

**SOUND TRANSIT**

**RESOLUTION NO. R99-19**

**Board Approval of an Agreement with Amtrak for Construction and Use of King Street Station  
BACKGROUND AND COMMENTS**

<b>Meeting:</b>	<b>Date:</b>	<b>Type of Action:</b>	<b>Staff Contact:</b>	<b>Phone:</b>
Finance Committee	7/1/99	Recommend Board Approval	Paul W. Price	398-5111
Board	7/8/99	Approval	David Phillip Beal	398-5124

**ACTION:**

Approval of Resolution No. R99-19 would authorize the Executive Director to execute an agreement with Amtrak for the construction of the new facilities at King Street Station necessary for the operation of Sounder commuter rail service. The agreement will be for an amount not to exceed \$6,732,000. This amount is made up of direct Sound Transit station costs of \$5,060,000, plus 10% contingencies on that amount, plus up to an additional \$1,166,000 in track, signal and foundations work shared with Amtrak. Through a competitive procurement, Amtrak will contract with the low bidder for construction of the commuter rail station elements concurrent with a variety of other passenger rail improvements at King Street Station. Amtrak will provide construction management and related services.

**BACKGROUND:**

King Street Station, located in the south downtown area of the City of Seattle, is the northern terminus of the Tacoma-to-Seattle commuter rail corridor. This station will also serve the Everett and Lakewood corridors as they are brought into service. The existing King Street Station platform and track area requires substantial physical modification and relocation of the passenger platforms and related facilities to function adequately and safely for commuters.

The King Street Station building itself is in the early stages of a multi-year historic renovation. The parties involved in this undertaking include Washington State Department of Transportation (WSDOT), Amtrak, the King Street Station Foundation, the Burlington Northern Santa Fe Railway Co. (BNSF), and others. Because Sound Transit will be significantly changing and adding to the passenger facilities in the immediate vicinity of the station, staff has been coordinating the design of the facilities with the parties involved in the historic renovation.

With the passage of Resolution No. R98-36 (7/16/98), the Finance Committee approved an agreement between ST and WSDOT for the design of ST's facilities at King Street Station. That agreement established a cooperative relationship through which ST used WSDOT's architect team for the historic renovation of King Street to design station elements. That team, Otak, Inc., is also Amtrak's architect for its station improvements at King Street.

The ST station site is a very confined physical environment -- situated along the active railroad tracks between the King Street Station building and the 4<sup>th</sup> Avenue South viaduct. To avoid the otherwise inevitable negative consequences of having multiple contractors working simultaneously in this constrained location, staff has proceeded with the plan of having a single agency be the contracting authority for all construction at King Street Station in 1999. Amtrak has offered to play this role.

Recognizing the demands of bringing six other commuter rail stations to construction in the coming months, ST staff proceeded to negotiate an agreement with Amtrak. Amtrak will be rebuilding its own platforms and canopies via the same low bid contract process.

King Street Station will be the busiest Sounder station with approximately 15,200 passenger trips passing through each weekday.

#### **RELEVANT BOARD POLICIES AND PREVIOUS ACTIONS TAKEN:**

- ◆ Adoption of Sound Move, the Ten-Year Regional Transit System Plan (May 31, 1996)

(Sound Move calls for commuter rail service to be implemented within two to four years of voter approval, and established a total budget for King Street Station of \$11,000,000 in 1995 dollars.)

- ◆ Adoption of Implementation Guide (May 22, 1997)

(The Implementation Guide calls for Tacoma-to-Seattle commuter rail service to begin by the end of 1999.)

- ◆ Adoption of Resolution No. R98-36 (July 16, 1998)

(Established a cooperative arrangement for the design of the Sounder commuter rail station facilities at King Street Station.)

- ◆ Adoption of Fiscal Year 1999 Budget

(The 1999 budget includes a total budget of \$11,610,000 for King Street Station including \$9,301,000 for construction and contingencies combined.)

