



## Motion No. M2023-43

### Contract Modification with South County Transit Partners for the Federal Way Link Extension Project

Meeting:	Date:	Type of action:	Staff contact:
Board	05/25/2023	Final action	Brooke Belman, Chief Expansion Delivery Officer Ron Lewis, DECM Executive Director Linneth Riley-Hall, Executive Project Director <b>Nathan Galer, Construction Manager</b>

### Proposed action

Authorizes the chief executive officer to increase the contract contingency for the Federal Way Link Extension Design-Build Project Management Services contract with South County Transit Partners to cover an extended duration of services and for additional quality oversight in the amount of \$33,000,000 for a new total authorized contract amount not to exceed \$139,433,313.

### Key features summary

- South County Transit Partners (SCTP) continues to provide design-build project management (DBPM) consultant services and design/construction oversight for the Federal Way Link Extension project.
- Civil construction is expected to be complete in Q4 2025 (previously Q4 2024). Additional time is required to address changes at Structure C and the subsequent landslide in July 2022 that temporarily halted construction efforts.
- Structure C is located in the City of Kent between the future Kent Des Moines and Star Lake stations. It is positioned west (downslope) of Southbound travel lanes of I-5 and east (upslope) of the McSorley Wetland. Structure C is the highest known risk on the FWLE project.
- Additional contract contingency is required to cover the extended duration of DBPM services, through project closeout.
- This increase in the contract contingency will also provide for enhanced quality oversight including:
  - Continued subject-matter expert review of all submittals and design changes to identify and resolve quality issues ahead of the work.
  - Additional construction oversight positions that broaden coverage of work to prevent potential quality issues in the field.
  - Extended utilities oversight services to monitor contractor's quality of performance and efficient coordination of work affecting partner utilities.
  - Interim staff for vacant Sound Transit project team positions including Construction Manager overseeing Systems and Project Manager working with jurisdictional partners.

- SCTP will also provide Construction Management services for the F210 traffic mitigation contract.

## Background

The Federal Way Link Extension adds approximately 7.8 miles of light rail from the Angle Lake light rail station at South 200th Street in the City of SeaTac to the City Center area in Federal Way. The extension generally parallels State Route 99 and Interstate 5, with stations in Kent/Des Moines, South 272nd/Star Lake Park-and-Ride, and the Federal Way Transit Center. New parking structures will be constructed at each of the three stations.

The Federal Way Link Final Environmental Impact Statement was issued on November 18, 2016 pursuant to the State Environmental Policy Act (SEPA) and National Environmental Policy Act (NEPA) and completing the SEPA process. On January 26, 2017, the Sound Transit Board defined and selected the Federal Way Link Extension alignment, profile, stations, and associated infrastructure to be built between Angle Lake Station at S. 200th Street and the Federal Way Transit Center in Resolution No. R2017-02. The Federal Transit Administration issued a Record of Decision on March 6, 2017 and the Federal Highway Administration issued a Record of Decision on March 9, 2017. Sound Transit and FTA evaluated potential FWLE design refinements in May 2021, including options to address differing site conditions at Structure C. Sound Transit and FTA determined the proposed design refinements would not create new probable significant adverse environmental impacts.

The DBPM Phase 1 contract was executed on March 2, 2018. It provided DBPM services during procurement and start-up of the FWLE design-build contract.

On September 27, 2018, the Sound Transit Board approved the Project Baseline Scope, Schedule, and Budget in Resolution No. R2018-30.

The FWLE design build contract was executed on May 30, 2019.

Sound Transit Phase 2B DBPM services was approved by the Board on April 23, 2020.

In July 2022, while building a temporary access road at Structure C, a landslide occurred. As a result, the soil characteristics and site were altered, making a temporary access road no longer feasible and rendering the previously designed structure type no longer viable. The necessity for re-design significantly impacted the project schedule.

Earlier this year, the DB completed its design and began construction of the 500-foot-long span bridge solution that spans over the poorest soil areas.

This action is related to Motion No. M2023-42 which requests an increase of the contract contingency for the F200 Design-Build construction contract.

## Project status

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

Projected construction completion date: 4Q 2025.

Project scope, schedule and budget summary are located on page 56 of the March 2023 Agency Progress Report.

