



## Motion No. M2021-38

### Contract Modification with Jacobs Project Management Company for the East Link Extension

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee Board	06/10/2021 06/24/2021	Recommend to Board Final action	Ron Lewis, DECM Executive Director <b>Mike Bell, Senior Executive Project Director, East Link</b> <b>Jon Lebo, Deputy Project Director, East Link</b>

### Proposed action

Authorizes the chief executive officer to increase the contract contingency with Jacobs Project Management Company to provide construction management consultant services for the Seattle to South Bellevue segment of the East Link Extension in the amount of \$5,000,000, for a new total authorized contract amount not to exceed \$48,919,350.

### Key features summary

- The substantial completion date for the Seattle to South Bellevue segment (E130) construction contract has been extended to 4th quarter 2021 due to the complexities of the work, COVID-19 impacts, and Sound Transit requested changes.
- This action provides additional contingency for the remainder of the necessary construction administration services by Jacobs Project Management Company for completion of the work as part of the East Link Extension.
- The additional contingency is needed to complete the base scope of the project as well as:
  - Construction management support for construction of the Mercer Island Transit Integration contract;
  - Efforts to inventory and record asset management elements in the Washington State Department of Transportation (WSDOT) right of way that need maintenance and repair to keep the facilities in a state of good repair; and
  - Efforts to develop an inventory of maintenance responsibilities for the East Link stations and guideway for the East Link Extension during the period between acceptance of civil and systems work and pre-revenue service when Sound Transit Operations will assume maintenance responsibilities.
- This action does not increase the Board adopted baseline budget for the project.

### Background

East Link extends light rail 14 miles, with 10 stations from Seattle's International District to Judkins Park, across I-90 to Mercer Island and South Bellevue, through downtown Bellevue and the Bel-Red area to Redmond Technology Station. Revenue service is anticipated to begin in 2023.

The Seattle to South Bellevue Segment is approximately seven miles of trackway construction on existing facilities (at-grade, tunnel, floating bridge, and elevated bridge), two stations with vertical circulation facilities, seismic and gravity load retrofits of existing WSDOT structures, tunnel fire/life/safety retrofits for light rail transit within the Mt. Baker Tunnel and Mercer Island Lid, and civil construction of the interface with the existing operating Link system at the International District Station.

In April 2017, the Sound Transit Board approved Motion No. M2017-48 for Jacobs Project Management Company (Jacobs) to provide construction management consultant services during the construction phase for the E130 segment of East Link. The current forecast for substantial completion of the E130 segment is early 4th quarter 2021 due to the complexities of the work, COVID-19 impacts and Sound Transit requested changes.

In addition to completing the base scope of the project, the additional contingency will also be used to complete the following:

Construction Management Contract Services for the Mercer Island Transit Interchange (MITI) project (E135):

A portion of the contingency will be used for construction management support for construction of the Mercer Island Transit Integration contract. The Sound Transit Board approved Motion No. M2021-15 in April 2021 to construct the Mercer Island Transit Interchange (MITI) project.

Work provided under this contract will include program management, resident engineering, office engineering, technical support and inspection, construction cost estimating, contract change management, scheduling, construction safety oversight, quality assurance activities, document control, tracking of diversity/small business/project labor agreement requirements, management of the E135 contractor.

WSDOT Right of Way Long-Term Lease Inventory:

Sound Transit entered into a long-term lease for the WSDOT right of way (ROW) in the I-90, I-405, and SR-520 corridors for operation of the East Link Extension. This lease contemplates a future operations and maintenance agreement. The current request includes efforts by Jacobs to survey and record the elements that need maintenance and repair to keep the facilities in a state of good repair. The elements include fencing, catch basins, landscaping, painting and other elements needing regular maintenance and repair. This inventory will help determine the level of effort for WSDOT when calculating their operations and maintenance costs within the Sound Transit leased ROW.

Post Construction Acceptance to Pre-Revenue Maintenance Contract:

After acceptance of the civil and systems construction contracts and before Sound Transit Operations assumes responsibility of operations and maintenance, there is a gap in the responsibilities for operations and maintenance of the East Link stations and guideway. Under this contract, Jacobs will develop an inventory of maintenance responsibilities for the East Link stations and guideway for the East Link Extension during the period between acceptance of civil and systems work and pre-revenue service. The service contract will be brought to the Board separately and will be modular to add stations as the civil work is completed. A single service contract will maximize flexibility and efficient management of the work. This request includes the cost and effort to complete the procurement support and management of the service contract.

## Project status

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<b>Project Identification</b>	<b>Alternatives Identification</b>	<b>Conceptual Engineering/ Draft EIS</b>	<b>Preliminary Engineering/ Final EIS</b>	<b>Final Design</b>	<b>Construction</b>

Projected completion date for East Link Extension: Q2 2023

Project scope, schedule and budget summary are located on page 53 of the March 2021 Agency Progress Report Capital Programs.

## Procurement information

Sound Transit issued a Request for Qualifications encompassing the work for both Phase 1 Preconstruction Services and Phase 2 – Construction Management Services and received two proposals on April 24, 2015. Jacobs Project Management Company was determined to be the best qualified team for this work.