#### **EXECUTIVE SUMMARY:**

##### **Scope of work**

Sound Transit's commuter rail facilities at King Street Station will consist of:

- ◆ a new ADA-accessible platform with full canopy coverage,
- ◆ windscreens,
- ◆ stairway and elevator connections to the new Weller Street pedestrian bridge,
- ◆ a stairway to/from the north side of Jackson Street,
- ◆ at-grade crossings to/from the King Street Station building,
- ◆ track and signal improvements in the station area, and
- ◆ ticket vending machines.

The proposed agreement provides for the construction of these elements. Amtrak will also perform or provide construction management, testing and inspection, design support services and flagging. The agreement provides for all activities necessary for completion of the Sounder station elements, but provides ST direct involvement in field change orders.

## Procurement and selection process

With ST participation, Amtrak conducted a competitive procurement process to secure bids for King Street Station platform and canopies construction, including both its own and ST's facilities. Two bids were received, detailed as follows:

<b>Bidder</b>	<b>Amount of Bid (ST portion)*</b>
C. A. Carey Corp. 537 NW Locust St. Issaquah WA	\$4,550,000
Triton Marine Construction Corp. 2181 Chico Way Bremerton WA	\$5,260,450

\* The bids Amtrak received were higher than shown because they included Amtrak's facilities as well. Carey was the overall low bidder as well as the low bidder on ST's portion.

Amtrak has determined C. A. Carey to be the low, responsive bidder and will award a contract to that firm.

## M/W/DBE participation

The low bidder's (C. A. Carey) documents include a subcontracting plan committing 18% of the contract value to minority business enterprises and 1% to female-owned business enterprises. In total this is equal to an M/WBE participation level of \$1,350,000. This participation is in the areas of steel erection, structural steel welding and trucking.

## Cost

The Sound Transit adopted budget provides \$11,610,000 for all the King Street Station-related commuter rail capital costs, as detailed below:

<b>Cost Element</b>	<b>Budget</b>
Agency development	\$ 248,000
Preliminary engineering	198,000
Environmental	50,000
Final design and specifications	594,000
ROW acquisition and permits	1,219,000
Construction	7,251,000
Contingency	2,050,000
<b>TOTAL:</b>	<b>\$11,610,000</b>

As shown above, 7,251,000 and \$2,050,000 are allocated to construction and contingencies, respectively, for a total of \$9,301,000 funds available for construction (see page 62 of the adopted budget).

Of the \$9,301,000 mentioned just above, \$2,000,000 is currently held in reserve for additional track and signal modifications necessary for the ultimate function of the station. It is anticipated that this trackwork will be performed later by the BNSF. Therefore, the amount requested for this agreement with Amtrak represents 92% of remaining available funds (\$6,732,000 out of \$7,301,000).

The maximum value of the proposed agreement (\$6,732,000) consists of the following elements:

Station construction and supporting activities	\$5,060,000
10% contingencies on above	\$ 506,000
ST share of station-area track, signal and foundations	<u>\$1,166,000</u>
 TOTAL:	 \$6,732,000

“Supporting activities” totaling \$510,000 will be provided by or through Amtrak, and include construction management, materials testing, inspection, design support services and railroad flagging. Adding this amount to the bid from C. A. Carey (\$4,550,000) yields the \$5,060,000 “Station construction and supporting activities” line item shown just above.

Of the \$1,666,000 for "ST share of station-area track, signal and foundations" shown just above, a maximum of \$766,000 is for the purpose of reimbursing Amtrak for ST's share of track and foundations work performed by Amtrak during 1998.

All commuter rail capital funds allocated to King Street Station are derived from the South King County subarea. It is anticipated that any unused King Street Station funds resulting from this action will be allocated, via a subsequent budget amendment, to trackwork and other unfunded needs elsewhere along the South King County portion of the Tacoma-to-Seattle commuter rail corridor.

