Motion No. M2021-17

Increase Contingency for the Northgate Station to NE 200th Street Contract for a Betterment within the Lynnwood Link Extension

<table>
<thead>
<tr>
<th>Meeting:</th>
<th>Date:</th>
<th>Type of action:</th>
<th>Staff contact:</th>
</tr>
</thead>
<tbody>
<tr>
<td>System Expansion Committee</td>
<td>3/11/2021</td>
<td>Recommend to Board</td>
<td>Ron Lewis, DECM Executive Director</td>
</tr>
<tr>
<td>Board</td>
<td>3/25/2021</td>
<td>Final action</td>
<td>Randy Harlow, Executive Project Director - Lynnwood Link Extension</td>
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<td></td>
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<td>Barbara Hinkle, Project Manager - Lynnwood Link Extension</td>
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Proposed action

Authorizes the chief executive officer to increase the contract contingency for the Northgate Station to NE 200th Street construction contract with Stacy and Witbeck, Inc. / Kiewit Infrastructure West Co. / Hoffman Construction Company of Washington, a Joint Venture to allow for the implementation of a betterment with the City of Shoreline, in the amount of $649,000, for a new total authorized contract amount not to exceed $890,200,003.

Key features summary

- The proposed action would increase the contract contingency with Stacy and Witbeck, Inc. / Kiewit Infrastructure West Co. / Hoffman Construction Company of Washington, a Joint Venture (SKH) to issue a change order to incorporate a betterment requested by City of Shoreline to modify the wall along Ridgecrest Park.
- The City of Shoreline has requested that Sound Transit incorporate a retaining wall in place of the originally designed noise wall being installed by Sound Transit along Ridgecrest Park to better accommodate their future “Trail Along the Rail” project.
- A betterment reimbursement agreement has been developed for the City of Shoreline to reimburse Sound Transit for costs incurred by Sound Transit including additional construction contract costs and Sound Transit staff and consultant construction management costs for the betterments requested. The Board is considering approval of the betterment agreement under Motion No. M2021-16.
- The increased project contingency requested in this action includes the negotiated construction contract change order costs and 10 percent construction contingency. The contingency will be managed by Sound Transit in coordination with the City of Shoreline.

Background

The Lynnwood Link Extension is an 8.5-mile light rail extension from Northgate to Lynnwood with service to the Cities of Shoreline, Mountlake Terrace, and Lynnwood. The extension will travel primarily along I-5 and will include four stations: Shoreline South/NE 148th Street, Shoreline North/NE 185th.
Street, Mountlake Terrace Transit Center, and Lynnwood City Center. Revenue service is anticipated to begin in 2024.

In mid-2020, Shoreline approached the Lynnwood Link Extension team to discuss options for modifying the wall along Ridgecrest Park from a noise wall to a retaining wall to accommodate their future plans to construct a multi-modal path adjacent to the guideway. After working with Sound Transit on options, the City of Shoreline provided design drawings for the wall revision.

These drawings were issued to SKH as a request for proposal on December 17, 2020. SKH, the City of Shoreline and Sound Transit agreed on a final construction cost on January 27, 2021. The increased project contingency includes the negotiated construction costs and a 10 percent construction contingency.

A change order in amount of the negotiated construction costs will be executed should the Board approve both the betterment agreement (Motion No. M2021-16) and this Motion. The 10 percent construction contingency will be managed by Sound Transit in coordination with the City of Shoreline.

**Project status**

<table>
<thead>
<tr>
<th>Project Identification</th>
<th>Project Refinements</th>
<th>Conceptual Engineering/Environmental Review</th>
<th>Preliminary Engineering</th>
<th>Final Design</th>
<th>Construction</th>
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</table>

Projected completion date for Construction: Q3 2024

Project scope, schedule and budget summary are located on page 35 of the December 2020 Agency Progress Report.

**Procurement information**

Stacy and Witbeck, Inc. / Kiewit Infrastructure West Co. / Hoffman Construction Company of Washington, a Joint Venture was selected by Sound Transit through a competitive heavy civil general contractor / construction manager (GC/CM) procurement. Notice to Proceed for construction was issued January 8, 2019.

The change order incorporating additional work resulting from the City of Shoreline design for the retaining wall betterment into the L200 Contract has been determined to be fair and reasonable, based on independent cost estimate for the additional work.

**Fiscal information**

The action increases the contingency with SKH to implement the betterment work as part of the Lynnwood Link Extension. The new total contract amount of $890,200,003, of which $649,000 for the implementation of the betterment reimbursement agreement with the City of Shoreline.

Since the costs will be reimbursed to Sound Transit, this action will not impact either the agency’s long-term financial plan or subarea financial capacity. If the total cost to perform this work exceeds the estimated reimbursement amount, the agreement will be amended by a future action.
Disadvantaged and small business participation

Participation by disadvantaged business enterprises (DBEs) and small businesses

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 DBE/small business goals for this contract. These goals were based upon an examination of subcontracting opportunities contained in the work of this contract and the number of DBEs and small businesses available to perform such subcontracting work.

For this specific contract, the following goals were set and the successful Bidder/Proposer committed to the following DBE/small business participation:

### Disadvantaged business enterprise (DBE) and Small Business (SB) goal commitments

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<thead>
<tr>
<th></th>
<th>DBE</th>
<th>SB</th>
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<tbody>
<tr>
<td>Sound Transit Goal</td>
<td>4%</td>
<td>12%</td>
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### Prime Commitment

<table>
<thead>
<tr>
<th></th>
<th>5%</th>
<th>12%</th>
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<tbody>
<tr>
<td>Participation to-date</td>
<td>6.4%</td>
<td>16.2%</td>
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### Public involvement

Not applicable to this action.

### Time constraints

Timely approval will facilitate incorporating the betterments into the project for implementation beginning in April 2021.

### Prior Board/Committee actions

**Motion No. M2019-92:** Authorized the chief executive officer to execute a contract modification with Stacy and Witbeck – Kiewit-Hoffman, a Joint Venture, to provide construction services for the Northgate Station to NE 200th Street segment within the Lynnwood Link Extension in the amount of $751,851,006, with a 5 percent contingency of $37,592,550, totaling $789,443,556, for a new authorized contract amount not to exceed $883,761,156.

**Motion No. M2018-166:** Authorized the chief executive officer to execute a construction contract with Stacy and Witbeck-Kiewit-Hoffman, a Joint Venture, to provide Heavy Civil General Contractor/Construction Manager construction services for the Northgate Station to NE 200th Street segment within the Lynnwood Link Extension in the amount of $88,147,300, with a 7% contingency of $6,170,300, for a total authorized contract amount not to exceed $94,317,600.

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**Environmental review –** KH 2/25/21

**Legal review –** JSA 3/3/21
Motion No. M2021-17

Authorizing the chief executive officer to increase the contract contingency for the Northgate Station to NE 200th Street construction contract with Stacy and Witbeck, Inc. / Kiewit Infrastructure West Co. / Hoffman Construction Company of Washington, a Joint Venture to allow for the implementation of a betterment with the City of Shoreline, in the amount of $649,000, for a new total authorized contract amount not to exceed $890,200,003.

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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 Northgate Station to NE 200th Street construction contract with Stacy and Witbeck, Inc. / Kiewit Infrastructure West Co. / Hoffman Construction Company of Washington, a Joint Venture to allow for the implementation of a betterment with the City of Shoreline, in the amount of $649,000, for a new total authorized contract amount not to exceed $890,200,003.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on ____________________.

________________________________________
Kent Keel
Board Chair

**Attest:**

________________________________________
Kathryn Flores
Board Administrator