

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2002-81

**Increase contingency funds for Construction Contract for
Kent Station Phase 2, Package 2C: Street Improvements**

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	6/27/02	Discussion/Possible Action	Lee Bullock, Sounder Director Bob Sundin, Construction Program Manager	(206) 398-5111 (206) 398-5118

Contract/Agreement Type:	3	Requested Action:	3
Competitive Procurement	3	Execute New Contract/Agreement	
Sole Source		Amend Existing Contract/Agreement	
Memorandum of Agreement		Contingency Funds Required	3
Purchase/Sale Agreement		Budget Amendment Required	

⁴ Applicable to proposed transaction.

OBJECTIVE OF ACTION

- Authorize the Executive Director to increase the contingency on the Sounder Kent Station Contract 2C RTA/CR 06-02 with Active Construction to resolve changed site conditions discovered during construction.

ACTION

- Authorize the Executive Director to increase the contract contingency by \$98,610 for a new total authorized amount not to exceed \$460,180 to Contract No. RTA/CR 06-02, Kent Station Phase 2, Package C: Street Improvements, at the Kent Commuter Rail Station.

KEY FEATURES

- The work includes construction of two block-long public roads, 2nd Avenue and Temperance Street, which border the north and west sides of the garage. Scope includes curb, gutter, sidewalks, asphalt paving, storm drainage, trees and tree grates, and street lighting.
- The contract provides for the construction of new public roads on the west and north sides of the parking garage which are necessary to open the west entrance of the garage and allow permanent access to the north entrance.
- The contract amendment is necessary due to conditions discovered during construction. On Smith Street, there is a conflict with the existing water main and the planned drainage system. The water main is at a different elevation than shown on the contract drawings. Also, while preparing the sub-base for the new Second Avenue, contaminated and unsuitable soils were uncovered which will have to be removed. The unsuitable soil conditions included quick sand conditions cause by ground water pore pressure. The water line relocation is estimated at \$52,000 and the soil remediation and removal is estimated at \$30,000. Excavation has not been started on Temperance Street.

BUDGET IMPACT SUMMARY

Project Description: Kent Station

Current Status: Pending Board Approval

Projected Completion Date: August 2002

Action Outside of Adopted Budget:	Y/N	Y Requires Comment
This Line of Business	N	
This Project	N	
This Phase	N	
This Task	N	
Budget amendment required	N	
Key Financial Indicators:	Y/N	Y Requires Comment
Contingency funds required	Y	Changed site conditions
Subarea impacts	N	
Funding required from other parties other than what is already assumed in financial plan	N	

N = Action is assumed in current Board-adopted budget. Requires no budget action or adjustment to financial plan

BUDGET DISCUSSION

Funding for this contract increase is included in the construction phase budget of the Kent Station 2002 Budget.

REVENUE, SUBAREA, AND FINANCIAL PLAN IMPACTS

The proposed action is consistent with the current Board-adopted budget and is affordable within Sound Transit's current long-term financial plan and the subarea financial capacity.

SUMMARY FOR BOARD ACTION

Summary for Board Action (Year of Expenditure \$000)

Action Item: Increase contingency for Active Construction contract for Kent Station Phase 2, Package C: Improvements

	Current Board Adopted Budget (A)	Commitments Plus Future Commitments (B)	This Action (C)	Total Committed & Action (D)	Pending Items	Uncommitted (Shortfall) (E)
1 Agency Administration	1,222	1,006	-	1,006		216
2 Pre-Engineering	190	182	-	182		8
3 Final Design	1,480	1,620	-	1,620		(140)
4 Right of Way	7,840	7,610	-	7,610		230
5 Construction	22,855	20,649	99	20,747		2,108
6 Contingency	811	29	-	29		782
7 Total Current Budget	34,398	31,096	99	31,194	-	3,204

