

Motion No. M2024-36

Construction Contract Award for the Federal Way Link Extension Traffic Mitigation

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee	06/13/2024	Final Action	Terri Mestas, Deputy CEO, Chief Mega Capital Programs Officer Ron Lewis, DECM Executive Director Linneth Riley-Hall, Executive Project Director - FWLE Mark Palmer, Senior Civil Engineer

Proposed action

Authorizes the chief executive officer to execute a contract with Stacy & Witbeck, Inc. to provide construction services for the Federal Way Link Extension project for traffic mitigation in the amount of \$11,648,140, with a 20 percent contingency of \$2,329,628, for a total authorized contract amount not to exceed \$13,977,768.

Key features summary

- The project will consist of intersection improvements at six different locations in the Federal Way Link Extension (FWLE) project vicinity as required by the Record of Decision for the project. Improvements include the addition of turn lanes, signal modifications to better enable the public to access the stations by reducing traffic congestion.
- Following extensive collaboration with local jurisdictions and WSDOT, these improvements were finalized then packaged into a single procurement to more efficiently deliver the work. The contract scope of work includes improvements of multiple intersections in the Cities of Kent and Federal Way, and on Washington State Department of Transportation (WSDOT) right of way.
- These improvements consist of signal improvements, grading, drainage, paving and channelization, cast-in-place and soldier pile retention walls along public right-of-way, and wetland mitigation. Pedestrian upgrades are included at project sites, including widened sidewalks, upgraded ADA ramps, tree wells and planter strips.
- Three bids were received for this procurement. The apparent low bidder voluntarily withdrew its bid based on entering an incorrect sales tax amount. The second low bid was determined to be responsive and responsible, and the price was determined to be fair and reasonable.
- Applicable taxes are estimated at \$1,078,140 and are included in the total bid price.

Background

The Record of Decision for FWLE initially included 10 locations for traffic mitigation improvements. This was reduced to six locations by:

- Updated analysis of two intersections resulting in a change to no mitigation required for those intersections; and

- Prior installation of required improvements at two intersections by the City of Kent.

In consultation with Sound Transit, FTA confirmed the refinements to the project traffic mitigation requirements in March 2023. The FWLE Traffic Mitigation project is a set of six intersection improvements located in the Cities of Kent, Des Moines and Federal Way, including on WSDOT Right-of-Way. The improvements include right turn pockets, left turn lanes, signal modifications and associated improvements. These improvements are required per the FWLE Record of Decision and Final Environmental Impact Statement and are scheduled to be completed by the start of Revenue Service for the Federal Way Link extension. This project is led by Sound Transit and designed in coordination with the Cities of Kent, Des Moines and Federal Way, and WSDOT.

Project status

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Project Identification	Project Refinements	Conceptual Engineering/ Environmental Review	Preliminary Engineering	Final Design	Construction

Projected completion date for construction: 2Q 2025

Project scope, schedule and budget summary are located on page 51 of the April 2024 Agency Progress Report.

Procurement information

The Invitation for Bid (IFB) solicitation was advertised on March 11, 2024. This project is federally funded and, in accordance with FTA rules, this IFB was advertised for at least 30 days. An addendum extended the due date for the submission of the bids from April 4, 2024, to April 19, 2024. Sound Transit received a total of three bids.

The apparent low bidder, in accordance with the IFB solicitation’s Instructions to Bidders, withdrew their bid due to claim of error for erroneous sales tax calculations. The claim of the error and subsequent withdrawal of the bid was accepted by Sound Transit. Due to the withdrawal of the apparent lowest bidder, a responsiveness and responsibility reviews were conducted for the two remaining bids. The apparent second lowest bidder, Stacy-Witbeck, Inc., was deemed responsive and responsible and is therefore eligible for the award.

The independent cost estimate was developed by a consultant and reviewed by Sound Transit’s Cost Engineering Group. The lowest bid amount from the bidder deemed responsive and responsible is lower than the final independent cost estimate.

