

**SOUND TRANSIT  
STAFF REPORT**

**MOTION NO. M2010-08**

**On-Call Environmental Due Diligence Services Contract**

<b>Meeting:</b>	<b>Date:</b>	<b>Type of Action:</b>	<b>Staff Contact:</b>	<b>Phone:</b>
Finance Committee	1/7/10	Discussion/Possible Action	Ahmad Fazel, Executive Director <b>Roger Hansen, Real Estate Division Manager</b>	(206) 398-5389 (206) 689-3366

<b>Contract/Agreement Type:</b>	<input checked="" type="checkbox"/>	<b>Requested Action:</b>	<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**

Link Light Rail, Sounder Commuter Rail, and ST Express Bus Capital Projects

**PROPOSED ACTION**

Authorizes the chief executive officer to execute a five-year contract with Shannon & Wilson, Inc. to provide on-call environmental due diligence services for properties acquired or to be acquired for Sound Transit projects for a total authorized contract amount not to exceed \$3,840,650.

**KEY FEATURES of PROPOSED ACTION**

- Shannon & Wilson, Inc. will provide environmental due diligence services including but not limited to phase I and II environmental site assessments, hazardous building material surveys, cleanup action plans, and remediation cost estimates. This on-call environmental due diligence services contract is for a period of five years for a total authorized contract amount not to exceed \$3,840,650.
- Shannon & Wilson, Inc. will ensure that all environmental due diligence activities will be performed in full compliance with Sound Transit's policies and procedures, applicable Washington State and federal regulations.
- As the Board authorizes property acquisition for approved projects, environmental due diligence services are necessary to ascertain the environmental condition of the properties in preparation of the appraisal and acquisition of the properties. This information is also incorporated into contract documents to identify the remediation effort required.
- Sound Transit issued a Request for Qualifications for this on-call environmental due diligence services that allowed for award of three contracts. This approach accommodates the amount and flow of work required to support real property acquisitions over the next five years. GeoEngineers, Inc. and Camp, Dresser and McKee are the other two firms selected.

## **BUDGET IMPACT SUMMARY**

Current Project Phase:           On going  
Projected Completion Date:    On going

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**

This on-call services contract will be used for Link light rail, Sounder commuter rail, and ST Express bus capital projects. Services may also be utilized by Sound Transit Operations, subject to budget funding in the future.

The proposed ongoing services for ST2 and remaining Sound Move projects would be assigned by task order within each project. Budget is to be identified and committed prior to a task order being approved to ensure that the total contract amount does not exceed the amount authorized by the Sound Transit Finance Committee. Since the proposed services will be assigned on an as-needed basis, the distribution of costs will be determined as project schedules and budgets are established. Work under these contracts will be authorized as the Board approves individual project budgets for property acquisition.

The proposed action is consistent with the Adopted 2010 Budget, and is affordable within the agency's current long-term financial plan and subarea financial capacity. The action will have no new revenue impact on Sound Transit.

**BUDGET TABLE**

**Action Item:** Shannon and Wilson, Inc. (Five-year contract to provide on-call environmental due diligence services for properties acquired or to be acquired for Sound Transit projects)

(Year of Expenditure \$1000s)

	Board Approvals to Date (A)	Current Approved Contract Value (B)	Proposed Action (C)	Proposed Total for Board Approval (D)	Proposed Contract Value (E)
<b>Contract Amount - This Board Action</b>					
Contract Amount			3,841	3,841	3,841
Contingency			-	-	-
<b>Total Contract</b>	-	-	<b>3,841</b>	<b>3,841</b>	<b>3,841</b>
Percent Contingency	0%	0%	0%	0%	0%

<b>Other ROW Services Board Actions</b>					
HDR, Inc.			12,628	12,628	12,628
Universal Field Services, Inc.			12,628	12,628	12,628
Chicago Title Insurance			1,180	1,180	1,180
Pacific Northwest Title			460	460	460
McKee and Schalka			3,804	3,804	3,804
Bruce C. Allen and Associates, Inc.			3,805	3,805	3,805
Camp Dresser McKee, Inc. (CDM)			3,841	3,841	3,841
GeoEngineers, Inc.			3,841	3,841	3,841
<b>Total Other ROW Services Board Actions</b>	-	-	<b>42,186</b>	<b>42,186</b>	<b>42,186</b>

<b>TOTAL ROW Services Board Actions</b>					
Contract Amount	-	-	46,027	46,027	46,027
Contingency	-	-	-	-	-
<b>TOTAL</b>	-	-	<b>46,027</b>	<b>46,027</b>	<b>46,027</b>
Percent Contingency	0%	0%	0%	0%	0%

<b>Right of Way Phase Budget</b>	Adopted 2010 Budget (F)	Committed To Date (G)	This Action (H)	Total Committed & Action (I)	Uncommitted (Shortfall) (J)
Link Light Rail Capital Projects (1)	496,614	384,352	36,489	420,840	75,774
Sounder Commuter Rail Capital Projects (2)	575,058	365,895	8,263	374,158	200,901
Regional Express Bus Capital Projects (3)	60,724	48,916	1,276	50,192	10,533
Agency Operations (4)	151	151	-	151	-
<b>Total Right of Way Phase</b>	<b>1,132,397</b>	<b>799,163</b>	<b>46,027</b>	<b>845,189</b>	<b>287,207</b>

Notes:

(F) ADOPTED 2010 BUDGET amounts as adopted by resolution of the Sound Transit Board (R2009-23, approved 12/10/09).

