

MOTION NO. M2011-78
Pre-Construction Phase Services for University Link Light Rail Systems Construction

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:	PHONE:
Capital Committee	11/10/11	Final Action	Ahmad Fazel, DECM Executive Director Joe Gildner, University Link Executive Project Director Justin Garrod, Senior Systems Engineer	206-398-5389 206-689-3350 206-398-5384

PROPOSED ACTION

Authorizes the chief executive officer to execute a contract with Stacy and Witbeck, Inc. to provide pre-construction phase services for the University Link systems construction in the amount of \$666,455, with a 7.5% contingency of \$50,000, for a total authorized contract amount not to exceed \$716,455.

KEY FEATURES

- Pre-construction phase services include reviews of the project schedule, phasing and interface requirements, constructability issues and value engineering proposals. Pre-construction services will last approximately eleven months. The proposed contract uses the Construction Manager/General Contractor (GC/CM) method of contracting. The GC/CM method was selected for the systems contract based on complex scheduling, phasing requirements and extensive interface with other contractors, and highly technical construction requirements.
- Following the pre-construction phase activities, Sound Transit will negotiate a contract with Stacy and Witbeck, Inc. for the systems construction and establish a Maximum Allowable Construction Cost (MACC) as the basis for award of the GC/CM contract.
- If MACC negotiations are successful, the systems construction contract will be brought to the Board for approval (anticipated to be in November 2012). If an agreement on the MACC cannot be reached, Sound Transit will have the option of bidding the work through a traditional Invitation for Bids (IFB) or entering into cost negotiations with the second ranked firm.

PROJECT DESCRIPTION

University Link (U-Link) is a 3.15-mile light rail extension located entirely underground with tunnels traveling east from Pine Street, under the I-5 freeway to an underground station at Capitol Hill, continuing north beneath SR 520 and the Lake Washington Ship Canal to an underground station on the UW campus, near Husky Stadium. The University Link systems contract is responsible for the installation of track, signaling, traction power substations, overhead catenary system and communications systems for the University Link extension.

FISCAL INFORMATION

Project Budget

University Link	2011 TIP	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Agency Administration	115,229	44,673		44,673	70,556
Preliminary Engineering	24,349	24,266		24,266	82
Final Design	87,633	78,377		78,377	9,256
Right of Way	152,332	125,855		125,855	26,477
Construction	1,158,183	712,111		712,111	446,072
Construction Services	95,726	80,229	716	80,946	14,780
Third Party Agreements	18,646	11,568		11,568	7,078
Vehicles	103,909	99,185		99,185	4,724
Total Current Budget	1,756,007	1,176,266	716	1,176,982	579,025

Phase Detail

Construction Services

U830 Preconstruction Services	-	-	716	716	(716)
U250 Preconstruction Services	2,000	419		419	1,581
Other Construction	93,726	79,811		79,811	13,915
Total Phase	95,726	80,229	716	80,946	14,780

Contract Detail

Contract	Board Approvals to Date	Current Approved Contract Status	Proposed Action	Proposed Total for Board Approval
Contract	-	-	666	666
Contingency	-	-	50	50
Total Contract Amount	-	-	716	716
Percent Contingency	0.0%	0.0%	7.5%	7.5%

Budget Shortfall

U250 Preconstruction Services	716
Total Funding	716

Notes:

Amounts are expressed in Year of Expenditure \$000s.

Board Approvals = Committed To-Date + Contingency, and includes pending Board actions.

Project Budget is located on page 47 of the 2011 Transit Improvement Plan (TIP).

SMALL BUSINESS PARTICIPATION

Sound Transit Goal: 0%

Commitment: 0%

The pre-construction phase of this work does not include a small business goal. As part of the pre-construction phase services, Stacy and Witbeck Inc. will develop a subcontracting plan for construction. Sound Transit has established a goal of 5% Small Business including 2% Disadvantaged Business Enterprises participation for the construction phase of the contract.

EQUAL EMPLOYMENT WORKFORCE PROFILE

543 employees; 22% women; 43% minorities

BACKGROUND

The Washington State Project Review Committee granted approval for Sound Transit to utilize GC/CM for this procurement in June 2011. The GC/CM method of contracting involves contractor selection based on qualifications and pricing for specific elements of the contract including

specified general conditions costs, and contractor fee. This is Sound Transit's second construction contract using the GC/CM method for contracting.

A Request for Qualifications/Proposed Approach (RFQ/PA) was issued on June 28, 2011 and four proposals were received. Following review and evaluation of these proposals, three contractor teams were invited for oral interviews and to submit final proposals pursuant to a Request for Final Proposals (RFFP), including their price offers for specified work items. The price offers were opened publicly on September 27, 2011. Based on evaluation of proposals, oral interviews, and price offers, Stacy and Witbeck, Inc. is the highest ranked firm.

Consistent with the GC/CM process, following completion of pre-construction services, Sound Transit will attempt to negotiate a MACC with the contractor. If a MACC is agreed upon, the MACC is added to several fixed amounts already submitted by the contractor as part of its price offer to determine the Total Contract Cost. Generally speaking, subject to certain statutory and contractual exceptions, the contractor bears the risk if actual construction costs exceed the Total Contract Cost.

If a MACC is agreed to, it is anticipated that Board approval will be requested to execute a construction contract for systems work with Stacy and Witbeck, Inc. to construct the University Link Light Rail Systems. The systems contract will include track installation, signaling, traction power substations, overhead catenary system, and communications systems for the University Link extension. Completion of the University Link systems contract is anticipated in December 2015.

Environmental compliance for University Link pursuant to the National Environmental Policy Act (NEPA) and State Environmental Policy Act (SEPA) was completed with the North Link Final Supplemental Environmental Impact Statement (EIS) issued on April 7, 2006. The Federal Transit Administration issued a Record of Decision for North Link in June 2006.

ENVIRONMENTAL COMPLIANCE

Jl 10/12/2011

TIME CONSTRAINTS

A one month delay could delay the start of construction and could result in failure to meet contract milestone dates that are required under the Master Implementation Agreement (MIA) with the University of Washington. Under the terms of the MIA, liquidated damages may be assessed by the University for such delays.

PUBLIC INVOLVEMENT

Not applicable to this action.

LEGAL REVIEW

LA 11/3/11

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A motion of the Capital Committee of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a contract with Stacy and Witbeck, Inc. to provide pre-construction phase services for the University Link systems construction in the amount of \$666,455, with a 7.5% contingency of \$50,000, for a total authorized contract amount not to exceed \$716,455.

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Pre-construction phase services include reviews of the project schedule, phasing and interface requirements, constructability issues and value engineering proposals. Pre-construction services will last approximately eleven months.

Consistent with the GC/CM process, following completion of pre-construction services, Sound Transit will attempt to negotiate a Maximum Allowable Construction Cost (MACC) with the contractor. If a MACC is agreed upon, the MACC is added to several fixed amounts already submitted by the contractor as part of its price offer to determine the Total Contract Cost. Generally speaking, subject to certain statutory and contractual exceptions, the contractor bears the risk if actual construction costs exceed the Total Contract Cost.


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MOTION:

It is hereby moved by the Capital Committee of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute a contract with Stacy and Witbeck, Inc. to provide pre-construction phase services for the University Link systems construction in the amount of \$666,455, with a 7.5% contingency of \$50,000, for a total authorized contract amount not to exceed \$716,455.

APPROVED by the Capital Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on November 10, 2011.



Fred Butler
Capital Committee Chair

ATTEST:



Marcia Walker
Board Administrator