

## Motion No. M2022-73

### Contract Modification with HNTB Corporation for the West Seattle and Ballard Link Extensions

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee Board	08/18/2022 08/25/2022	Recommend to Board Final action	Don Billen, Executive Director, PEPD <b>Sandra Fann, Project Director</b>

### Proposed action

Authorizes the chief executive officer to execute a contract modification with HNTB Corporation to provide project development services for the West Seattle and Ballard Link Extensions project in the amount of \$71,858,568, including contingency, for a new total authorized contract amount not to exceed \$172,252,971.

### Key features summary

- This action allows a modification to the consultant services contract with HNTB Corporation (HNTB) to provide project development services for a portion of Phase 3 scope of work to prepare the Final EIS and conduct Preliminary Engineering for the West Seattle Link Extension, and to conduct further studies and engagement in some areas to inform a future Board action to confirm or modify the Preferred Alternative for the Ballard Link Extension.
- Board Motion M2022-57 authorized advancing the work included in the scope of this contract modification.
- The requested amount builds upon what was approved in Motion No. M2022-56 for HNTB to initiate Phase 3 activities, to cover:
  - the full scope of services for advancing the Final EIS and Preliminary Engineering for the West Seattle Link Extension;
  - continued planning, conceptual design, and external engagement to support a future Board action to confirm or modify remaining elements of the Preferred Alternative for the Ballard Link Extension before start of Preliminary Engineering; and
  - advancement of efforts in support of the Final EIS development for the Ballard Link Extension to the extent possible to minimize potential delays to the project schedule.
- Staff will return to the Board to authorize the remainder of the Phase 3 scope of work in 2023, after the Board has confirmed or modified the Preferred Alternative for the Ballard Link Extension to be advanced into Preliminary Engineering.
- The current approved project budget for Preliminary Engineering is based on pre-realignment project cost estimates. This action authorizes an amount not to exceed the current approved Preliminary Engineering budget for work comprising a portion of the Phase 3 scope. The 2023 Preliminary Engineering budget will be adjusted to reflect the project cost estimates from the realigned financial

plan in the 2023 Transportation Improvement Plan (TIP), which will include funding for the full Phase 3 scope of work.

- The contract with HNTB included completion of Phase 1 and options to negotiate future amendments for the completion of Phases 2 and 3. HNTB has satisfactorily completed Phases 1 and 2 and has initiated Phase 3 activities. Authorization is sought to advance the Final EIS and Preliminary Engineering for the West Seattle Extension and to conduct further studies in some areas to inform a future Board action to confirm or modify the Preferred Alternative for the Ballard Link Extension.

## **Background**

The West Seattle and Ballard Link Extensions project is a voter-approved project under the ST3 Plan. The Project will provide fast, reliable light rail connections to dense residential and job centers throughout the region and add a new downtown Seattle light rail tunnel to provide efficient operating capacity for the entire regional system. It consists of two separate Link light rail extensions: one to West Seattle and the other to Ballard. The extension to West Seattle will operate from downtown Seattle to West Seattle's Alaska Junction neighborhood with four stations and will eventually connect to Everett Link. The Ballard extension will operate from downtown Seattle to Ballard's Market Street area with nine stations and will include a new rail-only tunnel from the Chinatown/International District to South Lake Union and Seattle Center/Uptown. It will eventually connect with the Tacoma Dome Link Extension.

The project development process has three phases. Phase 1 included alternatives development, environmental scoping and identification of a preferred alternative(s) and other alternatives. Phase 2 included the preparation of a Draft EIS and conceptual engineering of a preferred alternative(s) and other alternatives as identified through alternatives development. Phase 3 includes the preparation of a Final EIS, including responses to public and agency comments on the Draft EIS, and Preliminary Engineering of the Preferred Alternative. As a result of Board Motion M2022-57, Phase 3 will also include continued planning, conceptual design, and external engagement to support a future Board Action to confirm or modify remaining elements of the Preferred Alternative for the Ballard Link Extension before the start of Preliminary Engineering.

To maintain eligibility for potential federal funding, the project will comply with the requirements of the National Environmental Policy Act (NEPA). As the public agency proposing the project, Sound Transit is required to comply with the State Environmental Policy Act (SEPA). A Draft EIS for West Seattle and Ballard Link Extensions was issued on January 28, 2022. The Board adopted Motion No. M2022-57 in July 2022 to confirm or modify a preferred alternative(s) for the Final EIS for the West Seattle Link Extension. A decision to confirm, modify, or identify a preferred alternative(s) for the Final EIS for the Ballard Link Extension is part of a future motion for Board consideration.

