

MOTION NO. M2017-18

Construction Contract for the Downtown Bellevue to Spring District Segment within the East Link Extension

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:
Capital Committee	02/09/2017	Recommend to Board	Ahmad Fazel, DECM Executive Director
Board	02/17/2017	Final Action	Ron Lewis, Executive Project Director - East Link Extension Tony Raben, Principal Construction Manager, East Link Extension

PROPOSED ACTION

Authorizes the chief executive officer to execute a construction contract with Stacy and Witbeck/Atkinson, a Joint Venture, to provide Heavy Civil General Contractor/Construction Manager construction services for the Downtown Bellevue to Spring District segment within the East Link Extension in the amount of \$228,398,210, with a 5% contingency of \$11,419,911 for a total authorized contract amount not to exceed \$239,818,121.

KEY FEATURES SUMMARY

- The Heavy Civil GC/CM delivery approach was selected based on certain project characteristics including complex scheduling and phasing requirements and extensive interface with other contractors.
- The Downtown Bellevue to Spring District work under this action includes:
 - Approximately 2.3 miles of dual-track at-grade, underground, elevated, and retained cut guideway and construction of both ballasted and direct-fixation trackwork
 - Direct-fixation trackwork and tunnel finishes through the Downtown Bellevue Tunnel
 - Approximately 1,400 linear feet of retained cut trench
 - Elevated guideway crossing over Interstate 405, cast-in place trestle, and a variety of retaining walls
 - Demolition of and site grading at existing structures in the alignment of the guideway
 - Construction of sound walls and use of high-resilience fasteners at direct-fixation track
 - Wetland/stream mitigation at Sturtevant Creek
 - Permanent traffic signals, roadway illumination, signing and pavement striping.
- The stations are not included in this action. The station work will be packaged and procured at a later date and will be brought to the Board as a future contract amendment request.
- The proposed action would initiate the construction contract, with active construction expected to begin in May 2017. The project is expected to last approximately fifty months, with provisions to maintain the GC/CM's involvement through commencement of revenue service, scheduled for 2023.

BACKGROUND

East Link extends light rail 14 miles from downtown Seattle to downtown Bellevue and the Overlake area of Redmond via I-90, with stations serving Rainier Avenue/I-90, Mercer Island, South Bellevue, Downtown Bellevue, Overlake Hospital, the Bel-Red Corridor, Overlake Village, and the Overlake Transit Center. The East Link project route, profiles, and station locations including the tunnel route in downtown Bellevue, were selected by the Sound Transit Board on July 28, 2011, and amended on April 25, 2013. In April 2015, the Sound Transit Board established the

baseline budget and schedule for the project. Light rail service between Seattle and the Overlake Transit Center is forecasted to begin in 2023.

Environmental compliance pursuant to the State Environmental Policy Act (SEPA) for East Link was completed with the East Link Project Final Environmental Impact Statement (EIS) issued on July 15, 2011, and East Link Extension 2013 SEPA Addendum issued March 26, 2013. The Federal Transit Administration and Federal Highway Administration issued a Record of Decision for the project on November 16, 2011, and November 17, 2011, respectively, completing the National Environmental Policy Act (NEPA) process.

The Downtown Bellevue to Spring District contract is one of seven major construction contracts for the East Link Extension. The contract includes elevated, at-grade and retained cut/fill guideway, and civil/system infrastructure.

A Request for Qualifications for the GC/CM contract for the Downtown Bellevue to Spring District section was issued on June 20, 2014 and six Statements of Qualifications (SOQs) were received. Following review and evaluation, three firms were invited for interviews. Based on scoring of the SOQs and the interviews, all three firms were invited to submit final proposals including price offers for specified work items. The price offers were opened publicly on October 16, 2014. Based on evaluation of the SOQs, interviews, and price offers, Stacy and Witbeck/Atkinson was the highest ranked firm.

A pre-construction services contract was executed with Stacy and Witbeck/Atkinson in January 2015. The scope of services included constructability reviews, value engineering reviews, risk assessment, schedule development, estimating, and preparation of the subcontracting packaging plan. This added value of the pre-construction phase included simplifying the long span crossing over I-405, improving interfaces with public and private developers and other Sound Transit contracts, and provided advanced planning of key work elements.

