

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2005-35

Task Order to Provide Construction and Construction Management for the Totem Lake Freeway Station Project

| Meeting: | Date: | Type of Action: | Staff Contact: | Phone: |
|-------------------|--------------|---|---|----------------------------------|
| Finance Committee | 4/21/05 | Discussion/Possible Action to Recommend | Jim Edwards, Deputy Director, Capital Projects | (206) 398-5436 |
| Board | 4/28/05 | Board Approval Action | Christine Engler, Construction Program Manager, Capital Projects Jerry Dahl, Construction Manager, Capital Projects | (206) 398-5056 (206) 398-5284 |

| 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"/> |
| Interlocal Agreement | <input type="checkbox"/> | Contingency Funds (Budget) Required | <input type="checkbox"/> |
| Purchase/Sale Agreement | <input type="checkbox"/> | Budget Amendment Required | <input type="checkbox"/> |

ACTION

Authorizes the Chief Executive Officer to execute Agreement GCA 3361 Task Order #5 with the Washington State Department of Transportation to provide construction and construction management of the Totem Lake Freeway Station Project in the amount of \$52,421,500, with a 5% contingency of \$2,621,075, for a total authorized Task Order amount not to exceed \$55,042,575.

KEY FEATURES

- Execution of a Task Order with the Washington State Department of Transportation (WSDOT) to perform construction and construction management services necessary to construct the Totem Lake Freeway Station Project.
- Defines a scope of work, funding, roles and responsibilities for the Totem Lake Freeway Station Project.

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 Task Order is for \$52,421,500, with a 5% contingency of \$2,621,075, for a total of \$55,042,575, which includes the estimated construction contract cost, state sales tax, funding for Washington State Patrol assistance with traffic control, funding for a Disputes Review Board,

funding for design consultant on-call services during construction, and funding for WSDOT construction management and engineering services during construction. This project was included in the Adopted 2005 Budget with a total project budget of \$85.9 million. Of this amount, the budget for right of way (ROW) and construction totaled \$61.5 million. After approval of this action, the total commitments on the ROW and construction phases will be \$55.9 million, leaving a balance of \$5.7 million to complete these phases of the 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. There are no additional revenues accruing to Sound Transit as a result of this action.

BUDGET TABLE

The Totem Lake Freeway Station/NE 128th project (#140) was included on page 125 of the Adopted 2005 Budget. The impact of the proposed action on the project phase budgets is illustrated below.

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

Action Item: Authorize the Chief Executive Officer to execute Agreement GCA 3361 Task Order #5 with the Washington State Department of transportation (WSDOT) to provide construction and construction management of the Totem Lake Freeway Station/NE 128th Project (#140), \$s in thousands

| | 2005 Adopted Budget ¹ (A) | Committed To Date ² (B) | This Action (C) | Total Committed & Action (D) | Uncommitted (Shortfall) (E) |
|-----------------------------|--|---------------------------------------|--------------------|---------------------------------------|-----------------------------------|
| Agency Administration | \$ 4,912 | \$ 4,759 | \$ - | \$ 4,759 | \$ 153 |
| Preliminary Engineering | 6,322 | 6,297 | - | 6,297 | 25 |
| Final Design | 5,300 | 4,384 | - | 4,384 | 916 |
| Right of Way/Construction | 61,534 | 808 | 55,043 | 55,851 | 5,683 |
| Contingency | 7,807 | - | - | - | 7,807 |
| Total Current Budget | \$ 85,875 | \$ 16,248 | \$ 55,043 | \$ 71,291 | \$ 14,584 |

Phase Budget Detail

| | | | | | |
|--------------------------------------|------------------|---------------|------------------|------------------|-----------------|
| Construction/Construction Management | \$ 58,044 | \$ - | \$ 55,043 | \$ 55,043 | \$ 3,002 |
| Signage | 70 | 70 | - | 70 | - |
| Other | 3,420 | 738 | - | 738 | 2,681 |
| Total Phase | \$ 61,534 | \$ 808 | \$ 55,043 | \$ 55,851 | \$ 5,683 |

| Task Order Budget | Current Approved Contract Value (F) | Spent to Date (G) | Proposed Action (H) | Proposed Total Contract Value (I) |
|---------------------|--|----------------------|---------------------------|---|
| WSDOT | \$ - | \$ - | \$ 52,422 | \$ 52,422 |
| ST Contingency | - | - | \$ 2,621 | 2,621 |
| Total | \$ - | \$ - | \$ 55,043 | \$ 55,043 |
| Percent Contingency | 0% | 0% | 5% | 5% |

Notes:

¹ Adopted Budget is shown on page 124 of the Adopted 2005 Budget.

² Committed to-date includes actual outlays and commitments through April 7, 2005 (HQ).

M/W/DBE – SMALL BUSINESS PARTICIPATION

During the construction phase of the Task Order Agreement, WSDOT is responsible for establishing goals and complying with the WSDOT M/W/DBE participation goals and policies set forth in the WSDOT Diversity Program.

WSDOT has established a 16% DBE participation goal for this contract. WSDOT has also established an apprenticeship goal of 3,000 hours.