HNTB has satisfactorily completed Phase 1 and 2 work and Motion M2022-56 authorized Phase 3 Final EIS and Preliminary Engineering to advance for two months. This action requests authorization for a contract amendment to continue Phase 3 to advance the Final EIS and Preliminary Engineering for the West Seattle Extension, and to expand the scope related to the Ballard Link Extension to conduct the work required to support a future Board determination to confirm or modify remaining elements of the Preferred Alternative. The final portion of Phase 3 scope of work will be authorized after the Board has taken action to confirm or modify the Preferred Alternative for the Ballard Link Extension to be advanced into Preliminary Engineering.

## Project status

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

Projected completion date for Preliminary Engineering/Final EIS: 2024

Project scope, schedule and budget summary are located on page 115 of the June 2022 Agency Progress Report.

## Procurement information

A Request for Qualifications (RFQ) for three phases of the project development process (Alternatives Development, Draft EIS and Conceptual Engineering, Final EIS/ROD and Preliminary Engineering) was advertised on April 20, 2017. Sound Transit received two Statements of Qualifications (SOQs) on May 17, 2017. The SOQs were reviewed and evaluated per the criteria in the RFQ: Firm Experience and History, Knowledge and Experience of Key Individuals, Capacity and Project Organization, Project Understanding and Approach, Good Faith Efforts and Commitment to DBEs and other Small Business, and Equal Employment Opportunity (EEO) Commitment. Clauses required for federal funding are included in the contract.

Based on these evaluations, both submitters were invited for interviews. The HNTB Corporation team was determined to be the highest ranked firm based on qualifications and was invited to enter into negotiations. Sound Transit executed the contract with HNTB Corporation on October 15, 2017 in an amount not to exceed \$24,412,019 for Phase 1 work. A Phase 2 modification in the amount not to exceed \$60,293,750 was issued on May 23, 2019. HNTB has satisfactorily completed Phase 1 and 2 work and was invited to negotiate the scope of work and cost for Phase 3.

Phase 3 is anticipated to proceed in three motions to reflect the Board's actions to confirm or modify the preferred alternatives for the West Seattle and Ballard Link extensions. A limited portion of the scope of Phase 3 Final EIS and Preliminary Engineering for two months work was authorized to initiate Phase 3 activities until the Preferred Alternative for West Seattle Link Extension was identified by the Board. This motion now seeks authorization to advance the Final EIS and Preliminary Engineering for the West Seattle Extension, and to allow for the Board request for further studies prior to identifying a Preferred Alternative for the Ballard Link Extension. The parties will engage in further negotiations to determine fair and reasonable price for the entire Phase 3 scope.

It is anticipated that the remainder of the work elements in Phase 3 Scope of Work, including completion of the Final EIS and Preliminary Engineering for the Ballard Link Extension will be subject of a request for a future Board Action.

Procurement and Contracts has determined that the scope of work for this action is within the general scope of work originally procured.

## Fiscal information

This action is within the authorized project allocation and sufficient monies remain after approval of this action to fund the remaining work in the preliminary engineering phase.

The authorized project allocation for the West Seattle and Ballard Link Extensions project is \$286,746,000. Within that amount \$215,266,000 has been allocated to the preliminary engineering

phase of which \$80,301,000 has been allocated for FEIS / PE (Phase 3). The action would commit an additional \$71,858,568 to this line item and leave an uncommitted phase budget balance of \$0.

The current cost estimate for the West Seattle and Ballard Link Extension project is \$14.131 billion in 2022\$ and is affordable within the Agency’s Finance Plan by 2039. Staff are managing the project toward the Target Schedule of 2037, while working to close an affordability gap of \$2.2 billion in 2022\$. This action is consistent with the schedule and financial plan adopted by the Board in Resolution No. R2021-05 and does not impact the affordability of any other system expansion project.

### West Seattle & Ballard Link Extensions

(in thousands)

Project Phase	Authorized Project Allocation to Date	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Agency Administration	\$55,058	\$28,664	\$	\$28,664	\$26,394
Preliminary Engineering	215,266	103,853	71,859	175,711	39,555
Final Design					
Third Party	10,400	3,706		3,706	6,694
Right of Way	6,022	3,633		3,633	2,389
Construction					
Construction Services					
Vehicles					
<b>Total Current Budget</b>	<b>\$286,746</b>	<b>\$139,855</b>	<b>\$71,859</b>	<b>\$211,714</b>	<b>\$75,032</b>
<b>Phase Detail - Preliminary Engineering</b>					
FEIS / PE (Phase 3)	80,301	8,442	71,859	80,301	
Other Preliminary Engineering	134,965	95,410		95,410	39,555
<b>Total Phase</b>	<b>\$215,266</b>	<b>\$103,853</b>	<b>\$71,859</b>	<b>\$175,711</b>	<b>\$39,555</b>

