

**MOTION NO. M2010-81**
**Construction Contract Award for the D Street to M Street Track and Signal Project**

<b>MEETING:</b>	<b>DATE:</b>	<b>TYPE OF ACTION:</b>	<b>STAFF CONTACT:</b>	<b>PHONE:</b>
Board	8/26/10	Final Action	Ahmad Fazel, DECM Executive Director <b>Tom Dean, Construction Project Manager</b>	(206) 398-5389  (206) 398-5147

**PROPOSED ACTION**

Authorizes the chief executive officer to execute a contract with the lowest responsive and responsible bidder, MidMountain Contractors, Inc., for the construction of the D Street to M Street Track and Signal project in the amount of \$40,823,190, with a 10% contingency of \$4,082,319, for a total authorized contract amount not to exceed \$44,905,509.

**KEY FEATURES**

- The proposed action would provide for construction of the rail connection between the existing Tacoma Dome Station on D Street and M Street, allowing Sounder service from Lakewood to Seattle.
- Consistent with the final alignment approved by the Sound Transit Board in December 2007, construction includes:
  - Bridge structures over Pacific Avenue, B Street gully, and A Street. The bridge over Pacific Avenue will provide traffic unimpeded access north and south of the rail line. Grade separation at Pacific Avenue requires lowering the intersection of Pacific Avenue and South Tacoma Way approximately 14 feet.
  - Roadway paving, sidewalks, curb, and gutter installation and associated utility relocations.
  - Retaining wall structures for the track alignment and roadway revisions.
  - Grade crossings at East C, South C, and East D Streets with associated crossing warning signals.
  - Centralized Traffic Control (CTC) system from Tacoma to Lakewood.
  - Pedestrian undercrossing at A Street.
  - Landscaping and irrigation.
  - Wetland mitigation at McKinley Park.
  - Landscaping and benches, bike racks and trash receptacles at South Tacoma Station.

**PROJECT DESCRIPTION**

The D Street to M Street Track and Signal project includes construction of a 1.2-mile section of new track, connecting the Tacoma Dome Station to existing rail right-of-way. When completed, the project will extend Sounder service to South Tacoma and Lakewood.

**FISCAL INFORMATION**

Summary for Board Action (Year of Expenditure \$000)

Project: 135 - D Street - M Street Track & Signal

	2010 Board Adopted Budget <sup>1</sup> (A)	Committed To Date <sup>2</sup> (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
Agency Administration	\$ 8,894	\$ 8,894	\$ -	\$ 8,894	\$ -
Preliminary Engineering	\$ 1,725	\$ 1,744	\$ -	\$ 1,744	\$ (19)
Final Design	\$ 14,364	\$ 13,427	\$ -	\$ 13,427	\$ 937
3rd Party	\$ -	\$ -	\$ -	\$ -	\$ -
Right of Way	\$ 50,123	\$ 37,718	\$ -	\$ 37,718	\$ 12,406
Construction	\$ 71,119	\$ 6,082	\$ 44,906	\$ 50,988	\$ 20,132
Construction Management	\$ -	\$ -	\$ -	\$ -	\$ -
Vehicles	\$ 8,953	\$ 8,953	\$ -	\$ 8,953	\$ -
Contingency	\$ 6,401	\$ -	\$ -	\$ -	\$ 6,401
<b>Total Current Budget</b>	<b>\$ 161,581</b>	<b>\$ 76,819</b>	<b>\$ -</b>	<b>\$ 121,725</b>	<b>\$ 39,856</b>

**Phase Budget Detail**

Construction	\$ 71,119	\$ 6,082	\$ 44,906	\$ 50,988	\$ 20,132
<b>Total Phase</b>	<b>\$ 71,119</b>	<b>\$ 6,082</b>	<b>\$ 44,906</b>	<b>\$ 50,988</b>	<b>\$ 20,132</b>

**Contract Budget**

	Current Approved Contract Value (F)	Committed To Date <sup>2</sup> (G)	Proposed Action (H)	Proposed Total Contract Value (I)
MidMountain Contractors, Inc.	\$ -	\$ -	\$ 40,823	\$ 40,823
Contingency	\$ -	\$ -	\$ 4,082	\$ 4,082
<b>Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 44,906</b>	<b>\$ 44,906</b>
<b>Percent Contingency</b>	<b>0%</b>	<b>0%</b>	<b>10%</b>	<b>10%</b>

**Notes:**

<sup>1</sup> Project budget is located on page 57 of the Adopted 2010 Transit Improvement Plan budget book.

<sup>2</sup> Committed to date amount includes actual outlays and commitments through July 31, 2010.

**SMALL BUSINESS PARTICIPATION**

Sound Transit Goal:

Small Business: 15%

DBE: 6%

Commitment:

Small Business: 21.7%

DBE: 6.3%

Subconsultant/Subcontractor	Business Type	% of Work	Dollar Value
MidVale Electric	Small Business	15.4%	\$6,300,000
Amaya Electric Co.	DBE	4.9%	\$2,000,000
Silverstreak Trucking	DBE	0.8%	\$335,000
American Pride	DBE	0.4%	\$165,000
KT Contracting Co., Inc	DBE	0.2%	\$70,000
<b>Total</b>		<b>21.7%</b>	<b>\$8,870,000</b>

## **APPRENTICE UTILIZATION COMMITMENT**

Apprentice utilization goal: 20%

## **EQUAL EMPLOYMENT WORKFORCE PROFILE**

112 employees; 14% women; 17% minorities.

