

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2003-108

Construction Management Services Contract for Martin Luther King Jr. Way South

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	10/16/03	Deferred	Ahmad Fazel, Link Director	(206) 398-5389
Finance Committee	11/6/03	Discussion/Possible Action to Recommend Board Approval	Samer Tamimi, Link Construction Manager	(206) 398-5125
Board	11/13/03	Action		

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

3Applicable to proposed transaction.

OBJECTIVE OF ACTION

- To secure construction management services for Central Link, Martin Luther King Jr. Way South. (Contract C735).

ACTION

- Authorizes the Executive Director to execute a contract with Carter & Burgess to provide construction management services along Martin Luther King Jr. Way South in the amount of \$7,864,305 plus a 10% contingency of \$786,430 for a total amount not to exceed \$8,650,735, for a four-year term with the option of two additional one-year extensions.

KEY FEATURES

- Covers construction management for Martin Luther King Jr. Way South (Contract C735). Construction includes 4.5 miles of at-grade light rail guideway, and the Edmunds, Othello and Henderson Stations.
- Contract scope includes: providing resident engineering; office engineering; inspection (civil, structural, electrical, track, mechanical, utilities); estimating; change order administration; safety inspection; management; diversity; and Project Labor Agreement (PLA) administration. The total value of construction to be administered under this contract is estimated to be between \$120,000,000 and \$160,000,000.
- This contractor will perform construction management services for undergrounding of Seattle City Light facilities along Martin Luther King (MLK) Jr. Way South. The City of Seattle, Qwest, and Comcast will reimburse Sound Transit \$384,534 for construction management costs for undergrounding work.

BUDGET IMPACT SUMMARY

Project Description: Central Link Initial Segment
Current Status: Final Design/Construction
Projected Construction Completion Date: 2009

Action Outside of Adopted Budget:	Y/N	Y Requires Comment
This Line of Business	N	
This Project	N	
This Phase	N	
This Task	Y	Action requires budget transfer within the Construction Services Phase
Budget amendment required	N	
Key Financial Indicators:	Y/N	Y Requires Comment
Contingency funds required	N	
Subarea impacts	N	
Funding required from other parties other than what is already assumed in financial plan	Y	Action includes reimbursements from the City of Seattle, Qwest and Comcast

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

BUDGET DISCUSSION

The action considered by this motion authorizes execution of a contract with Carter & Burgess to provide construction management services along MLK Jr. Way South for a total amount not to exceed \$8,650,735, and limits Sound Transit's share of the costs for this work to \$8,266,201.

The total adopted capital budget for the Initial Segment is \$2.07 billion. Within the construction services phase of that budget, the current approved budget for C735 construction management services is \$7,500,000. Per Board Motion No. M2003-90, \$273,118 will be transferred during the 2004 Budget process from the construction phase to cover Sound Transit's share of construction management costs for undergrounding. An additional \$493,084 will be transferred from the systems construction management budget within the construction services phase to fund the remaining shortfall. These budgets have been redistributed within in the Proposed 2004 Budget, and will be subject to Board review and approval this fall.

REVENUE, SUBAREA, AND FINANCIAL PLAN IMPACTS

The proposed action includes work that is part of the Initial Segment of the Central Link project, as well as additional work that will be reimbursed by the City of Seattle, Qwest and Comcast, as authorized by Board Motion No. M2003-90.

Costs related to the additional work being ultimately paid for by the City of Seattle and private utilities will not be charged within the Link Initial Segment, but rather will be tracked separately in order to facilitate project accountability and reimbursement.

Sound Transit's share of the proposed action is covered by the current Board-adopted budget, and is affordable within the agency's current long-term financial plan and subarea financial capacity.

SUMMARY FOR BOARD ACTION

Action Item: Carter-Burgess (provide construction management services for Martin Luther King Jr. Way S in the Initial Segment (Contract 735))

(Year of Expenditure \$000)

Initial Segment	Adopted FY2003 Budget (A)	Committed To Date (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
1 Agency Administration	226,780	108,710		108,710	118,070
2 Preliminary Engineering	35,000	33,378		33,378	1,622
3 Final Design	123,000	112,928		112,928	10,072
4 Right of Way	233,016	126,534		126,534	106,482
5 Construction	1,172,633	155,784		155,784	1,016,849
6 Construction Services	82,464	9,006	8,266	17,272	65,192
7 Third Party Agreements	58,800	42,380		42,380	16,420
8 Vehicles	138,307	-		-	138,307
9 Contingency				-	-
10 Total Current Budget	2,070,000	588,720	8,266	596,986	1,473,014

Phase Budget Detail

11 Contract 735 CM Services	7,773	-	7,773	7,773	-
12 Systems CM Services	13,000	-	493	493	12,507
13 Other Segments	61,691	9,006	-	9,006	52,685
14 Total Phase	82,464	9,006	8,266	17,272	65,192

(B) Committed to Date amounts are from the Link Program Cost Summary Report (HQ Reports) for September 2003 + board motions not yet included in report as follows:

	Final Design	Right of Way	Construction	Construction Svcs	Third Parties
Commitments through Sept. 2003	111,055	126,342	10,209	3,432	26,873
Other board motions	1,873	193	145,575	5,573	15,507
Total phase commitments	112,928	126,534	155,784	9,006	42,380

