

MOTION NO. M2012-91
Increase Contract Contingency for the D Street to M Street Track and Signal Project

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:	PHONE:
Capital Committee	12/13/12	Recommendation to Board	Ahmad Fazel, DECM Executive Director	206-398-5389
Board	12/20/12	Final Action	Eric Beckman, Project Director	206-398-5251

PROPOSED ACTION

Authorizes the chief executive officer to increase the contingency for the contract with MidMountain Contractors, Inc. for the construction of the D Street to M Street Track and Signal Project in the amount of \$1,950,000, for a new total authorized contract amount not to exceed \$69,533,109.

KEY FEATURES SUMMARY

- An increase to the contract contingency is needed to pay for the costs of additional time impacts owed to the contractor, which include extended overhead and any acceleration costs.
- This final contingency request is intended to cover the remaining work identified within this contract and is consistent with the previous board actions.

BACKGROUND

The D Street-to-M Street Track and Signal Project will construct a rail connection between the existing Tacoma Dome Station and Sound Transit's Lakeview Subdivision railroad line. The project includes 1.4 miles of track work between East D and South M Streets, a rail bridge over Pacific Avenue, roadway reconstruction, utility relocation and installation of a centralized traffic control system over the entire Lakewood to Tacoma segment.

The project connects the Tacoma Dome Station with Sound Transit's existing rail right-of-way at Tacoma Avenue South, and extends track and signal improvements westward to join the improvements of the M Street to Lakewood Track and Signal Project. 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. On June 29, 2010, Sound Transit received seven bids through the competitive bid process. Construction began in September 2010 and is substantially complete. Sound Transit launched the start of revenue service to South Tacoma and Lakewood Stations on October 8, 2012.

FISCAL IMPACT

The 2012 TIP for the D Street to M Street Track and Signal project is \$161,280,747. Within that amount, \$58,490,608 has been set aside for the construction contract for the track and signal in the construction phase of the budget. The proposed action would commit an additional \$1,950,000 to this line item, leaving a remaining project budget balance of \$5,995,219.

The proposed action is consistent with the current adopted budget, and sufficient monies remain after approval of this action to fund the remaining work in the Construction phase as contained in

the current cost estimates. The action is affordable within the agency's long-term financial plan and subarea financial capacity, and will have no new revenue impact on Sound Transit.

D Street to M Street Track and Signal Budget Table

	2012 TIP	Board Approvals	This Action	Board Approved Plus Action	Uncommitted/ (Shortfall)
Agency Administration	9,396	8,248	-	8,248	1,148
Preliminary Engineering	1,694	1,735	-	1,735	(40)
Final Design	18,612	18,694	-	18,694	(82)
3rd Party	846	846	-	846	0
Right of Way	44,613	41,965	-	41,965	2,648
Construction	70,948	66,677	1,950	68,627	2,321
Construction Management	6,218	6,218	-	6,218	(0)
Vehicles	8,953	8,953	-	8,953	-
Contingency	-	-	-	-	-
Total Project Budget	\$ 161,281	\$ 153,336	\$ 1,950	\$ 155,286	\$ 5,995

Phase Detail

Construction

Mid Mountain Contractors, Inc.	58,491	57,854	1,950	59,804	(1,313)
Other Phase Activity	12,458	8,823	-	8,823	3,634
Total Phase	\$ 70,948	\$ 66,677	\$ 1,950	\$ 68,627	\$ 2,321

Contract Detail

	Board Approvals to Date	Current Approved Contract Status	Proposed Action	Proposed Total for Board Approval
Mid Mountain Contractors, Inc.				
Contract - D St - M St Track & Signal	48,015	58,735	-	58,735
Contingency - D St - M St Track & Signal	13,539	2,819	1,950	4,769
Total D St - M St Contract Amount	61,554	61,554	1,950	63,504
Betterment - D St - M St Track & Signal	652	652		652
Contract - M St - Lakewood Track & Signal	5,378	5,378	-	5,378
Contingency - M St - Lakewood Track & Signal	-	-	-	-
Total M St - Lakewood Contract Amount	5,378	5,378	-	5,378
Total Contract Amount	\$ 67,583	\$ 67,583	\$ 1,950	\$ 69,533
Percent Contingency	25%	4%	100%	7%

Budget Shortfall

Contract shortfall	1,313
Construction phase	1,313
Total Funding	\$ 1,313

Notes:

Amounts are expressed in Year of Expenditure \$000.

