented.**

Motion No. M2009-15 – Authorizing the chief executive officer to execute a contract with New Flyer Corporation for the purchase of 13 60-foot New Flyer articulated hybrid buses in the amount of \$11,700,000.

**It was moved by Boardmember Butler, seconded by Boardmember Sims, and carried by the unanimous vote of all Boardmembers present that Motion No. M2009-15 be approved as presented.**

### **Executive Session**

None.

**Other Business**

None.

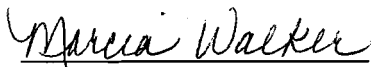
**Next Meeting**

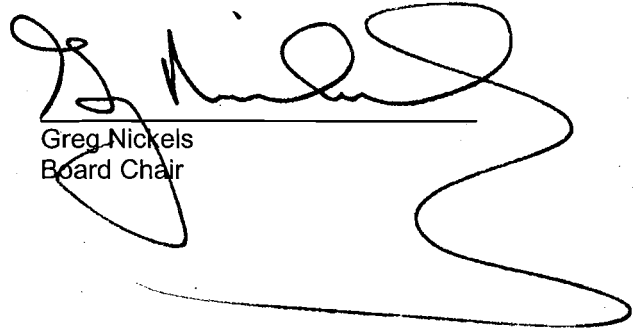
Thursday, February 26, 2009  
1:00 to 4:00 p.m.  
Ruth Fisher Boardroom

**Adjourn**

The meeting was adjourned at 1:34 p.m.

ATTEST:

  
Marcia Walker  
Marcia Walker  
Board Administrator

  
\_\_\_\_\_  
Greg Nickels  
Board Chair

## SOUND TRANSIT

### MOTION NO. M2009-22

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute Agreement GCA 3361 Task Order A-11 with the Washington State Department of Transportation to provide construction and construction management services for the Mountlake Terrace Freeway Station Project in the amount of \$22,613,927 with a 5% contingency of \$1,130,696, for a total authorized amount not to exceed \$23,744,624.

#### **Background:**

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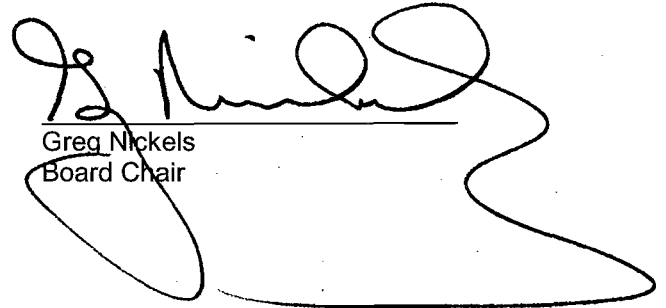


The project was advertised for bid on December 1, 2008. Bids were opened on February 19, 2009 and the project is scheduled to begin construction in April 2009.

**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 Agreement GCA 3361 Task Order A-11 with the Washington State Department of Transportation to provide construction and construction management services for the Mountlake Terrace Freeway Station Project in the amount of \$22,613,927 with a 5% contingency of \$1,130,696, for a total authorized amount not to exceed \$23,744,624.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on March 12, 2009.



Greg Nickels  
Board Chair

ATTEST:



Marcia Walker  
Board Administrator