In October 2015, through Motion No. M2015-89, the Board authorized a contract with Jacobs Project Management Company for construction management pre-construction services for the Seattle to South Bellevue Segment. Staff negotiated both Phase 1 – Pre-construction Services and Phase 2 – Construction Management Services work with Jacobs Project Management Company prior to executing Phase 1.

Phase 1 Pre-construction Services included: procurement support, permit support, contract document review, construction estimate reviews, participation in value engineering, risk assessments and constructability reviews, construction management support, management of preconstruction work, and oversight of early work by adjacent private and public developments and public and private utility relocations.

In April 2015, the Board adopted the East Link Extension baseline approving Gate 5 (establish baseline) and approved Gate 6 (proceed to construction). Following the baselining of East Link and the determination of Jacobs Project Management Company's work performance for the preconstruction work as acceptable, Sound Transit updated the pre-negotiated Phase 2 work with Jacobs Project Management Company to align with the baseline scope and current schedule.

## Fiscal information

This action is within the baseline 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 baseline budget for the East Link Extension project is \$3,677,150,000. Within the construction services phase, \$55,670,000 has been allocated to budget line item for the I-90 Management Consultant. This action would commit additional \$5,000,000 with Jacobs Project Management for additional Construction Management Consultant services, leaving a budget balance of \$6,751,656.

**East Link Extension**

(in thousands)	Total Baseline Budget	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Administration	\$186,200	\$107,948	\$	\$107,948	\$78,252
Preliminary Engineering	55,900	54,776		54,776	1,124
Final Design	283,000	255,823		255,823	27,177
Third Parties	52,150	39,282		39,282	12,868
Right of Way	298,150	279,626		279,626	18,524
Construction	2,544,300	2,352,326		2,352,326	191,974
Construction Services	257,450	214,912	5,000	219,912	37,538
<b>Total Current Budget</b>	<b>\$3,677,150</b>	<b>\$3,304,692</b>	<b>\$5,000</b>	<b>\$3,309,692</b>	<b>\$367,458</b>

**Phase Detail - Construction Services**

I-90 Management Consultant	\$55,670	\$43,918	\$5,000	\$48,918	\$6,752
Other Construction Services	201,780	170,994	0	170,994	30,786
<b>Total Phase</b>	<b>\$257,450</b>	<b>\$214,912</b>	<b>\$5,000</b>	<b>\$219,912</b>	<b>\$37,538</b>

Jacobs Project Management Company	Board Approvals to Date	Current Approved Contract Status	Proposed Action	Proposed Total for Board Approval
Contract Amount	\$41,828	\$43,919	\$	\$43,919
Contingency	2,091	0	\$5,000	5,000
<b>Total Contract Amount</b>	<b>\$43,919</b>	<b>\$43,919</b>	<b>\$5,000</b>	<b>\$48,919</b>
Percent Contingency	5%	5%	100%	11%
Less Betterment	1	1	0	1
Sound Transit Share	43,918	43,918	5,000	48,918

**Notes:**

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

\* Board Approvals = Commitment and PO Contingency Remaining as of 5/27/21.

For detailed project information, see page 116 of the 2021 Financial Plan & Adopted Budget.

**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:

<b>Disadvantaged business enterprise (DBE) / Small Business goals, commitments, and participation to date</b>		
	DBE	Small Business
Sound Transit Goal	5%	12%
Prime Commitment	12.18%	20.08%
Participation to-Date	14.62%	23.12%

## **Time constraints**

A one-month delay would not create a significant impact to the project schedule but it may impact the contract authorization.

## **Prior Board/Committee actions**

Motion No. M2017-48: Authorized the chief executive officer to execute a contract amendment with Jacobs Project Management Company to provide construction management consultant services for the construction phase of the Seattle to South Bellevue segment of the East Link Extension in the amount of \$37,106,157, with a 5% contingency of \$1,855,308, totaling \$38,961,465, for a new total authorized contract amount not to exceed \$43,919,350.

Motion No. M2015-89: Authorized the chief executive officer to execute a contract with Jacobs Project Management Company to provide civil construction management consultant services for the preconstruction phase of the Seattle to South Bellevue segment of the East Link Extension in the amount of \$4,721,795, with a 5% contingency of \$236,090, for a total authorized contract amount not to exceed \$4,957,885.

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**Environmental review – KH 6/2/21**

**Legal review – JEN 06/04/21**



## Motion No. M2021-38

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to increase the contract contingency with Jacobs Project Management Company to provide construction management consultant services for the Seattle to South Bellevue segment of the East Link Extension in the amount of \$5,000,000, for a new total authorized contract amount not to exceed \$48,919,350.

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This action does not increase the Board adopted baseline budget for the project.

**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 contract contingency with Jacobs Project Management Company to provide construction management consultant services for the Seattle to South Bellevue segment of the East Link Extension in the amount of \$5,000,000, for a new total authorized contract amount not to exceed \$48,919,350.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on June 24, 2021.

  
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Kent Keel  
Board Chair

**Attest:**

  
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Kathryn Flores  
Board Administrator