

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2001-101

**Contract with Bayley Construction for Construction
of Bellevue Transit Center Stage 2**

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Board	9/27/01	Action	Agnes Govern, Director, Regional Express Jim Edwards, Program Manager, Capital Projects Jerry Dahl, Construction Manager, Capital Projects	206-398-5037 206-398-5436 206-398-5284

OBJECTIVE OF ACTION

- Execute a contract with Bayley Construction for construction of Stage 2 of the Bellevue Transit Center Project.

ACTION

- Authorizes the Executive Director to execute a contract with Bayley Construction, the apparent lowest responsible and responsive bidder, in the amount of \$6,170,000 with a 10% contingency of \$617,000 for a total amount not to exceed amount of \$6,787,000.

KEY FEATURES

Highlights of Action:

- Enables construction of Stage 2 of the Bellevue Transit Center Project to begin in October 2001. Completion of this construction is scheduled for June 2002, to coincide with the June transit service changes.
- Authorizes Sound Transit to enter into a construction contract with a construction contractor based on bids opened September 17, 2001.
- A contract will not be awarded nor notice to proceed given until any further bid protest has been resolved.

Budget and Financial Impacts

The following table shows the available budget as it relates to expenditures, commitments, and the impact of this action.

Column A	Column B	Column C	Column D	Column E
Total Project Budget	Budget for Construction Phase	Obligated to Date	Total Amount Requested	Budget Remaining (B-[C+D])
\$18,824,000	\$10,376,000	\$2,718,565	\$6,787,000	\$870,435

All figures shown are in year of expenditure (YOE\$).

The project budget contains sufficient funds for this effort and committing these funds does not endanger any other project elements that are to be funded out of the overall project. The budget amounts shown are based on the current Adopted 2001 Budget (reference project number 322, page 197 of budget document, note that construction and ROW are combined in the budget document). Obligations to date (Column C) include expenditures and commitments through August 31, 2001, excluding this action.

FINANCIAL IMPACTS

Impact on Current Year Budget: N/A

Impact on Sound Move Budget: Budget and scope of work are within the Sound Move budget.

IMPACT ON COST-TO-COMPLETE: N/A

IMPACT ON SUBAREA(S) BUDGET(S): N/A

HISTORY OF PROJECT

Prior Board or Committee Actions and Relevant Board Policies

Motion or Resolution Number	Summary of Action	Date of Action
R98-18	MOA – City of Bellevue and KCM	5/14/98
M98-39	PE/ED Contract Award	5/7/98
M99-87	Final Design Contract Award	12/2/99
M2001-69	Final Design Contract Increase	7/19/01
M2001-99	Construction Management Contract Award	9/20/01
M2001-100	Operations and Maintenance Agreement with KCM	9/27/01

Construction bids for the Bellevue Transit Center were opened on September 17, 2001, and an apparent low bidder was identified. Through the bid verification process, the Contracts Division determined that the low bid was non-responsive and a determination of non-responsiveness was faxed to the contractor on September 19, 2001. The low bid contractor contacted Sound Transit by telephone and indicated their intention to protest the decision. A protest was received on September 24, 2001. Sound Transit Legal Counsel and the Contracts Manager reviewed the protest document. A response denying the bid protest was faxed to the protesting firm on September 25, 2001. We are currently awaiting response from them. The resolution of this appeal will be decided by the Executive Director on an expedited schedule. A contract will

not be executed nor will a notice to proceed be issued to the lowest responsive and responsible bidder until such time as the bid protest is decided by the Executive Director.

REGIONAL PARTNERSHIP AND COOPERATION

This project has been managed, designed, and permitted with extensive coordination among Sound Transit, King County Metro, and the City of Bellevue. All parties reviewed all design documents before Sound Transit proceeded with each stage of the project. Stage 1 construction is currently 95% complete. The City of Bellevue is managing the project for Sound Transit. Stage 1 is funded by Sound Transit in the amount of \$2.5M and includes improvements in and around the transit center. This work will be substantially complete by the end of September 2001. Stage 2 construction work includes rebuilding and expanding the transit center platform, improved bus shelters/canopies on the transit center island, and related customer amenities. Stage 2 work will begin in early October when buses are rerouted to enable the transit center island to be closed for reconstruction. The rerouting and Stage 2 construction have been closely coordinated with King County Metro and the City of Bellevue and designed to have the least possible impact on the customer during the construction.

