



MOTION NO. M2015-124

**Increase Contingency for Construction Management Consultant Services for the Mukilteo Station South Platform Project**

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:
Capital Committee	12/10/2015	Final Action	Ahmad Fazel, DECM Executive Director <b>Mark Johnson, Project Director</b> <b>Richard Sage, Director, Construction Management</b>

PROPOSED ACTION

Authorizes the chief executive officer to increase the contingency with KBA, Inc. for construction management services for the Sounder Mukilteo Station South Platform in the amount of \$100,000, for a new total authorized contract amount not to exceed \$1,750,000.

KEY FEATURES SUMMARY

- Construction of the Sounder Mukilteo Station South Platform has extended approximately 16 months longer than originally scheduled due to restricted access issues and several design modifications.
- This action will increase the contingency by \$100,000 to allow KBA, Inc. to provide construction management services to address the extended period of construction and necessary additional oversight and inspection.
- Additional contingency funds will address management of construction work remaining to complete the project. This work includes punch list corrections, commissioning, final inspections, and approvals by authorities having jurisdiction and contract closeout.
- This request will cover the remaining work identified within this contract based on the new schedule to complete construction in the 1<sup>st</sup> quarter of 2016.

BACKGROUND

The Sounder Mukilteo Station South Platform project is the second stage of construction for the new commuter rail facility adjacent to the proposed Washington State Ferries dock and the expanded facilities for Community Transit service. This stage of the project consists of the construction of the south platform and station buildings including stairways, elevators, utilities, a pedestrian bridge, and other infrastructure. Much of the construction work takes place immediately adjacent the BNSF mainline tracks, requiring railroad worker protection for the contractor's forces that can be provided only by BNSF.

The construction contractor's progress has been hampered throughout construction by difficulty in obtaining from BNSF protection for workers and access to the site for delivery of materials, which requires crossing the BNSF tracks. The BNSF holiday moratorium on track closures in 2013 delayed start of construction on site, and the 2014 holiday moratorium also delayed progress. Sound Transit has had difficulty obtaining flagging or other worker protection from BNSF when needed by the contractor. As a result of the approximately 16-month delay in completing the project's construction, additional construction management consultant services have been needed for an equally long and difficult-to-anticipate period. The existing contract's contingency will be exhausted in December. Replenishing contingency as requested will fund construction management services through project acceptance in the 1st quarter of 2016.

## PROJECT STATUS

Project Identification	Alternatives Identification	Conceptual Engineering	Preliminary Engineering	Final Design	Construction
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Projected Completion Date for Construction: 1Q 2016

Project scope, schedule and budget summary located on page 113 of the September 2015 Agency Progress Report.

## FISCAL INFORMATION

The Proposed 2016 TIP for the Sounder Mukilteo Station South Platform project is \$18,312,899. Within that amount \$1,950,000 has been set aside in the Construction Services phase. The proposed action would commit an additional \$100,000 for this line item, leaving a remaining budget balance of \$200,000.

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

### Sounder Mukilteo Station South Platform

	Proposed 2016 TIP	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Agency Administration	1,540	1,201		1,201	339
Preliminary Engineering					
Final Design	2,647	2,240		2,240	406
Third Party Agreements	35				35
Right of Way	1,778	486		486	1,293
Construction	10,363	9,178		9,178	1,185
Construction Services	1,950	1,650	100	1,750	200
Vehicles					
<b>Total Current Budget</b>	<b>18,313</b>	<b>14,755</b>	<b>100</b>	<b>14,855</b>	<b>3,458</b>

#### Phase Detail

##### Construction Services

	Proposed 2016 TIP	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Construction Services	1,950	1,650	100	1,750	200
Other Construction Services					
<b>Total Phase</b>	<b>1,950</b>	<b>1,650</b>	<b>100</b>	<b>1,750</b>	<b>200</b>

#### Contract Detail

##### KBA, Inc.

	Board Approvals to Date	Current Approved Contract Status	Proposed Action	Proposed Total for Board Approval
Agreement Amount	1,650	1,650	100	1,750
Contingency Amount				
<b>Total Contract</b>	<b>1,650</b>	<b>1,650</b>	<b>100</b>	<b>1,750</b>
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.