Phase Budget Detail

8 Phase 1, Basic Station	4,200	4,183	-	4,183	-	17
9 Phase 2, Parking Garage	10,053	9,739	-	9,739	-	314
10 2a, On-Site Work (ped bridge)	3,861	3,503	-	3,503	-	358
11 2B, Off-Site Work (City streets)	1,667	-	-	-	-	1,667
12 Phase 2C, Street Improvements	400	362	99	460	-	(60)
13 Misc and Minor Contracts, Permits, Etc.	1,600	1,788	-	1,788		(188)
14 Construction Managements	1,074	1,074		1,074		
15 Total Phase	22,855	20,649	99	20,747	-	2,108

Contract Budget	Current Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
16 Active Construction	329	-	-	329
17 Contingency	33	-	99	132
18 Total	362	-	99	461
19 Percent Contingency	10%	N/A	N/A	40%

Budget Shortfall

Level	\$ (J)	Potential Revenues (K)	Funding Source (L)
NA	-		

M/W/DBE AND/OR SMALL BUSINESS PARTICIPATION

- Goal = 20.0%
- Basis of bid = 50.4%

Active Construction is a small business, which is reflected in the high percentage of M/W/DBE and/or small business participation obtained on this contract. The change orders will be allocated across the same sub-contractors performing the work.

HISTORY OF PROJECT

In accordance with past construction contract packaging plans for Commuter Rail, the Kent Garage area was to have two separate bid packages – the garage construction package, and the roadwork around the station (a portion of Package 2B, off-site work). The 2B, off-site work contract will not be bid for several months.

Two streets in the 2B contract, 2nd Avenue and Temperance Street, border the parking garage and are necessary to access the garage. The garage construction contract with PCL required completion by mid-July, 2002. However, PCL completed the garage four months ahead of schedule (March 15, 2002). Because of this, the two streets bordering the garage were separated from the remainder of the 2B Contract so that permanent access to the garage can be completed as soon as reasonable.

On February 6, 2002, staff issued Package 2C for bid. Bids were opened on February 28, 2002, with nine bids received. The contract was awarded on April 4, 2002.

Phased construction of the Kent Commuter Rail Station is as follows:

1. **Phase 1, Basic Station** (\$4,200,000) which was substantially completed in February 2001, included:
 - The station platforms;
 - Temporary and permanent parking;
 - Some street improvements to Railroad Avenue (curb, gutters, sidewalks, repaving, utility work, etc.).
2. **Phase 2 “Garage”** (\$9,900,000) which was substantially completed on March 8, 2002, included:
 - Construction of a five-level, 871-stall parking garage which includes \$4,000,000 from the City of Kent, and \$2,120,000 from King County.
3. **Phase 2A, On-site work** (construction 70% complete, to be completed summer of 2002 -- \$3,800,000 includes:
 - A pedestrian bridge that is primarily financed by three federal grants;
 - A transit island;
 - Load and unload zones and long term accessible parking;
 - A park / entry plaza;
 - Additional improvements to Railroad Avenue (overlay of asphalt and modification to drainage).
4. **Phase 2B Off-site work** contract (not yet bid – estimated costs \$1,700,000) will include curbs, gutters, sidewalks, repaving, street lighting, utility relocations and undergrounding, etc. for:

- Widening of Smith Street to allow for turn pockets to Railroad Avenue for bus access, and to 2nd Avenue for access to the garage;
 - Widening of Pioneer Avenue to allow bus access to station, partially funded by King County Metro (\$300,000);
 - New pavement for 1st Avenue and some sections of Railroad Avenue.
5. **Phase 2C Street Improvements** contract (this contract, \$361,570) includes two new block-long streets, 2nd Avenue and Temperance Street, bordering the north and west sides of the garage.