Reimbursements by Others

15 C735 Undergrounding CM	-	-	385	385	
16 Total Reimbursements	-	-	385	385	

Contract Budget	Current Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
17 Contract Amount	-	-	7,864	7,864
18 Contingency	-	-	786	786
19 Total	-	-	8,651	8,651
20 Percent Contingency	0%	0%	10%	10%

M/W/DBE – SMALL BUSINESS PARTICIPATION

Prime Consultant/Contractor

The M/W/DBE and Small Business Goal for this contract was 30%. For this contract, Carter & Burgess has committed that M/W/DBEs will perform 31.2% of the contract. The contract was negotiated for 37% M/W/DBE and small business participation, however this was reduced when the firm of Garry Struthers Associates graduated from the M/W/DBE program.

It should be noted that, even though one of the previously qualified M/DBE contractors (Garry Struthers Associates) is no longer a M/DBE because of graduation from the M/W/DBE/small business utilization program, the program is a success in that it has helped Garry Struthers Associates to become a valuable firm in the industry as evidenced by Carter & Burgess' continued utilization of Garry Struthers Associates for track inspection and construction safety.

Utilization Breakdown Table

Subconsultant	Business Type	% of Work	Dollar Value
Kristen Betty and Associates, Inc.	W/DBE	7.4%	\$580,061
Lin and Associates, Inc.	M/DBE	4.0%	\$313,520
Pacific Communication Consultant, Inc	M/W/DBE	2.7%	\$213,044
R.C.T. Engineering, Inc.	M/DBE	13.0%	\$1,021,725
RoseWater Engineering	W/DBE	4.1%	\$320,367
Total		31.2%	\$2,905,522

EEO Commitment

Women and minorities compose 28% and 20% respectively of Carter & Burgess' work force.

Apprentice Utilization Commitment

There are no apprentice utilization requirements because this is professional services contract.

HISTORY OF PROJECT

In November 2001, the Board selected an initial segment of Central Link to be constructed from downtown Seattle to South 154th Street in Tukwila. Construction along MLK Jr. Way South includes 4.5 miles of at-grade light rail guideway, and the Edmunds, Othello and Henderson Stations.

Carter & Burgess will perform construction management services and the scope includes: providing resident engineering; office engineering; inspection (civil, structural, electrical, track, mechanical, utilities); estimating; change order administration; safety inspection; management; diversity; and Project Labor Agreement (PLA) administration. The total value of construction to be administered under this contract is estimated to be between \$120,000,000 and \$160,000,000.

Construction is expected to start in late 2003.

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

Resolution or Motion Number	Summary of Action	Date of Action
M2003-90	Executing a Memorandum of Agreement with the City of Seattle specifying the cost, terms and conditions for undergrounding utilities in the Rainier Valley along Martin Luther King Jr. Way South in an amount not to exceed \$15,576,000, which includes \$2,097,000 in reimbursements from private utilities	9/25/03
R2001-16	Selected the initial segment of the Central Link Light Rail Project to be constructed and operated by 2009.	11/29/01

CONSEQUENCES OF DELAY

Construction on the MLK Jr. Way South (Contract C735) is expected to start in late 2003. Delay in approving this action beyond two weeks would delay the mobilization of the construction management staff.

REGIONAL PARTNERSHIP AND COOPERATION

Sound Transit has worked cooperatively with the City of Seattle, King County/Metro, Washington State Department of Transportation, the Department of Ecology, and local businesses and interest groups on the Central Link Light Rail Project.

PUBLIC INVOLVEMENT

Sound Transit staff continues to keep local and area residents informed about the status of the project and the impact of construction on the affected neighborhoods.

LEGAL REVIEW

MB 10/1/03

SOUND TRANSIT

MOTION NO. M2003-108

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the Chief Executive Officer to execute a contract with Carter & Burgess to provide construction management services along Martin Luther King Jr. Way South in the amount of \$7,864,305 plus a 10% contingency of \$786,430 for a total amount not to exceed \$8,650,735, for a four-year term with the option of two additional one-year extensions.

Background:

In November 2001, the Board selected an initial segment of Central Link to be constructed from downtown Seattle to South 154th Street in Tukwila. Construction along Martin Luther King Jr. Way South includes 4.5 miles of at-grade light rail guideway, and the Edmunds, Othello and Henderson Stations.

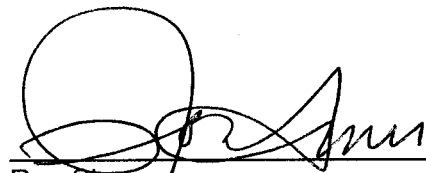
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Motion:

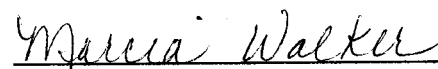
It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the Chief Executive Officer is authorized to execute a contract with Carter & Burgess to provide construction management services along Martin Luther King Jr. Way South in the amount of \$7,864,305 plus a 10% contingency of \$786,430 for a total amount not to exceed \$8,650,735, for a four-year term with the option of two additional one-year extensions.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on November 13, 2003.



Ron Sims
Board Chair

ATTEST:



Marcia Walker
Board Administrator