

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2009-70

**Contract Amendment for Design Support Services During Construction
for the Kirkland Transit Center/3rd Project**

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	9/17/09	Discussion/Possible Action	Jim Edwards, Director, Capital Projects Carol Rhodes, Construction Manager Barry Alavi, Project Manager	(206) 398-5436 (206) 398-5056 (206) 398-5433

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

Kirkland Transit Center/3rd

PROPOSED ACTION

Authorizes the chief executive officer to execute a contract amendment with INCA Engineers, Inc. to provide additional design support services during construction for the Kirkland Transit Center/3rd Project, in the amount of \$80,910, with a contingency of \$8,090, totaling \$89,000, for a new total authorized contact amount not to exceed \$2,851,812.

KEY FEATURES of PROPOSED ACTION

- Under the proposed contract amendment, INCA Engineers, Inc. will provide additional design services during construction for the transit center, including:
 - Final computer-aided design (CADD) as-built drawings;
 - Support for project changes beyond what was originally anticipated in the final design scope of work;
 - An optional task for change orders requiring engineering that may arise during construction.
- Additional effort was required due to project changes that were authorized during the design phase, requiring additional support during construction. These efforts include: review of submittals, response to requests for information, and onsite coordination.
- The optional task will allow the consultant to respond to changes when additional design during construction is required, allowing construction to continue without delay. The consultant must seek approval to utilize optional task budget.

BUDGET IMPACT SUMMARY

Current Project Phase: Construction
 Projected Completion Date: 2010

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 Budget for this project is \$13,300,000, with a construction phase budget of \$8,314,006. The proposed action is to authorize the execution of a contract amendment with INCA Engineers in the amount of \$89,000. This action will leave a construction phase balance of \$269,314 and a remaining project balance of \$1,557,252.

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: 142 - Kirkland Transit Center/3rd

	2009 Adopted Budget ¹ (A)	Committed To Date ² (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
Agency Administration	\$ 692	\$ 692	\$ -	\$ 692	\$ -
Preliminary Engineering	\$ 1,138	\$ 1,187	\$ -	\$ 1,187	\$ (49)
Final Design	\$ 2,529	\$ 1,650	\$ -	\$ 1,650	\$ 878
Right of Way	\$ 628	\$ 169	\$ -	\$ 169	\$ 459
Construction	\$ 8,314	\$ 7,956	\$ 89	\$ 8,045	\$ 269
Contingency	\$ -	\$ -	\$ -	\$ -	\$ -
Total Current Budget	\$ 13,300	\$ 11,654	\$ 89	\$ 11,743	\$ 1,557

Phase Budget Detail

Construction	8,314	7,956	89	\$ 8,045	\$ 269
Total Phase	\$ 8,314	\$ 7,956	\$ 89	\$ 8,045	\$ 269

Contract Budget	Current Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
INCA Engineers	\$ 2,470	\$ 2,282	\$ 81	\$ 2,551
Contingency	\$ 292	\$ 291	\$ 8	\$ 300
Total	\$ 2,762	\$ 2,574	\$ 89	\$ 2,851
Percent Contingency	12%	13%	10%	12%

Notes:

¹ Project budget is located on page 157 of the Adopted 2009 Budget book. The 2009 Budget was adopted by the Board on December 11, 2008.

² Committed to date amount includes actual outlays and commitments through July 31, 2009. The construction commitments include an amount for another pending board action that is being proposed concurrently with this action to award the construction contract to Bayley Construction Company.

SMALL BUSINESS PARTICIPATION

Prime Consultant/Contractor

INCA Engineers, Inc. is the prime consultant for this contract and has committed to 31% small business participation. INCA has achieved 20.05% small business participation for work to date.

For this contract amendment, INCA anticipates 7.21% small business participation. INCA projects achieving 20.97% small business participation at the conclusion of the work for this contract.

Several subconsultants certified as small businesses at contract inception have been acquired in the past year by larger firms, leading to the declining rate of small business participation and projected participation.