Contract Detail	Board Approvals to Date*	Current Approved Contract Status	Proposed Action	Proposed Total for Board Approval
<b>HNTB Corporation</b>				
West Seattle & Ballard Contract	\$98,972	\$99,485	\$65,204	\$164,689
West Seattle & Ballard Contingency	530	31	6,654	6,685
DSTT Contract Amount	362	362		362
DSTT Contingency	36	36		36
RapidRide C and D Contract	495	481		481
RapidRide C and D Contingency	0	0		0
<b>Total Contract Amount</b>	<b>\$100,394</b>	<b>\$100,394</b>	<b>\$71,859</b>	<b>\$172,253</b>
Total Percent Contingency	1%	0%	10%	4%

**Notes:**

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

For detailed project information, see page 109 of the 2022 Finance Plan and Adopted Budget.

\* Board Approvals = Commitment and PO Contingency Remaining as of 8/10/22.

\* Correction to the prior Motion M2022-56 for the contract modification from \$11,162,414 to \$8,442,432, maintaining the new total authorized contract amount in the prior action at not to exceed \$100,394,403.

## 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 HNTB has committed to the following small business/DBE participation:

<b>Small business and disadvantaged business enterprise (DBE) goals</b>	
Sound Transit small business goal: 18%	Small business commitment: 19%
DBE goal: 11%	DBE commitment: 12%

For Phase 3B, HNTB has committed to the following Small Business/DBE participation:

<b>Subconsultant/Subcontractor</b>	<b>Business Type</b>	<b>% of Work</b>	<b>Amount</b>
Bolima Drafting & Design	DBE	0.52%	\$ 344,853
Cascadia Consulting	Small Business	0.58%	\$ 377,987
Community Attributes	Small Business	0.11%	\$ 69,546
Confluence Environmental	Small Business	1.61%	\$ 1,049,138
Cross-Spectrum Acoustics, Inc.	DBE	0.49%	\$ 319,392
EnviroIssues	DBE	1.38%	\$ 902,524
Furtado & Associates, Inc.	DBE	6.64%	\$ 4,330,372
The Greenbusch Group, Inc.	Small Business	0.30%	\$ 192,393
Grijalva Engineering	DBE	0.44%	\$ 285,852
Heffron Transportation, Inc.	Small Business	0.33%	\$ 213,254
Irwin Writing/Editing	DBE	0.17%	\$ 110,297
Krebs Corporation	Small Business	0.18%	\$ 117,724
Michael Minor & Associates	DBE	0.24%	\$ 155,270
Ott-Sakai Consulting, LLC	DBE	1.35%	\$ 877,010
Pencil on Paper, LLC	Small Business	0.72%	\$ 472,519
R.H. Chen Engineering	DBE	0.87%	\$ 568,858
Scharrer Architecture and Design	DBE	0.54%	\$ 352,517
Systems Consulting, LLC	DBE	0.39%	\$ 251,156
The Underhill Group	Small Business	0.28%	\$ 182,298
Utility Mapping Services, Inc.	Small Business	2.13%	\$ 1,387,945
<b>Total</b>		<b>19.26%</b>	<b>\$ 12,560,905</b>

## Public involvement

Sound Transit is committed to actively seeking public feedback at all project stages for the West Seattle and Ballard Link Extensions Project with the overarching goal of fostering public trust through transparent communication, meaningful involvement and being responsive to concerns and issues. The project will continue reaching out to communities, businesses, stakeholders and agencies to shape the project by asking questions, holding conversations with project staff and seeking out ideas and comments.

This contract amendment will continue extensive community engagement and outreach conducted in Phase 1, Alternatives Development, and Phase 2, Draft EIS and Conceptual Engineering, including public meetings, briefings, community workshops and drop-in sessions. The proposed budget for this action supports online and in-person communications to support community engagement. In addition to supporting the Final EIS and Preliminary Engineering, community engagement activities will include support for further studies to inform a future Board action to confirm or modify the Preferred Alternative for the Ballard Link Extension.

## Time constraints

A delay in approval of this action would result in an equivalent delay in the subsequent production and review of the Final EIS.

## Prior Board/Committee actions

Motion No. M2022-57: Confirmed or modified the preferred light rail route and station locations for the West Seattle and Ballard Link Extensions Final Environmental Impact Statement and requested further studies in some areas to inform potential additional future Board action to confirm or modify the Preferred Alternative.

