

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2005-31

Everett Layover Track Construction Contract

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	3/17/05	Discussion/Possible Action	Agnes Govern, Director Capital Projects Department Christine Engler, Capital Projects Construction Program Manager, Ron Perrone, Capital Projects Construction Manager	(206) 398-5037 (206) 398-5056 (206) 398-5079

Contract/Agreement Type:	<input checked="" type="checkbox"/>	Requested Action:	<input checked="" type="checkbox"/>
Competitive Procurement	<input checked="" type="checkbox"/>	Execute New Contract/Agreement	<input checked="" type="checkbox"/>
Sole Source	<input type="checkbox"/>	Amend Existing Contract/Agreement	<input type="checkbox"/>
Interagency Agreement	<input type="checkbox"/>	Contingency Funds (Budget) Required	<input type="checkbox"/>
Purchase/Sale Agreement	<input type="checkbox"/>	Budget Amendment Required	<input type="checkbox"/>

✓ Applicable to proposed transaction.

ACTION

Authorizes the Chief Executive Officer to execute a contract with Clearcreek Contractors, Inc. to construct a layover track and associated improvements for the Everett Station project in the amount of \$217,612, with a 20% contingency of \$43,522, for a total authorized contract amount not to exceed \$261,134.

KEY FEATURES

- Authorizes construction of 516 feet of new track on concrete ties for use as layover for train two on the Everett-Seattle Sounder service. Includes installation of drainage system for the layover track area.
- Includes a 20% contingency of \$43,522 because the contract provides for the likelihood that material classified as hazardous and/or contaminated will be encountered and need to be removed. Sound Transit had no cost-effective way of quantifying this material during design. A 20% construction contract contingency, however, should allow the issue to be addressed timely in the field during the very short contract time allowed for completion of the work.

- The proposed contract authorization amount (\$217,612) includes unit price optional bid items, totaling \$28,700, for the highest risk construction activities involving the removal and replacement of unclassified excavated material not suitable for use as ballast or sub-ballast, and the import of sub-ballast in lieu of excavated material that proves unsuitable for use. These options establish firm unit prices up front, should this work be required. These options function as a separate contingency for work that Sound Transit has not been able to quantify in the design phase, and will only be awarded if excavated material is determined to be unsuitable for the work or classified as hazardous or contaminated.
- Construction of the layover track is essential to the start of service for the second train on the Everett-Seattle line. Currently there is not enough space to store a second train at Everett Station overnight.
- In accordance with the agreement between Sound Transit and Burlington Northern Santa Fe Railway (BNSF), a train for second round trip is planned to be added to the Everett-Seattle service schedule in the third quarter of 2005.

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

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.

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.

BUDGET TABLE

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

Action Item: Execute contract for construction for Everett Layover Track for Commuter Rail Layover Project (#140), \$s in thousands

	2005 Adopted Budget (A)	Committed To Date ⁽¹⁾ (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
Agency Administration	509	\$ 28	\$ -	\$ 28	\$ 481
Preliminary Engineering	156	11		11	145
Final Design	375	0	-	0	375
Right of Way	750	-		-	750
Construction	20,653	14,373	261	14,634	6,019
Vehicles	-	-	-	-	-
Contingency	650	-	-	-	650
Total Current Budget	23,092	\$ 14,412	\$ 261	\$ 14,674	\$ 8,419

Phase Budget Detail

Construction	\$ 20,653	\$ 14,373	\$ 261	\$ 14,634	\$ 6,019
Total Phase	\$ 20,653	\$ 14,373	\$ 261	\$ 14,634	\$ 6,019

Contract Budget	Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
Construction contract	\$ -	\$ -	\$ 218	\$ 218
ST Contingency	-	-	\$ 44	44
Total	\$ -	\$ -	\$ 261	\$ 261
Percent Contingency	0%		20%	

Budget Shortfall

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

Notes:

(1) Committed to-date amount includes actual outlays and commitments for the Layover project in Snohomish, South King and Pierce counties through February 24, 2005.

(2) Project budget is located on page 94 of the 2005 Proposed budget book. The 2005 Adopted budget book is not available yet. Amounts shown reflect the combined Layover budget for Snohomish, South King and Pierce counties.