## Procurement information

A Request for Qualifications (RFQ) for the Federal Way Design-Build Project Management Services was advertised in September 2017, which includes Phase 1: Support for the procurement of the Design-Build Contract, and contract options for Phase 2: Project Management services and oversight of the Design-Build Contractor during design and construction. Sound Transit received three Statements of Qualifications (SOQs).

Based on the evaluation of SOQs, three proposers were invited for interviews. The South County Transit Partners (SCTP) team – a joint venture between Mott McDonald and SNC-Lavalin (now Atkins) – was determined to be the highest ranked firm based on qualifications.

SCTP has earned good overall scores in performance evaluations. This modification is within the original scope of the contract. An independent cost estimate was completed, and the amount of this modification is determined to be fair and reasonable.

## 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. This action does not impact the affordability of any other system expansion project.

The baseline budget for the Federal Way Link Extension project is \$2,451,535,000. Within the construction services phase, \$139,485,400 has been allocated to the budget line item for Design Build Project Management (DBPM). This action would commit an additional \$33,000,000 to this line item and leave a remaining budget balance of \$52,087.

### Federal Way Link Extension

(in thousands)

Project Phase	Baseline Budget	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Agency Administration	\$96,520	\$48,067	\$0	\$48,067	\$48,453
Preliminary Engineering	46,131	46,117		46,117	14
Final Design	6,137	4,190		4,190	1,947
Third Party	37,741	26,022		26,022	11,719
Right of Way	338,783	229,210		229,210	109,573
Construction	1,769,991	1,630,505		1,630,505	139,485
Construction Services	156,232	106,627	33,000	139,627	16,605
Vehicles					
<b>Total Current Budget</b>	<b>\$2,451,535</b>	<b>\$2,090,739</b>	<b>\$33,000</b>	<b>\$2,123,739</b>	<b>\$327,796</b>
<b>Phase Detail - Construction Services</b>					
Construction Management	\$139,485	\$106,433	\$33,000	\$139,433	\$52
Other Construction Services	16,747	194		194	16,553
<b>Total Phase</b>	<b>\$156,232</b>	<b>\$106,627</b>	<b>\$33,000</b>	<b>\$139,627</b>	<b>\$16,605</b>
<b>Contract Detail</b>					
<b>South County Transit Partner</b>	<b>Board Approvals to Date</b>	<b>Current Approved Contract Status</b>	<b>Proposed Action</b>	<b>Proposed Total for Board Approval</b>	
Contract Amount	\$96,758	\$101,608		\$101,608	
Contingency	9,676	4,825	33,000	37,825	
Sound Transit Share	106,433	106,433	33,000	139,433	
Percent Contingency	10%	5%	100%	37%	

#### Notes:

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

Board Approvals = Committed and PO Contingency Remaining as of 5/5/2023.

For detailed project information, see page 115 in the 2023 Finance Plan and Adopted Budget Book.

## 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 the successful Bidder/Proposer has committed to the following small business/DBE participation:

Small business and disadvantaged business enterprise (DBE) goals	
DBE goal: 7%	Sound Transit small business goal: 12%
<b>DBE commitment: 10.45%</b>	<b>Small business commitment: 13.3%</b>
<b>Current DBE Attainment 15.53%</b>	<b>Current Small Business Attainment 26.82%</b>

### Public involvement

Throughout the development of the Federal Way Link Extension, Sound Transit conducted an extensive public involvement program including mailings, community open houses, and presentations and meetings with individuals and neighborhood groups.

### Time constraints

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

### Prior Board/Committee actions

Motion No. M2020-25: Authorized the chief executive officer to execute a contract modification with South County Transit Partners to exercise a contract option for Phase 2B design-build project management services for the Federal Way Link Extension in the amount of \$81,643,091, with a 10% contingency of \$8,164,309, totaling \$89,807,400 for a new total authorized contract amount not to exceed \$106,433,313.

Motion No. M2019-68: Authorized the chief executive office to execute a contract modification with South County Transit partners to add LNTP design-build project management services for the Federal Way Link Extension in the amount of \$10,510,000 with a 10% contingency of \$1,050,000, totaling \$11,560,994, for a new authorized contract amount not to exceed \$16,625,913.