Consistent with the Heavy Civil GC/CM process and RCW 39.10, Sound Transit commenced negotiation of a Maximum Allowable Construction Cost (MACC) with Stacy and Witbeck/Atkinson. This MACC included costs relating to the procurement of subcontracts advertised to the public as eight Invitations for Bid, the work to be self-performed by Stacy and Witbeck/Atkinson, negotiated support services, MACC risk contingency and provisional sums. The costs included in this action are consistent with the independent cost estimate and are considered fair and reasonable.

One additional publicly-bid subcontract package (incorporating the four stations along this segment) resulted in three bids, each of which exceeded the independent cost estimate for the stations. As part of the negotiations, both Sound Transit and Stacy and Witbeck/Atkinson agreed to revise the station subcontract bid package and re-procure, potentially as multiple subcontract bids. The station work occurs later in this Project schedule and time is available to revise the subcontract packaging plan. Approving the work included in this action and procuring the station work later allows the Project to maintain schedule while seeking better pricing for the station work. The station work will be brought to the Board as a contract amendment request following procurement of the revised station bid package(s).

PROJECT STATUS

Project Identification	Alternatives Identification	Conceptual Engineering	Preliminary Engineering	Final Design	Construction
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Projected Completion Date for Construction: 2Q 2023
 Project scope, schedule and budget summary are located on page 43 of the November 2016 Agency Progress Report.

FISCAL INFORMATION

This action is within the baseline budget and sufficient funds remain after approval of this action to fund the remaining work in the construction phase as contained in the current cost estimates. Use of construction phase unallocated contingency is not required for this action.

The baseline budget for East Link Extension project is \$3,677,150,000. Within that amount, \$2,544,300,000 has been set aside for the construction phase. Of that amount \$784,123,385 has been previously committed. The proposed action would commit \$239,818,121 of this amount leaving the remaining uncommitted budget of \$1,520,358,524 in the construction phase.

East Link Extension	Total Baseline Budget	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Agency Administration	186,200	53,402		53,402	132,798
Preliminary Engineering	55,900	54,839		54,839	1,061
Final Design	283,000	239,022		239,022	43,978
Third Parties	52,150	36,958		36,958	15,192
Right of Way	298,150	205,136		205,136	93,014
Construction	2,544,300	784,123	239,818	1,023,941	1,520,359
Construction Services	257,450	150,330		150,330	107,120
Vehicles					
Total Current Budget	3,677,150	1,523,811	239,818	1,763,629	1,913,521

Phase Detail - Construction

E335 Dwntrwn Bliv. to Spring Distrct	376,449		239,818	239,818	136,631
Other Construction Phase Work	2,020,765	784,123		784,123	1,236,642
Construction Unallocated Contingency	147,086				147,086
Total Phase	2,544,300	784,123	239,818	1,023,941	1,520,359

Stacey-WitbeckAkinson East Link Constructors, JV

Contract Detail	Board Approvals to Date	Current Approved Contract Status	Proposed Action	Proposed Total for Board Approval
Contract Amount			228,398	228,398
Contingency			11,420	11,420
Total Contract Amount			239,818	239,818
Percent Contingency	0%	0%	5%	5%

Notes:

Amounts are expressed in Year of Expenditure \$000s.
 Board Approvals = Committed To-Date + Contingency as of December 2016 includes pending Board actions.
 For detailed project information, see page 19 of the Proposed 2017 Transit Improvement Plan (TIP).

SMALL BUSINESS/DBE PARTICIPATION AND APPRENTICESHIP UTILIZATION

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 the

construction 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 each subcontract package, Stacy and Witbeck/Atkinson has included specific small and disadvantaged business goals. These goals were established based on the type of work and the availability of small and disadvantaged businesses to perform that particular work.