Board Approvals = Committed to date + Contingency through October 31, 2012, and includes pending Board actions.

Project budget is located on page 72 of the 2012 Transit Improvement Plan.

SMALL BUSINESS PARTICIPATION

Sound Transit Goal:

Small Business: 15%

DBE: 6%

Commitment:

Small Business: 21.7%

DBE: 6.3%

To date MidMountain has paid 37% of all invoiced dollars to Small and Disadvantaged Businesses of which 8% of those dollars went to DBE's. MidMountain has exceeded the SBE/DBE goal for this project.

EQUAL EMPLOYMENT WORKFORCE PROFILE

112 employees; 14% women; 17% people of color.

APPRENTICE UTILIZATION COMMITMENT

Women performed 24% of apprenticeship workforce hours and people of color performed 28% of those apprenticeship hours.

PUBLIC INVOLVEMENT

Not applicable to this action.

TIME CONSTRAINTS

A delay in approval of this action will not affect the project schedule, other than delay closeout of the contract.

PRIOR BOARD/COMMITTEE ACTIONS

Motion No. M2012-38: Authorized the chief executive officer to increase the contingency for the contract with MidMountain Contractors, Inc. for the D Street to M Street Track and Signal project, in the amount of \$3,700,000 for a new total authorized contract amount not to exceed \$67,583,109.

Motion No. M2011-70: Authorized the chief executive officer to increase the contingency for the contract with MidMountain Contractors, Inc. for the D Street to M Street Track and Signal project, in the amount of \$8,000,000 for a new total authorized contract amount not to exceed \$63,855,509.

Motion No. M2011-35: Authorized the chief executive officer to increase the contingency for the contract with MidMountain Contractors, Inc. for the D Street to M Street Track and Signal project, in the amount of \$10,950,000, for a new total authorized contract amount not to exceed \$55,855,509.

Motion No. M2010-81: Authorized the chief executive officer to execute a contract with 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.

ENVIRONMENTAL REVIEW

Jl 11/30/2012

LEGAL REVIEW

JW 12/07/12

MOTION NO. M2012-91

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to increase the contingency for the contract with MidMountain Contractors, Inc. for the construction of the D Street to M Street Track and Signal Project in the amount of \$1,950,000, for a new total authorized contract amount not to exceed \$69,533,109.

BACKGROUND:

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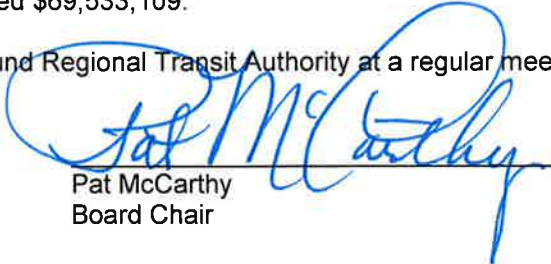
Final design of the project began in July 2008. On June 29, 2010, Sound Transit received seven bids through the competitive bid process. Construction began in September 2010 and is substantially complete. Sound Transit launched the start of revenue service to South Tacoma and Lakewood Stations on October 8, 2012.

An increase to the contract contingency is needed to pay for the costs of additional time impacts owed to the contractor, which include extended overhead and any acceleration costs. This final contingency request is intended to cover the remaining work identified within this contract and is consistent with the previous board actions.

MOTION:

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to increase the contingency for the contract with MidMountain Contractors, Inc. for the construction of the D Street to M Street Track and Signal Project in the amount of \$1,950,000, for a new total authorized contract amount not to exceed \$69,533,109.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on December 20, 2012.


Pat McCarthy
Board Chair

ATTEST:



Marcia Walker
Board Administrator