(F1) Link Light Rail Capital Projects right of way phase budget is located on page 30 of the Proposed 2010 Transit Improvement Plan Book.

(F2) Sounder Commuter Rail Capital Projects right of way phase budget is located on page 53 of the Proposed 2010 Transit Improvement Plan Book.

(F3) Regional Express Bus Capital Projects right of way phase budget is located on page 84 of the Proposed 2010 Transit Improvement Plan Book.

(H4) Right of way administration services in support of Agency Operations would be subject to budget funding in the future.

(B) COMMITTED TO DATE amounts are from Link WBS Report and Agency E1 Reports as of November 2009 + approved and pending board actions not recorded as of 11/30/09, or submitted after that date.

**SMALL BUSINESS PARTICIPATION**

Consultant/Contractor

Shannon & Wilson, Inc. will be performing 75% of the work under this contract.

Utilization Breakdown Table

<b>Subconsultant</b>	<b>Business Type</b>	<b>% of Work</b>	<b>Dollar Value</b>
EMR, Inc.	DBE	10%	\$384,065
Global Geophysics	Small Business	2%	\$76,813
NVL Laboratory	DBE	3%	\$115,220
OnSite Environmental	DBE	10%	\$384,065
<b>Total</b>		<b>25%</b>	<b>\$960,163</b>

EEO Commitment

Shannon & Wilson's project team workforce demographic is 14% minorities and 35% women.

**PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION**

In order to continue to implement ST2 projects and remaining Sound Move projects (including light rail, commuter rail, and regional bus service, HOV improvements, and park-and-ride facilities throughout the central Puget Sound region) it will be necessary for Sound Transit to continue to acquire real property. This contract will allow Sound Transit to complete future Link light rail, Sounder commuter rail, and ST Express bus service acquisitions for various projects.

Shannon & Wilson, Inc. will provide environmental due diligence services for Sound Transit property acquisitions to determine the environmental condition. The work cannot be performed under existing contracts because the authorized funds have been expended or the scope of work does not cover the anticipated work. Sound Transit issued a request for qualifications for on-call environmental due diligence services and received 20 proposals. Shannon & Wilson, Inc. and two other consultants were selected as the best qualified to provide environmental due diligence services.

Environmental compliance pursuant to the State Environmental Policy Act (SEPA) will be completed on a project by project basis and the Federal Transit Administration typically issues a Record of Decision for Sound Transit projects on a case by case basis upon completing compliance with the National Environmental Policy Act (NEPA).

**PRIOR BOARD/COMMITTEE ACTIONS on THIS PROJECT**

None.

**CONSEQUENCES of DELAY**

A delay in approval could result in a delay in environmental due diligence and subsequently acquisition activities for various Board approved projects and could result in properties needed for construction not being available in a timely manner.

**PUBLIC INVOLVEMENT**

Not applicable for this action.

**ENVIRONMENTAL COMPLIANCE**

JI 2/23/09

**LEGAL REVIEW**

JW 12/30/09

## SOUND TRANSIT

### MOTION NO. M2010-08

A motion of the Finance Committee of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a five-year contract with Shannon & Wilson, Inc. to provide on-call environmental due diligence services for properties acquired or to be acquired for Sound Transit projects for a total authorized contract amount not to exceed \$3,840,650.

#### Background:

In order to continue to implement ST2 projects and remaining Sound Move projects (including light rail, commuter rail, and regional bus service, HOV improvements, and park-and-ride facilities throughout the central Puget Sound region) it will be necessary for Sound Transit to continue to acquire real property. This contract will allow Sound Transit to complete future Link light rail, Sounder commuter rail, and ST Express bus service acquisitions for various projects.

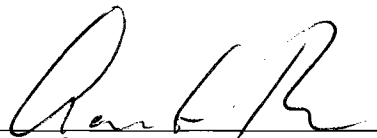
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Environmental compliance pursuant to the State Environmental Policy Act (SEPA) will be completed on a project by project basis and the Federal Transit Administration typically issues a Record of Decision for Sound Transit projects on a case by case basis upon completing compliance with the National Environmental Policy Act (NEPA).


#### 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 five-year contract with Shannon & Wilson, Inc. to provide on-call environmental due diligence services for properties acquired or to be acquired for Sound Transit projects for a total authorized contract amount not to exceed \$3,840,650.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on January 7, 2010.

  
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Aaron Reardon  
Board Chair

ATTEST:

  
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Marcia Walker  
Board Administrator