A price analysis was conducted by the Contract Specialist. The price analysis deemed the responsive low bid to be fair and reasonable based on review of independent cost estimate and competitive bids.

Fiscal information

This action is funded by the project’s baseline budget and there are projected sufficient amounts in the budget remaining to fund the remaining work. The current project budget is included in the existing Long Range Financial Plan forecast.

The baseline budget for the Federal Way Link Extension project is \$2,451,535,000. Within the \$1,768,749,595 construction phase, \$20,000,000 has been allocated to the F210 Traffic Mitigation

Improvements Contract. The proposed action would commit \$13,977,768 to this line item and leave an uncommitted line-item balance of \$6,022,232.

Federal Way Link Extension
(in thousands)

Project Phase	Baseline Budget	Total Commitment to Date	This Action	Total Commitment Plus Action	Uncommitted / (Shortfall)
Agency Administration	\$104,480	\$60,484	\$0	\$60,484	\$43,996
Preliminary Engineering	46,131	46,117	-	46,117	14
Final Design	7,237	4,742	-	4,742	2,495
Third Party	43,982	31,563	-	31,563	12,419
Right of Way	324,723	238,496	-	238,496	86,227
Construction	1,768,750	1,635,397	13,978	1,649,375	119,375
Construction Services	156,232	139,627	-	139,627	16,605
Total Current Budget	\$2,451,535	\$2,156,427	\$13,978	\$2,170,404	\$281,131
Phase Detail - Construction					
F210 Traffic Mitigation Improvements	\$20,000	\$0	\$13,978	\$13,978	\$6,022
Other Construction	1,748,750	1,635,397	-	1,635,397	113,352
Total Phase	\$1,768,750	\$1,635,397	\$13,978	\$1,649,375	\$119,375
Contract Detail					
F210 - Stacy & Witbeck, Inc.	Board Approvals to Date		Proposed Total for Board Approval		Current Contract Spend Status
Contract Amount	\$0	\$11,648	\$11,648		\$0
Contingency	-	2,330	2,330		-
Total Contract	\$0	\$13,978	\$13,978		\$0
Percent Contingency	0%	20%	20%		0%

Notes:

Amounts are expressed in Year of Expenditure \$000s.
 Total Commitment = Commitment and PO Contingency Remaining as of 4/30/2024.
 For detailed project information, see page 115 of the 2023 Financial Plan & Adopted Budget.

Disadvantaged and small business 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 on an examination of subcontracting opportunities in this contract's work 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:

Small business and disadvantaged business enterprise (DBE) goals	
Sound Transit small business goal: 0%	Small business commitment: 0%
DBE goal: 8%	DBE commitment: 9.19%

Apprentice utilization commitment

Apprentice utilization	
Apprentice utilization goal: 20%	Commitment: 20%

Public involvement

Community Engagement intendeds on having information about the construction sites, door to door outreach to community members, provide digital construction alerts, attend multiple summer fairs and festivals, provide VMS boards to inform commuters about construction impacts, and community engagement will provide A-boards to provide quick, accessible instructions to people walking near 272nd Street.

Time constraints

A one-month delay would not create a significant impact on the project schedule.

Environmental review – KH 5/23/24

Legal review – JSA 6/5/24



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A motion of the System Expansion Committee of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a contract with Stacy & Witbeck, Inc. to provide construction services for the Federal Way Link Extension project for traffic mitigation in the amount of \$11,648,140, with a 20 percent contingency of \$2,329,628, for a total authorized contract amount not to exceed \$13,977,768.

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Motion

It is hereby moved by the System Expansion Committee of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute a contract with Stacy & Witbeck, Inc. to provide construction services for the Federal Way Link Extension project for traffic mitigation in the amount of \$11,648,140, with a 20 percent contingency of \$2,329,628, for a total authorized contract amount not to exceed \$13,977,768.

APPROVED by the System Expansion Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on June 13, 2024.



Claudia Balducci
System Expansion Committee Chair

Attest:



Kathryn Flores
Board Administrator