## **BACKGROUND**

The D Street to M Street Track and Signal project will connect the Tacoma Dome Station, the current southern terminus for Sounder service, with Sound Transit's existing rail right-of-way at Tacoma Avenue South and extend track and signal improvements westward to join the improvements of the M Street to Lakewood Track and Signal project. The project will install a Centralized Traffic Control (CTC) railroad signaling system over the entire Lakewood to Tacoma segment of the rail corridor.

In December 2007, the Sound Transit Board selected an alignment that provides grade-separation over Pacific Avenue. Final design of the project began in July 2008. Resolution No. R2009-19, approved by the Board on September 24, 2009, amended the Adopted 2009 Budget and established the project budget at \$161,000,000. The project will receive funds from the Federal Railroad Administration (FRA), Federal Transit Administration (FTA), Surface Transportation Program, Congestion Mitigation/Air Quality, and WSDOT Regional Mobility programs.

In the public bid opening held on June 29, 2010, Sound Transit received seven bids through the competitive bid process. The bids ranged from \$40,823,190 to \$46,595,347 and the engineer's estimate was \$66,423,688. In the initial evaluation of the bids, Sound Transit found MidMountain's bid non-responsive. MidMountain had neglected to submit the lobbying certification form with the rest of its sealed bid documents. MidMountain protested this decision, and as part of the administrative appeal process the decision was ultimately reversed.

Construction is anticipated to begin in fall 2010 and be substantially completed in mid-2012. Sounder service to Lakewood will begin in 2012.

## **ENVIRONMENTAL COMPLIANCE**

Environmental documentation and approvals required under NEPA (National Environmental Policy Act) and SEPA (State Environmental Policy Act) have been completed by Sound Transit. NEPA/SEPA Final EIS for the Lakewood to Tacoma Commuter Rail project, which included the D Street to M Street segment, was issued by Sound Transit and the FTA in May 2002. FTA approved a Record of Decision (ROD) in December 2002 for the Lakewood to Tacoma Commuter Rail project. The FTA approved a NEPA re-evaluation for the revised D to M Street alignment (Modified Alternative 3) in November 2007. Sound Transit also issued a SEPA Addendum (December 2007) for Modified Alternative 3, which is the project authorized for construction by the Sound Transit Board in December 2007.

SSK 6/24/10

## **PRIOR BOARD/COMMITTEE ACTIONS**

Motion No. M2009-98 – Authorized the chief executive officer to execute three agreements with the City of Tacoma: Master Utilities Licensing Agreement, the Right of Use Agreement, and the D-to-M Streets Track and Signal Project Development Agreement, and to execute all other subsequent agreements with the City of Tacoma as may be necessary to implement these agreements, for a total authorized expenditure not to exceed \$1,212,349.

Resolution R2009-19 – Amended the Adopted 2009 Budget to increase the lifetime budget for the Sounder D – M Street Track and Signal project from \$101.025 million to \$161.581 million and the 2009 annual budget for the project from \$29.914 million to \$38.4 million.

Motion No. M2007-126 – Selected the Alternative 3 Modified – Grade-Separated option as the project to be built for the D Street-to-M Street rail connector.

Motion No. M2007-94 – Identified Alternative 3 Modified as the preferred alternative for the D Street-to-M Street rail connector for purposes of completing environmental documentation under NEPA and SEPA and directed staff to further study Alternative 3 Modified with an at-grade crossing of Pacific Avenue to bring the engineering and cost estimate to the same level as previous alternatives.

Motion No. M2007-36 – Authorized staff to expand the scope of the feasibility study of the proposed grade separation of the Sounder commuter rail track across Pacific Avenue to consider an additional alternative, including preliminary engineering, environmental analysis and outreach to affected property owners.

Resolution No. R2006-24 – Approved the Sound Transit Adopted 2007 Budget: Project 130 (M Street-to-Lakewood Track & Signal Project) and Project 134 (D-to-M Streets Track & Signal Project).

Motion No. M2006-34 – Authorized staff to complete a feasibility study on the proposed grade separated Sounder commuter rail track between D Street and M Street using currently authorized Tacoma to Lakewood Track and Signal Project contingency funds.

Resolution No. R2002-21 – Selected the rail line corridor improvements, station locations in South Tacoma and Lakewood, SR-512 Park and Ride expansion improvements, train layover facility for the Lakewood-to-Tacoma Commuter Rail, and SR-512 Park-and-Ride Expansion Projects.

### **TIME CONSTRAINTS**

A delay in approval of this action will delay the start and completion of construction.

### **LEGAL REVIEW**

LA 8/20/10

**MOTION NO. M2010-81**

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a contract with the lowest responsive and responsible bidder, MidMountain Contractors, Inc., for the construction of the D Street to M Street Track and Signal project in the amount of \$40,823,190, with a 10% contingency of \$4,082,319, for a total authorized contract amount not to exceed \$44,905,509.

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Construction is anticipated to begin in fall 2010 and be substantially completed in mid-2012. Sounder service to Lakewood will begin in 2012.

**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 the lowest responsive and responsible bidder, MidMountain Contractors, Inc., for the construction of the D Street to M Street Track and Signal project in the amount of \$40,823,190, with a 10% contingency of \$4,082,319, for a total authorized contract amount not to exceed \$44,905,509.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on August 26, 2010.



Fred Butler  
Board Vice Chair

ATTEST:



Marcia Walker  
Board Administrator