During construction of the storm drainage system on Smith Street, a conflict was discovered with the existing water main. The water main was at a different elevation than show on the contract drawings. The water main will have to be moved to permit sufficient slope for the storm drainage line. While preparing the sub-base for the new Second Avenue, contaminated soils and unsuitable soils were uncovered which will have to be removed. The unsuitable soil conditions included quick sand condition cause by ground water pore pressure. The water line relocation is estimated at \$52,000 and the soil remediation and removal is estimated at \$30,000. The project is about 45% complete and excavation has not been started on Temperance Street.

**Prior Board or Committee Actions
and Relevant Board Policies**

Motion or Resolution Number	Summary of Action	Date of Action
Motion No. M2002-39	Motion approving construction contract award for Kent Station's "Phase 2, Package 2C Street Improvements".	4/4/02
Motion No. M2001-86	Motion approving amending MBT contract for, among other items "... breaking of Phase 2 into three contracts, required by Federal requirements and by the accelerated completion date of the garage."	9/6/01
Motion No. M2001-85	Motion approving construction contract award for Kent Station's "Phase 2A, On-Site Work".	9/6/01
Resolution No. R99-20	Authorized an agreement with the City of Kent for development of a parking garage.	8/26/99
Motion No. 98-90	Motion to select Site 1 for the parking garage, the current location.	12/10/98
Motion No. 98-73	Motion to designate a preferred site for the parking garage and direct staff to finalize environmental review of the parking garage.	10/22/98
Motion No. 98-43	Motion to approve Kent's north site, add parking garage to project.	6/11/98
Resolution No. 98-10	MOU for commuter rail project with the City of Kent	4/9/98

CONSEQUENCES OF DELAY

- Financial – No financial impact will occur if Board acts on motion by June 27, 2002. If no action is taken, the contractor will be issued a stop work order and additional close out and possible remobilization costs will be incurred. The contractor was told not to proceed with the street paving activities on June 18, 2002 so as not exceed the funds authorization on the contract.
- Schedule - Delay will proportionately delay opening of west garage entrance.
- Scope – Delay will not affect the scope.

REGIONAL PARTNERSHIP AND COOPERATION

- City of Kent has worked in cooperation with the overall implementation of this project.

PUBLIC INVOLVEMENT

- The public was involved through the Technical Advisory Committee, the Environmental Assessment (EA) reviews of both the station and a follow-up Environmental Assessment for the garage, and numerous public forums in the earlier stages of the project.

LEGAL REVIEW

JDW 6/19/02

SOUND TRANSIT
MOTION NO. M2002-81

A motion of the Finance Committee of the Central Puget Sound Regional Transit Authority authorizing the Executive Director to increase the contract contingency by \$98,610 with Active Construction for construction services for Kent Station Phase 2, Package C: Street Improvements, for a new total authorized contract amount not to exceed \$460,180.

Background:

The original contract work includes construction of two block-long public roads, 2nd Avenue and Temperance Street, which border the north and west sides of the garage. Scope includes curb, gutter, sidewalks, asphalt paving, storm drainage, trees and tree grates, and street lighting.

During construction of the storm drainage system on Smith Street, a conflict was discovered with the existing water main. The water main was at a different elevation than shown on the contract drawings. The water main will have to be moved to permit sufficient slope for the storm drainage line. While preparing the sub-base for the new Second Avenue, contaminated and unsuitable soils were uncovered. The water line relocation is estimated at \$52,000 and the soil remediation and removal is estimated at \$30,000. The project is about 45% complete and excavation has not been started on Temperance Street.

The additional amount requested is required to correct changed site conditions discovered while excavating utilities and preparing sub-base on Second Avenue.

Motion:

It is hereby moved by the Finance Committee of the Central Puget Sound Regional Transit Authority that the Executive Director is authorized to increase the contract contingency by \$98,610 with Active Construction for construction services for Kent Station Phase 2, Package C: Street Improvement, for a new total authorized contract amount not to exceed \$460,180.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on June 27, 2002.



Kevin Phelps
Finance Committee Chair

ATTEST:



Marcia Walker
Board Administrator