Motion No. M2022-56: Authorized the chief executive officer to execute a contract modification with HNTB Corporation to provide project development services for the West Seattle and Ballard Link Extensions project in the amount of \$11,162,414, including contingency, for a new total authorized contract amount not to exceed \$100,394,403.

Motion No. M2021-43: Authorized the chief executive officer to execute a contract modification with HNTB Corporation to increase the contract contingency for the West Seattle and Ballard Link Extensions in the amount of \$4,206,000 for the identification of capital cost savings opportunities and to provide additional project contingency for a new total authorized contract amount not to exceed \$91,951,971.

Motion No. M2019-52: Authorized the chief executive officer to execute a contract modification with HNTB Corporation to provide project development services for the West Seattle and Ballard Link Extensions Project in the amount of \$54,812,500, with a ten percent contingency of \$5,481,250, for a new total authorized contract amount not to exceed \$87,745,971.

Motion No. M2018-101: Authorized the chief executive officer to execute a contract amendment with HNTB to provide a speed and reliability study for RapidRide C and D Improvements in the amount of \$599,000, for a new total authorized contract amount not to exceed \$27,452,221.

Motion No. M2017-119: Executed a contract with HNTB Corporation to provide project development services for the West Seattle and Ballard Link Extensions project in the amount of \$24,412,019, with a 10% contingency of \$2,441,202, for a total authorized contract amount not to exceed \$26,853,221.

**Environmental review – KH 8/11/22**

**Legal review – JSA 8/12/22**



## Motion No. M2022-73

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a contract modification with HNTB Corporation to provide project development services for the West Seattle and Ballard Link Extensions project in the amount of \$71,858,568, including contingency, for a new total authorized contract amount not to exceed \$172,252,971.

### Background

The West Seattle and Ballard Link Extensions project is a voter-approved project under the ST3 Plan. The Project will provide fast, reliable light rail connections to dense residential and job centers throughout the region and add a new downtown Seattle light rail tunnel to provide efficient operating capacity for the entire regional system. It consists of two separate Link light rail extensions: one to West Seattle and the other to Ballard. The extension to West Seattle will operate from downtown Seattle to West Seattle's Alaska Junction neighborhood with four stations and will eventually connect to Everett Link. The Ballard extension will operate from downtown Seattle to Ballard's Market Street area with nine stations and will include a new rail-only tunnel from the Chinatown/International District to South Lake Union and Seattle Center/Uptown. It will eventually connect with the Tacoma Dome Link Extension.

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HNTB has satisfactorily completed Phase 1 and 2 work and Motion M2022-56 authorized Phase 3 Final EIS and Preliminary Engineering to advance for two months. This action requests authorization for a contract amendment to continue Phase 3 to advance the Final EIS and Preliminary Engineering for the West Seattle Extension, and to expand the scope related to the Ballard Link Extension to conduct the work required to support a future Board determination to confirm or modify remaining elements of the Preferred Alternative. The final portion of Phase 3 scope of work will be authorized after the Board has taken action to confirm or modify the Preferred Alternative for the Ballard Link Extension to be advanced into Preliminary Engineering.

Staff will return to the Board to authorize the remainder of the Phase 3 scope of work in 2023, after the Board has confirmed or modified the Preferred Alternative for the Ballard Link Extension to be advanced into Preliminary Engineering.

The current approved project budget for Preliminary Engineering is based on pre-realignment project cost estimates. This action authorizes an amount not to exceed the current approved Preliminary Engineering budget for work comprising a portion of the Phase 3 scope. The 2023 Preliminary Engineering budget will be adjusted to reflect the project cost estimates from the realigned financial plan in the 2023 Transportation Improvement Plan (TIP), which will include funding for the full Phase 3 scope of work.

The contract with HNTB included completion of Phase 1 and options to negotiate future amendments for the completion of Phases 2 and 3. HNTB has satisfactorily completed Phases 1 and 2 and has initiated Phase 3 activities. Authorization is sought to advance the Final EIS and Preliminary Engineering for the West Seattle Extension and to conduct further studies in some areas to inform a future Board action to confirm or modify the Preferred Alternative for the Ballard Link Extension.

## 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 contract modification with HNTB Corporation to provide project development services for the West Seattle and Ballard Link Extensions project in the amount of \$71,858,568, including contingency, for a new total authorized contract amount not to exceed \$172,252,971.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on August 25, 2022



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Dave Somers  
Board Vice Chair

## Attest:



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Kathryn Flores  
Board Administrator