

MOTION NO. M2013-39
Stipend Agreements for Design-Build Contract Procurement for S 200th Link Extension Parking Garage

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:	PHONE:
Capital Committee	06/13/13	Final Action	Ahmad Fazel, DECM Executive Director Miles Haupt, Project Director	206-398-5389 206-370-5501

PROPOSED ACTION

Authorizes the chief executive officer to execute up to three stipend agreements with contractors selected to submit proposals for a design-build contract to provide the parking garage and plaza elements of the S. 200th Link Extension in the amount \$100,000 each for two stipends, and \$200,000 for one stipend, for a total authorized amount not to exceed \$400,000.

KEY FEATURES SUMMARY

- RCW 39.10.330 requires honorarium payments in the form of stipends, to finalists submitting responsive proposals that are not awarded the design-build contract.
- This action provides for execution of up to three stipend agreements with the finalists for the preparation of detailed design-build proposals, and funding for the top selected firm to prepare a concept validation submittal.
- A \$100,000 stipend would be paid to any finalist that executes the stipend agreement, submits a responsive proposal, and is ultimately not awarded a contract under this procurement. A \$200,000 stipend would be paid to the top proposer who submitted a responsive proposal and a responsive concept validation submittal, if it ultimately is not awarded a contract under this procurement. Stipends will not be paid until after contract execution or cancellation of the procurement. No stipend will be paid to the finalist that is awarded the design-build contract.

BACKGROUND

S. 200th Link Extension is a 1.6-mile light rail extension on an aerial guideway alignment from the SeaTac/Airport Station to South 200th Street along 28th Avenue South, in the City of SeaTac. The project also includes an elevated station at South 200th Street with off street parking, a passenger drop-off area, bus transfer facilities, and pedestrian and bicycle improvements.

In July 2011, the Sound Transit Board adopted the South Link – Airport to South 200th Street Project baseline schedule for extension of Link light rail to South 200th Street by September 2016, four years earlier than contemplated in the Sound Transit 2 Plan. The major elements of the project, the aerial guideway and station, are being delivered using a design-build contract which began in October 2012. The parking garage and related scope are also planned to be delivered using a design-build contract which is scheduled to begin in April 2014.

A request for qualifications (RFQ) for the parking garage was issued on May 22, 2013. Statements of qualifications (SOQ) are scheduled to be submitted by interested design/build teams on June 25, 2013. The SOQs will be reviewed and evaluated for responsiveness to the criteria in the RFQ, and up to three finalists may be selected to receive the request for proposals (RFP). The RFP's scope of work includes the parking garage, plaza and a small retail facility, a passenger drop-off area, interim surface parking and optimized opportunities for successful future transit-oriented

development (TOD) on areas of the site not used for transit facilities. The station area roadway improvements, SCADA, and fare collections systems will be procured separately. The final RFP is scheduled to be issued in August 2013, and final proposals are scheduled to be due in October 2013. The selection of the preferred design-build contractor will be based on a “best value” formula that includes technical factors and price.

Per RCW 39.10.330, public bodies using the design-build contracting method “... shall provide appropriate honorarium payments to finalists submitting responsive proposals that are not awarded a design-build contract. Honorarium payments shall be sufficient to generate meaningful competition among potential proposers on design-build projects. In determining the amount of the honorarium, the public body shall consider the level of effort required to meet the selection criteria.” The statute also requires that the public body list in the RFQ, “the amount to be paid to finalists submitting responsive proposals and who are not awarded a design-build contract”. Sound Transit has complied with the statute for design-build procurements by stating in the S 200th Link Extension – Parking Garage RFQ that Sound Transit will pay a stipend (honorarium) in the amount of \$70,000 to 100,000 to each firm that executes the stipend agreement, submits a responsive proposal, and is ultimately not awarded a contract under this procurement. A stipend will not be paid to the finalist that is awarded the design-build contract.

After the “best-value” proposer team is selected they are required to prepare and submit a concept validation submittal for Sound Transit’s approval which will document the proposer’s concept, the permit requirements and other project information required by Sound Transit. An additional \$100,000 stipend would be paid to the selected proposer if he submits an acceptable concept validation submittal, but is not awarded the contract or the procurement is cancelled.