M/W/DBE – SMALL BUSINESS PARTICIPATION

Prime Consultant/Contractor

Sound Transit's goal for Small Business participation is 19% of the total contract price. Clearcreek Contractors, Inc. is the prime contractor for this contract. Clearcreek Contractors, Inc. is a certified Small Business and is committed to a 100% Small Business goal.

Utilization Breakdown Table

	Business Type	% of Work	Dollar Value
Clearcreek Contractors, Inc.	SB	50	\$108,806
Coast Rail, Inc.	SB	49	\$106,630
Seal Rite Enterprises, LLC.	SB	1	\$ 2,176
Total		100%	\$217,612

HISTORY OF PROJECT

Prior Board or Committee Actions and Relevant Board Policies

Motion or Resolution Number	Summary of Action	Date of Action
M2004-31	Authorized acquisition of permanent property rights for Everett Station.	4/8/04
M2004-22	Authorized execution of a contract with KBA, Inc. for construction management services for Everett Station Phase 2.	3/18/04
M2004-14	Authorized a contract amendment with ZGF to complete final design and provide support during construction.	3/18/04
M2002-93	Authorized a Memorandum of Agreement with Amtrak for cost reimbursement for the construction of commuter rail elements at the Everett Station.	9/12/02
M2001-105	Authorized Supplemental Agreement No. 2 to the Memorandum of Agreement between the City of Everett and Sound Transit for cost sharing of commuter rail related elements constructed by the City of Everett.	10/25/01
M2001-45	Authorized a contract amendment with ZGF for final design of station.	5/12/01
M2001-19	Authorized execution of a contract with ZGF for preliminary engineering	3/15/01
M2000-33	Authorized Supplemental Agreement No. 1 to the Memorandum of Agreement between the City of Everett and Sound Transit to reimburse the City for design costs of commuter rail related station elements.	4/20/00
R2000-03	Authorizing acquisition, disposal or lease of certified property interests as necessary for construction of Everett Station.	3/23/00
R99-5	Authorized Memorandum of Agreement between Sound Transit and the City of Everett For Everett Sounder facilities.	2/11/99

The contract for construction of the layover track at Everett Station was advertised on January 24, 2005. Sound Transit received a total of two bids on February 23, 2005. The lowest responsive and responsible bidder is Clearcreek Contractors, Inc.

All environmental compliance to support the Board's approval of this contract has been completed.

The City of Everett issued a Public Works Permit for this project on January 24, 2005.

CONSEQUENCES OF DELAY

Any delay in the execution of this contract could delay the start of the second train service.

PUBLIC INVOLVEMENT

The layover track was included in the Everett Station project described in the 1999 NEPA Final Environmental Impact Statement for the Everett-Seattle Commuter Rail Project prepared by Sound Transit. The public comment period on the Everett-Seattle Commuter Rail Project Draft EIS ran from June through August 1999. As a part of the EIS process, Sound Transit held a number of public outreach events including a scoping meetings in February 1998 and hearings on the Draft EIS in July 1999. An open house on Everett Station planning was held by the City of Everett in March 1999.

LEGAL REVIEW

JW 3/2/05

SOUND TRANSIT

MOTION NO. M2005-31

A motion of the Finance Committee of the Central Puget Sound Regional Transit Authority authorizing the Chief Executive Officer to execute a contract with Clearcreek Contractors, Inc. to construct a layover track and associated improvements for the Everett Station project in the amount of \$217,612, with a 20% contingency of \$43,522, for a total authorized contract amount not to exceed \$261,134.

Background:

Authorizes construction of 516 feet of new track on concrete ties for use as layover for train two on the Everett-Seattle Sounder service. Includes installation of drainage system for the layover track area.

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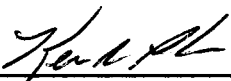
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Motion:

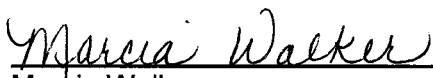
It is hereby moved by the Finance Committee of the Central Puget Sound Regional Transit Authority that the Chief Executive Officer is authorized to execute a contract with Clearcreek Contractors, Inc. to construct a layover track and associated improvements for the Everett Station project in the amount of \$217,612, with a 20% contingency of \$43,522 for a total authorized contract amount not to exceed \$261,134.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on March 17, 2005.



Kevin R. Phelps
Finance Committee Chair

ATTEST:



Marcia Walker
Board Administrator