

## Motion No. M2022-22

### Contract Modification for Lynnwood Link Extension Construction Management Services

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee	03/10/2022	Recommend to Board	Ron Lewis, Executive Director, DECM
Board	03/24/2022	Final action	<b>Randy Harlow, Executive Project Director</b> <b>Josh Pategas, Deputy Project Director</b>

### Proposed action

Authorizes the chief executive officer to increase the contract contingency for the Lynnwood Link Extension project with PGH Wong Engineering, Inc. to provide construction management services for the construction phase in the amount of \$19,934,226, for a new total authorized contract amount not to exceed \$104,755,361, all within the previously-approved baseline budget of \$2,771,622,000 for the Lynnwood Link Extension.

### Key features summary

- PGH Wong Engineering, Inc. currently provides construction management support to the Lynnwood Link Extension project in managing the two Heavy Civil General Contractor/Construction Manager (GC/CM) contracts.
- The Lynnwood Link Extension construction management consultant (CMC) contract was implemented in two phases. Phase One – Preconstruction Services was authorized by the Board under Motion No. M2016-41 and Phase Two – Construction Phase Services was authorized under Motion No. M2018-150. Phase Two is currently in progress.
- The proposed action authorizes additional contracting capacity to support ongoing construction management services including support for testing, commissioning, and integration activities through the planned Revenue Service date for the Lynnwood Link Extension.
- Additional capacity is needed within this agreement due to the following:
  - Time impacts arising from the COVID-19 pandemic, labor disputes impacting delivery of ready-mix concrete in King and Snohomish Counties to date, and severe weather delays since commencement of construction have extended the two major civil construction contracts, resulting in increased duration of staffing needs.
  - Additional levels of service are required, including increased cost estimating services, increased special inspections as required by local jurisdictions as part of permitting requirements, and additional schedule management personnel.
  - The expenditure rate has been more rapid than initially planned due to schedule changes made during the pre-construction phase, driving the need to organize CMC staffing into two independent teams focused on the specific scope of each major Lynnwood Link civil contract, rather than relying on a single team shared across both contracts. This change provided for more focus on safety, resulting in a lower recordable incident rate.

## Background

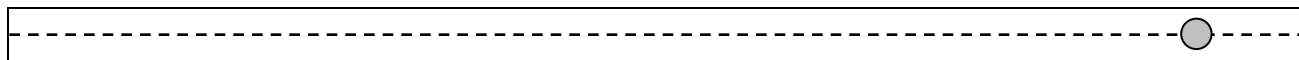
The Lynnwood Link Extension extends light rail 8.5-miles from Northgate to Lynnwood with service to the cities of Shoreline, Mountlake Terrace, and Lynnwood. The extension will travel primarily along I-5 and includes four stations located at NE 148th Street, NE 185th Street, the Mountlake Terrace Transit Center, and the Lynnwood Transit Center. New parking structures are under construction at NE 148th Street, NE 185th Street, and the Lynnwood Transit Center. The project began Final Design in 2016, commenced major civil construction work in 2019, and is scheduled to open for service in 2024.

In April 2016, through Motion No. M2016-41, the Board authorized a contract with PGH Wong Engineering, Inc. for Phase One Preconstruction Services. In November 2018, through Motion No. M2018-150, the Board authorized an increase to the contract for Phase Two Construction Services.

The scope of CMC services includes project management, resident engineering, office engineering, technical support and inspection, construction cost estimating, contract change management, scheduling, construction safety support, quality assurance activities, environmental inspection, and document control for the civil construction contracts underway on the Lynnwood Link Extension. This action provides for adequate construction management staff to support the completion of both major heavy civil Lynnwood Link construction contracts through Revenue Service, barring unanticipated delays. In addition, this action augments the level of effort for support of critical testing, commissioning, and rail activation activities beyond those originally anticipated within the contract amount to incorporate additional areas of construction oversight recommended following completion of previous Link extensions.

This action authorizes an increase in the maximum authorized contract amount with PGH Wong Engineering. This increase does not necessitate the allocation of new funds for the Lynnwood Link Extension, but rather allows the project team to increase the levels of service provided by the firm to support the completion of the Extension.

## Project status



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

Projected completion date for the Construction Phase: 3Q 2024.

Project scope, schedule and budget summary are located on page 86 of the January 2022 Agency Progress Report.

## Procurement information

Sound Transit issued a Request for Qualifications including the work for both Phase One Preconstruction Services and Phase Two Construction Management Services and received three proposals in December 2015. Upon review of the three proposals, PGH Wong Engineering, Inc. was deemed the most qualified ranked firm and was awarded the contract based on qualifications at a fair and reasonable compensation for the scope of work to be performed.

The proposed amendment has been reviewed and likewise determined to represent fair and reasonable compensation for the additional level of effort contemplated therein. Additionally, the work within this amendment falls within the originally contemplated agreement scope.

## 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 services phase as contained in the current cost estimates. This action does not impact the affordability of the agency's Financial Plan or any other system expansion project.

