

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2010-14

**Task Order with WSDOT for Construction and Construction Management Services
for the I-90 Two-Way Transit and HOV Operations Stage 2 Project**

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	1/21/10	Discussion/Possible Action to Recommend Board Approval	Jim Edwards, Director, Capital Project	(206) 398-5037
Board	1/28/10	Action	Carol Rhodes, Construction Program Manager Hank Howard, Project Manager	(206) 398-5056 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

I-90 Two-Way Transit and HOV Operations Stage 2 Project

PROPOSED ACTION

Authorizes the chief executive officer to execute Agreement GCA 3361 Task Order A-12 with the Washington State Department of Transportation to provide construction and construction management services for the I-90 Two-Way Transit and HOV Operations Stage 2 Project in the amount of \$19,862,286, with a 15% contingency of \$2,979,343, for a total authorized amount not to exceed \$22,841,629.

KEY FEATURES of PROPOSED ACTION

- This action defines a scope of services, funding, and roles and responsibilities for construction and construction management of the I-90 Two-Way Transit and HOV Operations Stage 2 project.
- Stage 2 will provide a new HOV lane in the eastbound outer roadway between 80th Avenue and Bellevue Way. It will also modify the existing direct access ramp at 80th Avenue to connect to the new eastbound HOV lane, reconfigure the lanes in the vicinity of the East Channel Bridge to allow continuous eastbound HOV direct access to I-405 and Bellevue Way, and extend the eastbound to southbound I-90 to I-405 auxiliary lane.
- The I-90 Two-Way Transit and HOV Operations Stage 2 project was advertised for construction bids on December 14, 2009. Bids will be opened on February 10, 2010. Construction is anticipated to begin in spring 2010.
- Construction of Stage 2 of the I-90 Two-Way Transit and HOV Operations project will be fully funded by Sound Transit.

BUDGET IMPACT SUMMARY

Current Project Phase: Construction
 Projected Completion Date: 2012

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 approval of this action is contingent upon the approval of Resolution No. R2010-01 to amend the 2010 lifetime and annual budgets. The numbers shown in the budget table below reflect the amended amounts. The amended Adopted 2010 Budget is \$31,682,924, with a construction phase budget of \$22,888,729. The proposed action is to execute an agreement with the Washington State Department of Transportation (WSDOT) - Agreement GCA 3361 Task Order A-12 in the amount of \$19,862,286 plus a 15% contingency. This action will result in a construction phase balance of \$47,100 and a project balance of \$4,857,617.

There are sufficient funds to complete this action within the project budget. 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: 386 - I-90 Two-way Transit & HOV Operations, Stage 2

	2010 Adopted Budget ¹ (A)	Committed To Date ² (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
Agency Administration	\$ 1,780	\$ 125	\$ -	\$ 125	\$ 1,655
Preliminary Engineering	\$ 1,847	\$ 1,629	-	\$ 1,629	219
Final Design	\$ 2,477	\$ 2,230	-	\$ 2,230	246
Right of Way	\$ 140	\$ -	-	\$ -	140
Construction	\$ 22,889	\$ -	22,842	\$ 22,842	47
Contingency	\$ 2,551	\$ -	-	\$ -	2,551
Total Current Budget	\$ 31,683	\$ 3,984	\$ 22,842	\$ 26,825	\$ 4,858

Phase Budget Detail

Construction	\$ 22,889	\$ -	\$ 22,842	\$ 22,842	47
Misc. Activity					-
Total Phase	\$ 22,889	\$ -	\$ 22,842	\$ 22,842	\$ 47

Contract Budget	Current Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
WSDOT Agreement GCA 3361 Task Order A-12	\$ -	\$ -	\$ 19,862	\$ 19,862
Contingency	-	-	2,979	\$ 2,979
Total	-	-	22,842	22,842
Percent Contingency	0%	0%	15%	15%

Notes:

¹ Project budget is located on page 118 of the Proposed 2010 Transit Improvement Plan budget book. The 2010 Budget was adopted by the Board on December 10, 2009 and is being amended by resolution R2010-01 which is being taken to the board concurrently with this action

² Committed to date amount includes actual outlays and commitments through November 30, 2010.

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 I-90 Two-Way Transit and HOV Operations project addresses a significant existing transportation need by providing new westbound and eastbound HOV lanes on the I-90 outer roadways between Seattle and Bellevue. It is part of the overall plan to convert the center roadway of I-90 to be used as a light rail.

The project is being implemented in stages that provide viable and independent transit and transportation benefits. Three stages have been identified for the I-90 Two-way Transit and HOV Operations project. This action only concerns the construction of the Stage 2 project which is expected to begin in spring 2010.

The Stage 3 project will complete the HOV improvements in the eastbound and westbound outer roadways between 80th Avenue SE on Mercer Island and Rainier Avenue and the addition of screening between the mainline traffic and the shared-use pathway. It also includes the tunnel and fire, life, and safety system improvements that are needed in the Mount Baker Ridge and First Hill Lid tunnel as well the improvements that are needed at Bellevue Way to preserve the eastbound and westbound HOV connections. Construction of the Stage 3 project is expected to begin by the spring of 2012.