Motion No. M2018-21: Authorized the chief executive officer to execute a contract with South County Transit Partners to provide design-build project management services for the Federal Way Link Extension in the amount of \$4,604,472, with a contingency of approximately 10% or \$460,447, for a total authorized contract amount not to exceed \$5,064,919.

---

**Environmental review** – KH 5/15/23

**Legal review** – JEN 05/15/23



## Motion No. M2023-43

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 Federal Way Link Extension Design-Build Project Management Services contract with South County Transit Partners to cover an extended duration of services and for additional quality oversight in the amount of \$33,000,000 for a new total authorized contract amount not to exceed \$139,433,313.

### Background

The Federal Way Link Extension adds approximately 7.8 miles of light rail from the Angle Lake light rail station at South 200th Street in the City of SeaTac to the City Center area in Federal Way. The extension generally parallels State Route 99 and Interstate 5, with stations in Kent/Des Moines, South 272nd/Star Lake Park-and-Ride, and the Federal Way Transit Center. New parking structures will be constructed at each of the three stations.

The Federal Way Link Final Environmental Impact Statement was issued on November 18, 2016 pursuant to the State Environmental Policy Act (SEPA) and National Environmental Policy Act (NEPA) and completing the SEPA process. On January 26, 2017, the Sound Transit Board defined and selected the Federal Way Link Extension alignment, profile, stations, and associated infrastructure to be built between Angle Lake Station at S. 200th Street and the Federal Way Transit Center in Resolution No. R2017-02. The Federal Transit Administration issued a Record of Decision on March 6, 2017 and the Federal Highway Administration issued a Record of Decision on March 9, 2017. Sound Transit and FTA evaluated potential FWLE design refinements in May 2021, including options to address differing site conditions at Structure C. Sound Transit and FTA determined the proposed design refinements would not create new probable significant adverse environmental impacts.

The DBPM Phase 1 contract was executed on March 2, 2018. It provided DBPM services during procurement and start-up of the FWLE design-build contract. On September 27, 2018, the Sound Transit Board approved the Project Baseline Scope, Schedule, and Budget in Resolution No. R2018-30. The FWLE design build contract was executed on May 30, 2019. Sound Transit Phase 2B DBPM services was approved by the Board on April 23, 2020.

In July 2022, while building a temporary access road at Structure C, a landslide occurred. As a result, the soil characteristics and site were altered, making a temporary access road no longer feasible and rendering the previously designed structure type no longer viable. The necessity for re-design significantly impacted the project schedule.

Earlier this year, the DB completed its design and began construction of the 500-foot-long span bridge solution that spans over the poorest soil areas.

This action is related to Motion No. M2023-42 which requests an increase of the contract contingency for the F200 Design-Build construction contract.

South County Transit Partners (SCTP) continues to provide design-build project management (DBPM) consultant services and design/construction oversight for the Federal Way Link Extension project.

Civil construction is expected to be complete in Q4 2025 (previously Q4 2024). Additional time is required to address changes at Structure C and the subsequent landslide in July 2022 that temporarily halted construction efforts.

Structure C is located in the City of Kent between the future Kent Des Moines and Star Lake stations. It is positioned west (downslope) of Southbound travel lanes of I-5 and east (upslope) of the McSorley Wetland. Structure C is the highest known risk on the FWLE project.

Additional contract contingency is required to cover the extended duration of DBPM services, through project closeout.

This increase in the contract contingency will also provide for enhanced quality oversight including:

- Continued subject-matter expert review of all submittals and design changes to identify and resolve quality issues ahead of the work.
- Additional construction oversight positions that broaden coverage of work to prevent potential quality issues in the field.
- Extended utilities oversight services to monitor contractor's quality of performance and efficient coordination of work affecting partner utilities.
- Interim staff for vacant Sound Transit project team positions including Construction Manager overseeing Systems and Project Manager working with jurisdictional partners.

SCTP will also provide Construction Management services for the F210 traffic mitigation contract.

## 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 Federal Way Link Extension Design-Build Project Management Services contract with South County Transit Partners to cover an extended duration of services and for additional quality oversight in the amount of \$33,000,000 for a new total authorized contract amount not to exceed \$139,433,313.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on May 25, 2023.

  
Dow Constantine  
Board Chair

Attest:

  
Kathryn Flores  
Board Administrator