

**SOUND TRANSIT  
STAFF REPORT**

**MOTION NO. M2004-21**

**Task Order Agreement with the Washington State Department of Transportation  
for Construction and Construction Management of the  
Federal Way HOV Access/South 317th Street Project**

| Meeting:          | Date:   | Type of Action:   | Staff Contact:   | Phone:                           |
|-------------------|---------|---|--|----------------------------------|
| Finance Committee | 3/18/04 | Discussion/Possible Action to Recommend Board Approval Action | Jim Edwards, Chief Engineer, Regional Express  | (206) 398-5436                   |
| Board             | 3/25/04 |   | Christine Engler, Program Manager, Regional Express<br><b>Jerry Dahl, Construction Manager, Regional Express</b> | (206) 398-5056<br>(206) 398-5284 |

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

**OBJECTIVE OF ACTION**

Obtain approval to execute a Task Order agreement with the Washington State Department of Transportation (WSDOT) for the construction and construction management of the Federal Way HOV Access/South 317th Street Project (#125).

**ACTION**

Authorize the Chief Executive Officer to execute Task Order Agreement A-3 with the Washington State Department of Transportation in accordance with the Board-approved "Umbrella Agreement" GCA 3361 to provide construction and construction management for the Federal Way HOV Access/South 317th Street Project in the amount of \$22,000,000 with a 5% contingency of \$1,100,000 for a total authorized amount not to exceed \$23,100,000.

**KEY FEATURES**

- Fulfills a Sound Move commitment to provide high-speed, efficient transit connections between Federal Way and other urban centers in the region by:
  - Increasing speed and reliability for buses through construction of direct access ramps for transit, carpools, and vanpools at the I-5/South 317th Street Project; and
  - Connecting the new Federal Way Transit Center (Sound Transit project #321) to the center HOV lanes on I-5 (northbound and southbound).

- Establishes roles, responsibilities, and funding obligations for Sound Transit and WSDOT on a jointly funded construction contract. WSDOT will contribute approximately \$11 million toward the contract to fund extension of HOV lanes in the vicinity of the Federal Way HOV Access/South 317th Street Project.
- Commits Sound Transit to move forward with both the Federal Way HOV Access/South 317th Street Project and the Federal Way Transit Center Project at 23rd Avenue South and South 317th Street. This task order funding authority is exclusively for the South 317th Street Project; however, the Federal Way HOV Access/South 317th Street Project would not be a good transit investment unless Sound Transit was going to build the Federal Way Transit Center Project at 23rd Avenue South and South 317th Street. Staff expects to return to the Board with a separate action in May 2004 (after bids are evaluated and a contractor is selected) requesting authority to enter into a contract to construct the Federal Way Transit Center.

### **BUDGET IMPACT SUMMARY**

There is no action outside of the Board-adopted budget; there are no contingency funds required, no subarea impacts, or funding required from other parties other than what is already assumed in the financial plan.

### **BUDGET DISCUSSION**

This proposed action is consistent with the Adopted 2004 Budget and is included in the construction phase budget for project number 125, Federal Way HOV Access/South 317th Street. The construction phase budget of \$23,666,000 contains sufficient funds to cover this action, which includes the agreement with WSDOT for \$22,000,000 and Sound Transit contingency of \$1,100,000, or 5% of the total.

### **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. This item is included in the South King County subarea budget.

## BUDGET TABLE

The following table highlights the project budget by phase as included on page 147 in the Adopted 2004 Budget as well as the impacts of the proposed action on commitments against that budget.

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

Action Item: Final Agreement with WSDOT as provided for under the Umbrella Agreement for construction and construction management for the Federal Way Direct Access/S 317th St project (#125), \$s in thousands

|                             | 2004 Adopted<br>Budget<br>(A) | Committed To<br>Date<br>(B) | This Action<br>(C) | Total<br>Committed &<br>Action<br>(D) | Uncommitted<br>(Shortfall)<br>(E) |
|-----------------------------|-------------------------------|-----------------------------|--------------------|---------------------------------------|-----------------------------------|
| Agency Administration       | \$ 1,650                      | \$ 1,447                    | \$ -               | \$ 1,447                              | \$ 203                            |
| Preliminary Engineering     | 2,289                         | 2,347                       | -                  | 2,347                                 | (58)                              |
| Final Design                | 1,960                         | 1,738                       | -                  | 1,738                                 | 222                               |
| ROW                         | 1,298                         | 863                         | -                  | 863                                   | 435                               |
| Construction                | 23,666                        | 276                         | 23,100             | 23,376                                | 290                               |
| Contingency                 | 1,755                         | -                           | -                  | -                                     | 1,755                             |
| <b>Total Current Budget</b> | <b>\$ 32,618</b>              | <b>\$ 6,671</b>             | <b>\$ 23,100</b>   | <b>\$ 29,771</b>                      | <b>\$ 2,847</b>                   |