FISCAL IMPACT

The 2013 TIP for the South 200th Link Extension is \$383.2 million. Within that amount \$1,600,200 has been set aside for Honoraria in the Construction phase. Of that amount, \$1,200,000 has been committed. The proposed action would increase commitments for this line item by \$400,000 to a revised total of \$1,600,000, and leaves a remaining budget balance of \$200.

The action is within the adopted budget and sufficient monies remain after approval of this action to fund the remaining work in the project as contained in the current cost estimates.

S 200th Link Extension

	2013 TIP	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Agency Administration	15,864	5,413		5,413	10,451
Preliminary Engineering	5,702	5,698		5,698	3
Final Design	6,811	6,462		6,462	348
Right of Way	43,549	34,054		34,054	9,495
Construction	286,909	194,013	400	194,413	92,496
Construction Services	17,322	16,434		16,434	888
Third Party Agreements	7,085	5,525		5,525	1,560
Vehicles	-	-		-	-
Total Current Budget	383,241	267,600	400	268,000	115,241

Phase Detail

Construction

Honoraria	1,600	1,200	400	1,600	0
Other Construction	285,309	192,813	-	192,813	92,496
Total Phase	286,909	194,013	400	194,413	92,496

Contract Detail

Contractors Selected to Submit Proposals	Board Approvals to Date	Current Approved Contract Status	Proposed Action	Proposed Total for Board Approval
Contract Amount	-	-	400	400
Contingency	-	-	-	-
Total	-	-	400	400
Percent Contingency	0%	0%	0%	0%

Notes:

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

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

2013 TIP = Project budget located on page 35 of the Adopted 2013 Transit Improvement Plan (TIP)

SMALL BUSINESS PARTICIPATION

Not applicable to this action.

EQUAL EMPLOYMENT WORKFORCE PROFILE

Not applicable to this action.

PUBLIC INVOLVEMENT

Not applicable to this action.

TIME CONSTRAINTS

Board consideration and approval in June will maintain the schedule established for the parking garage procurement. A one-month delay in approval could be accommodated, but it would consume all available schedule float for achieving issuance of the procurement's final RFP to the competing teams in August.

PRIOR BOARD/COMMITTEE ACTIONS

Resolution No. R2011-05: (1) Accelerated the South Link – Airport to South 200th Street Project and establishes a project completion schedule milestone of September 2016; (2) approved Gates 4 and 5 within Sound Transit’s Phase Gate system; (3) amended the Project Lifetime Budget to increase it by \$341,849,600, from \$41,391,400 to \$383,241,000; and (4) amended the Adopted 2011 Annual Project Budget to increase it by \$500,829, from \$11,338,347 to \$11,839,175.

ENVIRONMENTAL REVIEW

Jl 5/23/2013

LEGAL REVIEW

JEN 6/7/2013

MOTION NO. M2013-39

A motion of the Capital Committee of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute up to three stipend agreements with contractors selected to submit proposals for a design-build contract to provide the parking garage and plaza elements of the S. 200th Link Extension in the amount \$100,000 each for two stipends, and \$200,000 for one stipend, for a total authorized amount not to exceed \$400,000.

BACKGROUND:

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The statute also requires that the public body list in the RFQ, "the amount to be paid to finalists submitting responsive proposals and who are not awarded a design-build contract". Sound Transit has complied with the statute for design-build procurements by stating in the S 200th Link Extension – Parking Garage RFQ that Sound Transit will pay a stipend (honorarium) in the amount of \$70,000 to 100,000 to each firm that executes the stipend agreement, submits a responsive proposal, and is ultimately not awarded a contract under this procurement. A stipend will not be paid to the finalist that is awarded the design-build contract.

After the "best-value" proposer team is selected they are required to prepare and submit a concept validation submittal for Sound Transit's approval which will document the proposer's concept, the permit requirements and other project information required by Sound Transit. An additional \$100,000 stipend would be paid to the selected proposer if he submits an acceptable concept validation submittal, but is not awarded the contract or the procurement is cancelled.

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 up to three stipend agreements with contractors selected to submit proposals for a design-build contract to provide the parking garage and plaza elements of the S. 200th Link Extension in the amount \$100,000 each for two stipends, and \$200,000 for one stipend, for a total authorized amount not to exceed \$400,000.

APPROVED by the Capital Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on June 13, 2013.



Fred Butler
Capital Committee Chair

ATTEST:



Marcia Walker
Board Administrator