EEO Commitment

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

Utilization Breakdown Table

Sub-consultant/Subcontractor	Business Type	% of Work	Dollar Value
Tres West Engineering, Inc	Small Business	1.39%	\$1,156.58
*ABKJ	Small Business	5.82%	\$4,823.82
TOTAL		7.21%	\$5,980.40

*Formerly known as AKB, it was a DBE at the time of award and was later acquired by another company

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

The Kirkland Transit Center/3rd Project, located on 3rd Street between Central Way and Kirkland Avenue in the City of Kirkland, will provide improved speed and reliability of bus service, new waiting areas, passenger shelters and enhanced pedestrian crossings of city streets.

Sound Transit is the lead agency and is responsible for the planning, review, design, permitting, right-of-way acquisition and construction of the transit center. Final design and engineering was completed in May 2009. The project was advertised for bid in July 2009 and construction is currently scheduled to begin in October 2009.

Sound Transit is coordinating with King County Wastewater Treatment Division (KCWTD) on this project. An adjacent pump station renovation project is currently being designed and will be constructed by KCWTD immediately following completion of the transit center. The underground pipeline work will be constructed as part of the transit center project in order to coordinate construction schedules and to avoid demolition and replacement of the newly constructed transit center pavement. Because this pipeline work impacts the transit center's project schedule and cost, Sound Transit and KCWTD entered into an agreement (authorized by the Board via Motion No. M2009-49) whereby KCWTD will pay Sound Transit fees related to these impacts.

Project changes authorized during the design phase include: improvements to Peter Kirk Park, addition of a retaining wall and associated safety railing, granite paving on the plaza, additional foundation piling, and the addition of KCWTD and the City of Kirkland's underground utility work. The original anticipated construction schedule was extended from nine to twelve months due to these changes.

Site conditions exist that pose change order risk and may require additional engineering and redesign effort during construction. These conditions include:

- Unstable soil conditions;
- Numerous underground utilities that may require relocation;
- Concealed conditions of the existing parking garage and restroom immediately abutting the transit center;
- Potential impacts on the transit center associated with the ongoing pump station design bordering the transit center and associated with the underground work.

Sound Transit and King County previously completed independent environmental documentation under SEPA (State Environmental Policy Act) for their respective projects (Kirkland Transit Center for Sound Transit and the pump station renovation for King County). The environmental impacts of the work referenced in this staff report were evaluated in this SEPA documentation.

Prior Board or Committee Actions

Motion or Resolution Number	Summary of Action
M2008-55 6/5/08	Authorized 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/3 rd 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.
M2008-22 2/21/08	Authorized 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.
M2007-26 2/15/07	Authorized 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.
M2005-141 12/15/05	Authorized 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.

CONSEQUENCES of DELAY

A delay of two weeks will not significantly impact the project timeline.

PUBLIC INVOLVEMENT

Not applicable to this action.

ENVIRONMENTAL COMPLIANCE

SSK 8/10/09

LEGAL REVIEW

LA 9/10/09

SOUND TRANSIT

MOTION NO. M2009-70

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 provide additional design support services during construction for the Kirkland Transit Center/3rd Project, in the amount of \$80,910, with a 10% contingency of \$8,090, totaling \$89,000, for a new total authorized contact amount not to exceed \$2,851,812.

Background:

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Motion:

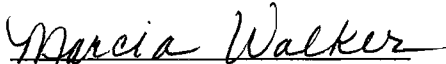
It is hereby moved by the Finance Committee of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute a contract amendment with INCA Engineers, Inc. to provide additional design support services during construction for the Kirkland Transit Center/3rd Project, in the amount of \$80,910, with a 10% contingency of \$8,090, totaling \$89,000, for a new total authorized contact amount not to exceed \$2,851,812.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on September 17, 2009.



Aaron Reardon
Finance Committee Chair

ATTEST:



Marcia Walker
Board Administrator