### Phase Budget Detail

|                    |                  |               |                  |                  |               |
|--------------------|------------------|---------------|------------------|------------------|---------------|
| Construction       | \$ 23,666        | \$ 276        | \$ 23,100        | \$ 23,376        | \$ 290        |
| Other              | -                | -             | -                | -                | -             |
| <b>Total Phase</b> | <b>\$ 23,666</b> | <b>\$ 276</b> | <b>\$ 23,100</b> | <b>\$ 23,376</b> | <b>\$ 290</b> |

| Contract Budget            | Current<br>Approved<br>Contract Value<br>(F) | Spent to Date<br>(G) | Proposed<br>Action<br>(H) | Proposed Total<br>Contract Value<br>(I) |
|----------------------------|--|----------------------|---------------------------|---|
| WSDOT                      | \$ -   | \$ -                 | \$ 22,000                 | \$ 22,000                               |
| ST Contingency             | -  | -                    | \$ 1,100                  | 1,100                                   |
| <b>Total</b>               | <b>\$ -</b>                                  | <b>\$ -</b>          | <b>\$ 23,100</b>          | <b>\$ 23,100</b>                        |
| <b>Percent Contingency</b> | <b>0%</b>                                    | <b>0%</b>            | <b>5%</b>                 | <b>5%</b>                               |

### Budget Shortfall

| Level | Shortfall Amt<br>(J) | Potential Funds<br>(K) | Funding Source<br>(L) |
|-------|----------------------|------------------------|-----------------------|
| N/A   | N/A                  | N/A                    | N/A                   |

### Notes:

(A) - 2004 Approved Budget is found on page 147 of the 2004 Proposed Budget book. This budget was adopted by the Board by Resolution R2003-19 on December 11, 2003.

(B) - Committed to Date per HQReports as of February 24, 2004.

## **M/W/DBE – SMALL BUSINESS PARTICIPATION**

During the construction phase of this Task Order Agreement, WSDOT will be responsible for establishing goals and complying with their own M/W/DBE goals and policies set forth in the WSDOT Diversity program.

WSDOT has established a 12% M/W/DBE participation goal for this contract. WSDOT has also established a 2,250-hour apprenticeship training goal.

Sound Transit Diversity Program staff has reviewed WSDOT's goals for this contract and concur that the goals are both appropriate for this contract and consistent with Sound Transit policies.

## **HISTORY OF PROJECT**

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

| <b>Motion or Resolution Number</b> | <b>Summary of Action</b>  | <b>Date of Action</b> |
|------------------------------------|---|-----------------------|
| M2002-72                           | Authorized the execution of an Umbrella Agreement GCA 3361 with WSDOT for construction administration of Sound Transit projects to be constructed in WSDOT Right-of-Way.                  | 6/13/02               |
| M2002-31                           | Authorized the execution of Agreement GCA-3157 with WSDOT for the preparation of Plans, Specifications, and Estimates (PS & E) for the Federal Way HOV Access/South 317th Street Project. | 3/21/02               |
| M2001-20                           | Authorized the execution of Task Order 3A (Supplement #4) with WSDOT for services toward completion of the design file for the Federal Way HOV Access/South 317th Street Project.         | 3/15/01               |

As defined in Sound Move, a direct access project in the vicinity of I-5 and South 320th Street in Federal Way would increase speed and reliability for buses and carpools by building a direct access ramp between the center HOV lanes on I-5 to the City of Federal Way.

## **CONSEQUENCES OF DELAY**

WSDOT will not open bids prior to executing Task Order A-3. Bid opening is currently scheduled for April 21, 2004. If the bid opening is delayed, the project is at high risk for failure to complete critical work within the dry weather season. A delay could cause overall project completion to be delayed by up to one year.

## **PUBLIC INVOLVEMENT**

Sound Transit has provided extensive community outreach efforts over the seven years this project has been under development. Sound Transit sponsored three open houses, a design charrette, and mailed tens of thousands of newsletters to Federal Way residents. Sound Transit made multiple presentations to the Federal Way City Council concerning the project status, siting, and development.

The environmental assessment was made available to the public with comments requested during the period of September 28, 2001, through November 12, 2001. Sound Transit participated in a WSDOT hosted Access Hearing on December 12, 2001. A project web page was developed to provide project information and will be updated frequently during the construction phase.

Sound Transit will continue to work closely with the community throughout construction of this project

### **LEGAL REVIEW**

DB 3/3/05

## SOUND TRANSIT

### MOTION NO. M2004-21

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the Chief Executive Officer to execute Task Order Agreement A-3 with the Washington State Department of Transportation in accordance with the Board-approved "Umbrella Agreement" GCA 3361 to provide construction and construction management for the Federal Way HOV Access/South 317th Street Project in the amount of \$22,000,000 with a 5% contingency of \$1,100,000 for a total authorized amount not to exceed \$23,100,000.

#### Background:

Fulfills a Sound Move commitment to provide high-speed, efficient transit connections between Federal Way and other urban centers in the region by:

- Increasing speed and reliability for buses through construction of direct access ramps for transit, carpools, and vanpools at I-5/South 317th Street; and
- Connecting the new Federal Way Transit Center (Sound Transit project #321) to the center HOV lanes on I-5 (northbound and southbound).

This establishes roles, responsibilities, and funding obligations for Sound Transit and the Washington State Department of Transportation (WSDOT) on a jointly funded construction contract. WSDOT will contribute approximately \$11 million towards the contract to fund extension of HOV lanes in the vicinity of the Federal Way HOV Access/South 317th Street Project.


#### 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 Task Order Agreement A-3 with the Washington State Department of Transportation in accordance with the Board-approved "Umbrella Agreement" GCA 3361 to provide construction and construction management for the Federal Way HOV Access/South 317th Street Project in the amount of \$22,000,000 with a 5% contingency of \$1,100,000 for a total authorized amount not to exceed \$23,100,000.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on March 25, 2004.

  
John W. Ladenburg  
Board Chair

ATTEST:

  
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Marcia Walker  
Board Administrator