The baseline budget for the Lynnwood Link Extension project is \$2,771,622,000. Within the construction services phase, \$105,000,000 has been allocated to Civil Construction Management. The proposed action would commit \$19,934,226 to this line item and leave a remaining budget balance of \$1,336,639.

### Lynnwood Link Extension (in thousands)

Project Phase	Baseline Budget	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Administration	\$98,164	\$53,375		\$53,375	\$44,789
Preliminary Engineering	39,054	39,053		39,053	1
Final Design	164,162	158,787		158,787	5,375
Third Party Agreements	17,600	13,325		13,325	4,275
Right of Way	219,053	178,350		178,350	40,704
Construction	2,094,553	1,978,750		1,978,750	115,803
<b>Construction Services</b>	<b>139,036</b>	<b>117,052</b>	<b>19,934</b>	<b>136,986</b>	<b>2,049</b>
Vehicles					
Project Contingency					
<b>Total Current Budget</b>	<b>\$2,771,622</b>	<b>\$2,538,691</b>	<b>\$19,934</b>	<b>\$2,558,625</b>	<b>\$212,997</b>
<b>Phase Detail</b>					
<b>Construction Services</b>					
Civil CM	\$105,000	\$83,729	\$19,934	\$103,663	\$1,337
Other Construction Services	34,036	33,323		33,323	713
<b>Total Phase</b>	<b>\$139,036</b>	<b>\$117,052</b>	<b>\$19,934</b>	<b>\$136,986</b>	<b>\$2,049</b>
<b>Contract Detail</b>					
<b>PGH WONG ENGINEERING INC</b>	<b>Board Approvals to Date</b>	<b>Current Approved Contract Status</b>	<b>Proposed Action</b>	<b>Proposed Total for Board Approval</b>	
NE 130th Station Amount	\$1,071	\$1,071	\$	\$1,071	
NE 130th Station Contingency	21	21		21	
NE 130th Station Project	1,092	1,092		1,092	
<b>Lynnwood Contract Amount</b>	<b>78,252</b>	<b>78,252</b>		<b>78,252</b>	
<b>Lynnwood Contingency</b>	<b>5,478</b>	<b>5,478</b>	<b>19,934</b>	<b>25,412</b>	
<b>Total Lynnwood Project</b>	<b>83,729</b>	<b>83,729</b>	<b>19,934</b>	<b>103,663</b>	
Contract Amount	<b>79,323</b>	<b>79,323</b>		<b>79,323</b>	
Total Contract Contingency Amount	<b>5,498</b>	<b>5,498</b>	<b>19,934</b>	<b>25,433</b>	
Total Contract Amount	<b>84,821</b>	<b>84,821</b>	<b>19,934</b>	<b>104,755</b>	
Percent Contingency	7%	7%	<b>100%</b>	32%	

Notes:

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

\* Board Approvals = Commitment and PO Contingency Remaining as of 2/22/22.

For detailed project information, see page 93 of the 2022 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 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 PGH Wong Engineering has committed to the following small business/DBE participation:

<b>Small business and disadvantaged business enterprise (DBE) goals</b>	
Sound Transit small business goal: 12%	Small business commitment: 14.1%
DBE goal: 6%	DBE commitment: 7.1%

PGH Wong Engineering, Inc. has achieved 26.7 percent small business participation and 19.6 percent DBE participation on civil construction management services through December 2021.

**Public involvement**

Construction is currently ongoing across the entire Lynnwood Link Extension alignment. Sound Transit continues to maintain community outreach efforts across the alignment as construction progresses and to ensure community concerns are addressed.

**Time constraints**

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

**Prior Board/Committee actions**

Motion No. M2018-150: Authorized the chief executive officer to amend the contract with PGH Wong Engineering, Inc. to provide construction management services for the construction phase of the Lynnwood Link Extension in the amount of \$70,704,071, with a 7% contingency of \$4,722,859, totaling \$75,426,930, for a new total authorized contract amount not to exceed \$83,729,135.

Motion No. M2016-41: Authorized the chief executive officer to execute a contract with PGH Wong Engineering, Inc. to provide construction management services for the pre-construction phase of the Lynnwood Link Extension, in the amount of \$7,547,459, with a 10% contingency of \$754,746, for a total authorized contract amount not to exceed \$8,302,205.

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**Environmental review** – KH 2/28/22

**Legal review** – JSA 3/7/22

## **Motion No. M2022-22**

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to increase the contract contingency for the Lynnwood Link Extension project with PGH Wong Engineering, Inc. to provide construction management services for the construction phase in the amount of \$19,934,226, for a new total authorized contract amount not to exceed \$104,755,361, all within the previously-approved baseline budget of \$2,771,622,000 for the Lynnwood Link Extension.

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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 increase the contract contingency for the Lynnwood Link Extension project with PGH Wong Engineering, Inc. to provide construction management services for the construction phase in the amount of \$19,934,226, for a new total authorized contract amount not to exceed \$104,755,361, all within the previously-approved baseline budget of \$2,771,622,000 for the Lynnwood Link Extension.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on March 24, 2022.



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Kent Keel  
Board Chair

## Attest:



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Kathryn Flores  
Board Administrator