Sound Transit will reimburse Amtrak monthly based on invoice submittals of actual costs.

### **Contingency**

The contingency funds included in the proposed agreement total \$506,000, out of \$2,050,000 contingencies currently included in the ST budget for King Street Station (see page 62 of the adopted budget). Through this agreement, Sounder staff will participate in the Amtrak “change control board” established for the C. A. Carey contract. Also through this agreement, the Amtrak resident engineer will be delegated signature authority on ST-related change orders up to \$24,999. Any change orders in excess of that amount will require the signature of the Director of Commuter Rail.

Any changes to the contract that separately or in total exceed the maximum established for contingencies through this Board action, will be brought back to the Finance Committee and/or the Board for additional discussion/approval.

### **ALTERNATIVES:**

At least three alternative actions exist:

- 1) Request Amtrak re-bid this work in hopes of a better bid price,
- 2) Reject the bid and proposed agreement, and repackage Sound Transit’s work at King Street Station for a separate bid process, or
- 3) Take no action at this time.

It is not the recommendation of staff to ask Amtrak to re-bid this work.

Repackaging the process as a Sounder stand-alone construction project is possible. It would be somewhat time consuming and require additional expenditures on design. To accomplish the additional design work would first require an amendment to the ST/WSDOT agreement approved by the Finance Committee through Resolution No. R98-36, as discussed above.

**LEGAL REVIEW:**

The Legal Department has reviewed and approved the Background and Comments and the Resolution.

## **SOUND TRANSIT**

### **RESOLUTION NO. R99-19**

A RESOLUTION of the Board of Directors of the Central Puget Sound Regional Transit Authority authorizing the Executive Director to execute an agreement with Amtrak for construction of the Sounder King Street Station and related elements and reimbursement for such construction, in an amount not to exceed \$6,732,000.

WHEREAS, a regional transit authority ("Sound Transit") has been created for the Pierce, King, and Snohomish County region by action of their respective county councils pursuant to RCW 81.112.030; and

WHEREAS, on November 5, 1996, Central Puget Sound area voters approved local funding for Sound Move, the ten-year plan for regional high-capacity transit in the Central Puget Sound Region; and

WHEREAS, Sound Move includes funding a commuter rail component consisting of designated segments, including the Tacoma-to-Seattle segment and construction of commuter rail stations along the Tacoma-to-Seattle corridor; and

WHEREAS, by Resolution No. R98-36 the Sound Transit Finance Committee authorized the execution of an agreement between Sound Transit and the Washington State Department of Transportation (WSDOT) for the design of all the commuter-related elements of the King Street Station complex; and

WHEREAS, WSDOT, Amtrak and other entities are undertaking the renovation of King Street station; and

WHEREAS, Sound Transit desires to enter into an agreement with Amtrak related to construction of the new facilities at King Street (including station platform and canopies) and track, signal and foundation work necessary for the operation of Sounder commuter rail service;

and

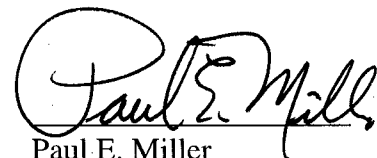
WHEREAS, Amtrak has conducted competitive procurement process for award of the construction contract; and

WHEREAS, the agreement will authorize Sound Transit to reimburse Amtrak for the construction of all the improvements necessary to support commuter rail operations at King Street Station; and

WHEREAS, it is in the best interest of Sound Transit to have a single agency for contracting authority on all construction at King Street Station.


NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Central Puget Sound Regional Transit Authority that the Executive Director is authorized to execute an agreement with Amtrak for the construction of the Sounder King Street Station and related elements, in an amount not to exceed \$6,732,000.

ADOPTED by the Board of Directors of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on the 8<sup>th</sup> day of July, 1999.



Paul E. Miller  
Chair

ATTEST:

  
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Marcia Walker  
Board Administrator