PUBLIC INVOLVEMENT

- A groundbreaking ceremony for Stage 2 construction is planned for October 19 and will be closely coordinated with King County Metro and the City of Bellevue as well as community members and property owners who have worked with Sound Transit in the design and development of the project.
- Sound Transit will be working in concert with King County Metro during the fall service change to provide flyers and posters to commuters informing them of the interim changes to the Bellevue Transit Center during construction. Sound Transit staff will be on hand to assist commuters in finding the new location of temporary platforms.

LEGAL REVIEW

MLB 8-30-01

SOUND TRANSIT

MOTION NO. M2001-101

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the Executive Director to execute a contract with Bayley Construction in the amount of \$6,170,000 with a 10% contingency of \$617,000 for a total amount not to exceed \$6,787,000 for construction of Stage 2 of the Bellevue Transit Center.

Background:

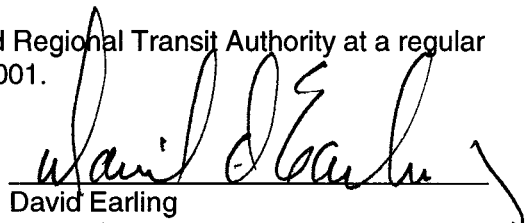
Construction of the expanded Bellevue Transit Center is being completed in two stages. Stage 1 construction will be completed in fall 2001 and includes roadway, intersection, signal, signage improvements, and temporary shelters. Stage 2 construction is scheduled to begin October 2001. This motion authorizes Stage 2 construction, which includes the expansion and reconstruction of the transit islands, shelters and passenger amenities, bus drives, landscaping, a field office, and driver restrooms ("Transit Improvements").

On August 23, 2001, Sound Transit issued an Invitation to Bid for construction of Stage 2 of the Bellevue Transit Center. Four bids were received. Bids were opened on September 17, 2001. Bayley Construction was determined to be the lowest responsible and responsive bidder for the construction of Stage 2 of the Bellevue Transit Center. In order to avoid additional negative impacts to transit services, the construction must be completed by June 2002 to coincide with King County/Metro's scheduled bus route service changes. The public interest requires that the work necessary to construct the Transit Improvements be authorized and commenced without further delay in order to deliver needed transit service to the public by June 2002, minimize negative impacts to transit services, and avoid project cost increases due to construction delays.

Motion:

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the Executive Director is hereby authorized to expedite and resolve any bid protest and to take such other actions deemed necessary to provide sufficient time to award a contract and complete the Transit Improvements by June 2002. If the Executive Director determines that any bid protest should be denied, the Executive Director is further authorized to execute a contract with Bayley Construction in the amount of \$6,170,000 with a 10% contingency of \$617,000 for a total amount not to exceed \$6,787,000 for construction of Stage 2 of the Bellevue Transit Center. The Executive Committee is authorized to take such other actions, if any, deemed necessary to award this contract to the lowest responsible and responsive bidder.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on the 27th day of September, 2001.


David Earling
Board Chair

ATTEST:


Marcia Walker
Board Administrator

SOUND TRANSIT

ATTACHMENT A

**SUPPLEMENT TO STAFF REPORT
Motion No. M2001-101**

Contract with XX for construction of Bellevue Transit Center Stage 2

On August 23, 2001, Sound Transit issued an Invitation for Bid (IFB) for construction of Stage 2 of the Bellevue Transit Center. **X** bids were received. Bids were opened on September 13, 2001. **XXX** was determined to be the lowest responsible and responsive bidder for the construction of Stage 2 of the Bellevue Transit Center.