Project budget page is located on page 31 of 116 of the Proposed 2016 Transit Improvement Plan (TIP).

## SMALL BUSINESS/DBE PARTICIPATION

### Participation by Small Businesses and Disadvantaged Business Enterprises (DBEs)

Sound Transit promotes and encourages small business participation, which also includes Disadvantaged Business Enterprises (DBEs). Consistent with Sound Transit Policies and

Federal Regulations, Sound Transit has established Small Business/DBE goals for this contract. These goals are based upon an examination of subcontracting opportunities contained in the work of this contract and the number of Small Businesses/DBEs available to perform such subcontracting work.

For this specific contract, the following goals were set and the successful Bidder/Proposer has committed to the following Small Business/DBE Participation:

Sound Transit Goal:

Small Business: 15%

DBE: 5%

Commitment:

Small Business: 100%

DBE: 6.6%

KBA Inc. is a Small Business that is self-performing the majority of the work. KBA also subcontracted to the firms listed below. At the time the original contract was awarded, KBA was a certified DBE. KBA has graduated from the DBE program, but work performed while still a DBE will meet the 6.6% DBE commitment.

<b>Subconsultant/Subcontractor</b>	<b>Business Type</b>	<b>% of Work</b>	<b>Dollar Value</b>
CS3W, Inc.	DBE	1.0%	\$14,625
Hayre McElroy and Associates, LLC	DBE	5.0%	\$75,000
HWA Geosciences	Small Business	1.3%	\$20,000
True North Land Surveying, LLC	DBE	0.6%	\$10,000
<b>Total</b>		<b>7.9%</b>	<b>\$119,625</b>

PUBLIC INVOLVEMENT

Not applicable to this action

TIME CONSTRAINTS

A delay in approval will shift construction management consultant responsibilities to Sound Transit construction management staff, increasing overall project cost and delaying project completion.

PRIOR BOARD/COMMITTEE ACTIONS

Motion No. M2012-63: Authorized the chief executive officer to execute a contract with KBA, Inc. to provide construction management services for the Sounder Mukilteo Station South Platform and Station Buildings project, in the amount of \$1,500,000 with a 10% contingency of \$150,000, for a total authorized contract amount not to exceed \$1,650,000.

ENVIRONMENTAL REVIEW

JI 12/4/2015

LEGAL REVIEW

LA 4 December 2015

**MOTION NO. M2015-124**

A motion of the Capital Committee of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to increase the contingency with KBA, Inc. for construction management services for the Sounder Mukilteo Station South Platform in the amount of \$100,000, for a new total authorized contract amount not to exceed \$1,750,000.

**BACKGROUND:**


The Sounder Mukilteo Station South Platform project is the second stage of construction for the new commuter rail facility adjacent to the proposed Washington State Ferries dock and the expanded facilities for Community Transit service. This stage of the project consists of the construction of the south platform and station buildings including stairways, elevators, utilities, a pedestrian bridge, and other infrastructure. Much of the construction work takes place immediately adjacent the BNSF mainline tracks, requiring railroad worker protection for the contractor's forces that can be provided only by BNSF.

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**MOTION:**

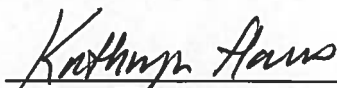
It is hereby moved by the Capital Committee of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to increase the contingency with KBA, Inc. for construction management services for the Sounder Mukilteo Station South Platform in the amount of \$100,000, for a new total authorized contract amount not to exceed \$1,750,000.

APPROVED by the Capital Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on December 10, 2015.



Fred Butler  
Capital Committee Chair

ATTEST:



Kathryn Flores  
Board Administrator