HISTORY OF PROJECT

Prior Board or Committee Actions and Relevant Board Policies

| Motion or Resolution Number | Summary of Action | Date of Action |
|------------------------------------|--|-----------------------|
| M2002-134 | Executed a project level agreement with the Washington State Department of Transportation for the completion of final design and preparation of plans, specifications, and estimates for the Kirkland HOV Direct Access Ramp Project. | 12/5/02 |
| M2002-72 | Negotiated and executed an umbrella agreement with WSDOT for construction administration of Sound Transit projects to be constructed on WSDOT right-of-ways ("Umbrella Agreement") in accordance with key provisions set out in this report. | 6/13/02 |
| R2001-07 | Revised Sound Move to substitute transit enhancement improvements along ST Express Route 540 for a second direct access ramp in Kirkland and to reallocate \$20,000,000 to this project from the Kirkland I-405 HOV Direct Access Project. | 6/14/01 |
| M2000-111 | Executed Task Order 1A (GCA 1234) with the Washington State Department of Transportation for agency project services toward completion of the design file for the Sound Transit Kirkland Direct Access Ramp Project. | 11/16/00 |
| R98-12 | Executed a Master Agreement for Civil Support Services with Washington State Department of Transportation (WSDOT) covering projects within the geographic areas of Federal Way, Mercer Island, Kirkland, and Lynnwood. | 4/9/98 |
| R98-11 | Authorized contracts for preliminary engineering and environmental documentation to Sverdrup Civil, Inc., Dames and Moore, David Evans and Associates, Inc., and INCA Engineers. | 4/9/98 |

The Totem Lake Freeway Station Project is one of several Sound Move projects in the Kirkland area. The other projects include the Totem Lake Transit Center, 85th Corridor/Related Improvements, and the Downtown Kirkland Transit Center. The Totem Lake Freeway Station Project will connect NE 128th Street across I-405 and provide direct access to and from the north and southbound HOV lanes on I-405. It will serve the Totem Lake area of Kirkland including the Kingsgate Park-and-Ride Lot and the proposed Totem Lake Transit Center to be located on the Evergreen Hospital campus. The project will provide fast, reliable connections to ST Express and Metro buses. The project also includes a pedestrian walkway connecting the Kingsgate Park-and-Ride Lot with the new freeway transit stations located on the direct access ramps.

An Environmental Assessment (EA) was prepared for the Totem Lake Freeway Station and Totem Lake Transit Center Projects in compliance with the National Environmental Policy Act. The EA was issued in May 2002 and the Federal Highway Administration and Federal Transit Administration issued a Finding of No Significant Impact (FONSI) on November 13, 2002. The EA and FONSI were adopted under the Washington State Environmental Policy Act and the Determination of Non-Significant Impact was issued on November 13, 2002.

CONSEQUENCES OF DELAY

Bid opening is currently scheduled for late April 2005. WSDOT will not award the Totem Lake Freeway Station project prior to the full execution of this Task Order A-5. If award is delayed, critical weather-sensitive work elements risk completion during the dry summer construction season. If these elements are not completed by end of summer, the project completion could be delayed by up to one year, with significant cost impacts to the project.

PUBLIC INVOLVEMENT

Sound Transit and its project partners (City of Kirkland, WSDOT, and King County Metro) have hosted five public open houses to present ideas about the proposed transit improvements in the Kirkland area. Overall feedback from the open houses has been positive.

In addition, information about the Totem Lake Freeway Station Project has been included in the Kirkland project newsletters and is included on the Sound Transit web site. The public is encouraged to call or email Sound Transit staff at any stage of the project to request information or to provide comments.

LEGAL REVIEW

JW 3/28/05

SOUND TRANSIT

MOTION NO. M2005-35

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the Chief Executive Officer to execute Agreement GCA 3361 Task Order #5 with the Washington State Department of Transportation to provide construction and construction management for the Totem Lake Freeway Station Project in the amount of \$52,421,500, with a 5% contingency of \$2,621,075, for a total authorized Task Order amount not to exceed \$55,042,575.

Background:

The Totem Lake Freeway Station Project is one of several Sound Move projects in the Kirkland area. Other projects include the Totem Lake Transit Center, 85th Corridor/Related Improvements, and the Downtown Kirkland Transit Center. The Totem Lake Freeway Station Project will connect NE 128th Street across I-405 and provide direct access to and from the north and southbound HOV lanes on I-405. It will serve the Totem Lake area of Kirkland including the Kingsgate Park-and-Ride Lot and the proposed Totem Lake Transit Center to be located on the Evergreen Hospital campus. The project will provide fast, reliable connections to ST Express and Metro buses. The project also includes a pedestrian walkway connecting the Kingsgate Park-and-Ride Lot with the new freeway transit stations located on the direct access ramps.

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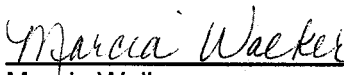
Motion:

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the Chief Executive Officer is authorized to execute Agreement GCA 3361 Task Order #5 with the Washington State Department of Transportation to provide construction and construction management for the Totem Lake Freeway Station Project in the amount of \$52,421,500, with a 5% contingency of \$2,621,075, for a total authorized Task Order amount not to exceed \$55,042,575.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on April 28, 2005.


John W. Ladenburg
Board Chair

ATTEST:



Marcia Walker
Board Administrator