The overall Small Business/DBE participation goals established for this contract are:

Small Business: 14%
DBE: 7%

Stacy and Witbeck/Atkinson has committed to the following participation levels:

Small Business: 14%
DBE: 7%

Stacy and Witbeck/Atkinson's current subcontracting plan anticipates the following participation levels for subcontracted work under the proposed Heavy Civil GC/CM contract:

Subconsultant / Subcontractor	Business Type	% of Work	Amount
1 Alliance Geomatics, LLC	DBE	1.31%	\$3,000,000.00
AAR Testing Laboratories, Inc.	DBE	0.88%	\$2,000,000.00
Affinity Steel, Inc.	DBE	0.56%	\$1,270,000.00
Chicago Fastener	Small Business	0.02%	\$35,000.00
Davis Freight Management	DBE	0.04%	\$80,000.00
Dickson Company	Small Business	0.37%	\$852,367.39
Geo Instruments	Small Business	0.15%	\$350,000.00
Grady Excavating, Inc.	DBE	0.88%	\$2,000,000.00
Hayre McElroy & Associates, LLC	Small Business	0.88%	\$2,000,000.00
JMR Trucking, Inc.	DBE	0.41%	\$930,000.00
KT Contracting	Small Business	0.22%	\$500,000.00
MBI Construction Services, Inc.	DBE	1.53%	3,500,000.00
MSD Construction, LLC	DBE	0.18%	400,000.00
Ohno Construction Company	DBE	1.40%	\$3,195,574.56
OMA Construction, Inc.	DBE	1.90%	\$4,350,000.00
Red Arrow Logistics	DBE	0.05%	\$107,000.00
Reliance Fire Protection	Small Business	0.47%	1,082,120.00
Salinas Sawing & Sealing, Inc.	Small Business	0.02%	\$35,000.00
SeaTac Sweeping Service	DBE	0.22%	\$500,000.00
Sundancer Electric, Inc.	DBE	1.97%	\$4,500,000.00
Tony Lind Paving	Small Business	0.07%	\$150,000.00
Transcon Company, LLC	DBE	0.53%	1,200,000.00
Total		14.03%	\$32,037,061.95

PUBLIC INVOLVEMENT

Extensive public outreach efforts have taken place on behalf of the East Link Extension over the last nine years. Outreach activities have included meetings with community members, property owners, businesses, stakeholders, local jurisdictions, and agencies. Since the project kickoff in 2006, Sound Transit has hosted approximately 60 public meetings, and has also held hundreds of

briefings with property owners and stakeholders. Additionally, project staff have held quarterly meetings with the leadership group for the residential neighborhoods in order to keep them regularly updated on project status and upcoming milestones.

TIME CONSTRAINTS

A one month delay may impact the start of construction and the turnover of areas to the future Systems contractor.

PRIOR BOARD/COMMITTEE ACTIONS

Motion No. M2014-98: Authorized the chief executive officer to execute an agreement with the joint venture of Stacy and Witbeck/Atkinson Construction to provide pre-construction services for the Downtown Bellevue to Spring District contract within the East Link Extension in the amount of \$2,510,215, with a contingency of \$251,022, for a total authorized contract amount not to exceed \$2,761,237.

ENVIRONMENTAL REVIEW

Jl 12/20/2016

LEGAL REVIEW

JEN 02/03/17

MOTION NO. M2017-18

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a construction contract with Stacy and Witbeck/Atkinson, a Joint Venture, to provide Heavy Civil General Contractor/Construction Manager construction services for the Downtown Bellevue to Spring District segment within the East Link Extension in the amount of \$228,398,210, with a 5% contingency of \$11,419,911 for a total authorized contract amount not to exceed \$239,818,121.

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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 construction contract with Stacy and Witbeck/Atkinson, a Joint Venture to provide Heavy Civil General Contractor/Construction Manager construction services for the Downtown Bellevue to Spring District segment within the East Link Extension in the amount of \$228,398,210, with a 5% contingency of \$11,419,911 for a total authorized contract amount not to exceed \$239,818,121.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on February 17, 2017.



Dave Somers
Board Chair

ATTEST:



Kathryn Flores
Board Administrator