The I-90 Two-Way Transit and HOV Operations Stage 2 project will improve regional mobility by providing a full-time HOV lane for eastbound traffic on the I-90 outer roadway between 80th Avenue Southeast on Mercer Island and Bellevue Way, while minimizing impacts to the environment and to other users and transportation modes. Major components of the I-90 Stage 2 project include:

- A new HOV lane in the eastbound outer roadway;
- Modifying the existing direct access ramp at 80th Avenue to connect to the new eastbound HOV lane;
- Reconfiguring the lanes in the vicinity of the East Channel Bridge to allow full-time eastbound HOV direct access to I-405 and Bellevue Way, and;
- Extending the eastbound to southbound I-90 to I-405 auxiliary lane.

The State Legislature provided \$10.6 million to WSDOT for the design of Stage 2 and Stage 3, however, the Legislature did not appropriate WSDOT's share of the funding for the construction of Stage 2.

Sound Transit and WSDOT have agreed in principle that construction of Stage 2 of the I-90 Two-Way and HOV Operations project will be fully funded by Sound Transit, and WSDOT will offset Sound Transit's funding against the future payments to be made by Sound Transit for the use of the center roadway by East Link in 2015. The parties will execute an umbrella agreement providing for the offset and other conditions of use.

The Final Environmental Impact Statement (FEIS) for the I-90 project was prepared in compliance with State Environmental Policy Act (SEPA) and National Environmental Policy Act (NEPA) and was issued on May 21, 2004. The Record of Decision (ROD) was approved and issued by the Federal Highway Administration (FHWA) on September 28, 2004. FHWA approved a NEPA Reevaluation in November 2007 covering minor project changes for Stage 2 work.

Prior Board/Committee Actions on this Project

Motion or Resolution Number and Date	Summary of Action
M2007-53 5/17/07	Authorized the chief executive officer to execute Agreement GCA 3536 Task Order 18 with the Washington State Department of Transportation for final design services for the I-90 Two-Way Transit and Operations, Stage 2 Project in the amount of \$1,954,782, with a contingency of \$195,478, for a total authorized amount not to exceed \$2,150,260.
M2004-63 8/12/04	Authorized the Chief Executive Officer to enter into an amendment to the I-90 Memorandum Agreement.
R2004-09 8/12/04	Amended Sound Move to provide for Two-Way Transit and HOV Operations in the outer roadways of I-90 and to select Alternative R-8A as the project to be built.
M2003-120 11/13/03	Directed staff to negotiate an amendment to the Memorandum Agreement for I-90 to define the guiding principles for the ultimate configuration of the I-90 roadway with HCT in the center roadway.
M2003-99 11/13/03	Identified Alternative R-8A as the preferred alternative for the I-90 Two-Way Transit and HOV Operations Project.
M2003-17 4/3/03	Authorized a supplement to the WSDOT Agreement and an amendment to the URS contract for the completion of PE/ED for the I-90 Project.
M2001-75 7/26/01	Provided direction on how to proceed on the environmental analysis for the I-90 Project.
M2001-07 1/25/01	Provided direction on how to proceed on the I-90 Project.
M2000-112 12/7/00	Approved a supplement to the Agreement with WSDOT for the I-90 Project.
R98-12 4/9/98	Authorized execution of a Master Agreement with WSDOT for the Big Four Projects (including Mercer Island/I-90).

CONSEQUENCES of DELAY

Bid opening is scheduled for February 10, 2010. WSDOT will not open bids until the Board has approved the budget amendment and the construction task order. If opening the bids is delayed, project completion could be delayed by several months, which could result in significant cost impacts to the project.

Delaying the Stage 2 project could delay or result in possible conflicts with the Stage 3 project. To allow construction of the East Link project to commence in 2015, construction of the I-90 Two-Way Transit and HOV Operations project must be complete by the end of 2014.

PUBLIC INVOLVEMENT

Sound Transit has conducted an extensive community outreach effort. To date, the agency has mailed four newsletters; held and attended over seventeen public meetings; and held three open houses in May 2003 in the Cities of Bellevue, Seattle, and Mercer Island as part of the public review process for the Draft and Final EIS. Sound Transit will continue to update the public throughout the life of the project.

ENVIRONMENTAL COMPLIANCE

SSK 1/06/10

LEGAL REVIEW

BN 1/13/10

SOUND TRANSIT

MOTION NO. M2010-14

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-12 with the Washington State Department of Transportation to provide construction and construction management services for the I-90 Two-Way Transit and HOV Operations Stage 2 Project in the amount of \$19,862,286, with a 15% contingency of \$2,979,343, for a total authorized amount not to exceed \$22,841,629.

Background:

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Motion:

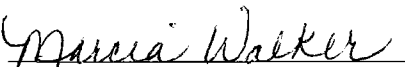
It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute Agreement GCA 3361 Task Order A-12 with the Washington State Department of Transportation to provide construction and construction management services for the I-90 Two-Way Transit and HOV Operations Stage 2 Project in the amount of \$19,862,286, with a 15% contingency of \$2,979,343, for a total authorized amount not to exceed \$22,841,629.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on January 28, 2010.



Aaron Reardon
Board Chair

ATTEST:



Marcia Walker
Board Administrator