

**SOUND TRANSIT  
STAFF REPORT**

**MOTION NO. M2007-27**

**Task Order for Construction and Construction Management Services  
for the I-90 Two-Way Transit and HOV Operations Stage 1 Project**

<b>Meeting:</b>	<b>Date:</b>	<b>Type of Action:</b>	<b>Staff Contact:</b>	<b>Phone:</b>
Finance Committee	2/15/07	Discussion/Possible Action to Recommend Board Approval	Jim Edwards, Acting Director, Capital Project	(206) 398-5037
Board	2/22/07	Action	Christine Engler, Construction Program Manager Jerry Dahl, Construction Project Manager <b>Hank Howard, Project Manager</b>	(206) 398-5056 (206) 398-5284 206) 398-5078

<b>Contract/Agreement Type:</b>	<b>✓</b>	<b>Requested Action:</b>	<b>✓</b>
Competitive Procurement		Execute New Contract/Agreement	✓
Sole Source		Amend Existing Contract/Agreement	
Agreement with Other Jurisdiction(s)	✓	Budget Amendment	
Real Estate		Property Acquisition	

**PROJECT NAME**

I-90 Two-Way Transit and HOV Operations Stage 1 Project

**PROPOSED ACTION**

Authorizes the chief executive officer to execute Agreement GCA 3361 Task Order A-10 with the Washington State Department of Transportation to provide construction and construction management services for the I-90 Two-Way Transit and HOV Operations Stage 1 Project in the amount of \$16,790,707, with a 5% contingency of \$839,535, for a total authorized amount not to exceed \$17,630,243.

**KEY FEATURES of PROPOSED ACTION**

- This action defines a scope of services, funding, and roles and responsibilities for construction and construction management of the I-90 Two-Way Transit and HOV Operations Stage 1 Project.
- It provides for the construction of a new westbound HOV lane in the outer roadway between Bellevue Way and 80<sup>th</sup> Avenue SE on Mercer Island. The project also includes a new HOV direct access ramp at 80<sup>th</sup> Avenue SE and modifications to the HOV direct access ramps at Bellevue Way.
- I-90 Two-Way Transit and HOV Operations Stage 1 Project was advertised for construction on October 16, 2006. Bids were opened on January 18, 2007. Construction is anticipated to begin in spring 2007.

- The I-90 Two-Way Transit and HOV Operations Stage 1 Project will be jointly funded by Sound Transit and WSDOT.

### **BUDGET IMPACT SUMMARY**

Current Project Phase: Construction

Projected Completion Date: 2009

<b>Action Outside of Adopted Budget:</b>	<b>✓</b>	<b>Comments on Checked Items</b>
This Project	✓	The proposed task order would cause the project budget to be exceeded by \$68,000. The shortfall will be addressed by budget amendments described below.
This Phase	✓	The proposed task order would cause the construction phase budget to be exceeded by \$2,741,930. The shortfall and an administrative phase shortfall of \$73,792 would be addressed through transfers from unallocated project contingency (Phase 90) of \$1,440,305 and from the East King County Subarea Regional Express Program Reserve of \$1,375,417.
This Task		
Budget Amendment Required	✓	The budget amendment is proposed in Resolution No. R2007-02.

<b>Key Financial Indicators:</b>	<b>✓</b>	<b>Comments on Checked Items</b>
Contingency Funds Required	✓	See above.
Funding required from other parties (other than what is in financial plan)		

Not checked = action is assumed in current Board-adopted budget. No budget action or adjustment to financial plan required.

### **BUDGET and FINANCIAL PLAN DISCUSSION**

The I-90 Two-Way Transit and HOV Operations Stage 1 Project (#382) was included in the Adopted 2007 Budget with a total project budget of \$24,406,211. The construction phase budget is \$15,118,312. Total commitments against this project budget through January 31, 2007 are \$7,204,000.

The proposed action would authorize the execution of a task order with WSDOT to provide construction and construction management services in the amount of \$17,630,243. Combined with other phase elements, this action would exceed the phase budget by \$2,741,930. Resolution No. R2007-02 proposes to move \$1,375,417 from the East King County Regional Express Program Reserve into the construction phase budget. The remaining phase level shortfall would come from unallocated project contingencies.

In addition to the construction phase shortfall, there is a projected shortfall of \$73,792 in the administration phase of the project. This action would also reallocate project contingency funds to cover this shortfall as well. The remaining project contingency would amount to \$893,762, which amounts to 5% of the construction phase budget and is determined to be sufficient.

## **BUDGET TABLE**

The I-90 Two-Way Transit and HOV Operations Stage 1 Project (#382) was included on page 157 of the Proposed 2007 Budget book with a total project budget of \$24,406,211. Resolution No. R2007-02 would amend this budget to increase the total project budget by \$1,375,417 and reallocate phase level budgets. The impact of the proposed budget transfers and actions is illustrated below:

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

Project: 382 - I-90 Two-way Transit & HOV Operations, Stage 1

	Adopted 2007 Budget: (A)	Proposed Budget Amendment: (B)	Revised 2007 Budget (C)	Committed To Date: <sup>3</sup> (D)	This Action (E)	Total Committed & Action (F)	Uncommitted (Shortfall) (G)
1 Agency Administration	\$ 1,338	\$ 74	\$ 1,412	\$ 1,412	\$ -	\$ 1,412	\$ 0
2 Preliminary Engineering	\$ 1,595	\$ -	\$ 1,595	\$ 1,562	\$ -	\$ 1,562	\$ 33
3 Final Design	\$ 3,875	\$ -	\$ 3,875	\$ 3,870	\$ -	\$ 3,870	\$ 5
4 Right of Way	\$ 145	\$ -	\$ 145	\$ 130	\$ -	\$ 130	\$ 15
5 Construction	\$ 15,118	\$ 2,742	\$ 17,860	\$ 230	\$ 17,630	\$ 17,860	\$ -
6 Contingency	\$ 2,334	\$ (1,440)	\$ 894	\$ -	\$ -	\$ -	\$ 894
7 Total Current Budget	\$ 24,406	\$ 1,375	\$ 25,782	\$ 7,204	\$ 17,630	\$ 24,835	\$ 947

Phase Budget Detail

8 Construction	\$ 14,888	\$ 2,742	\$ 17,630	\$ -	\$ 17,630	\$ 17,630	\$ -
9 Misc. Activity	\$ 230	\$ -	\$ 230	\$ 230	\$ -	\$ 230	\$ -
10 Total Phase	\$ 15,118	\$ 2,742	\$ 17,860	\$ 230	\$ 17,630	\$ 17,860	\$ -

Contract Budget	Current Approved Contract Value (H)	Spent to Date (I)	Proposed Action (J)	Proposed Total Contract Value (K)
11 WSDOT Task Order	\$ -	\$ -	\$ 16,791	\$ 16,791
12 Contingency	-	-	840	840
13 Total	-	-	17,630	17,630
14 Percent Contingency			5%	5%

### **Notes:**

<sup>1</sup> The Adopted 2007 Budget for this project is taken from page 157 of the proposed budget, which was adopted by the Board on December 14, 2006.

<sup>2</sup> The proposed budget amendment is described in Resolution R2007-02, which is under consideration by the Board on February 22, 2007.

<sup>3</sup> Committed to date amount includes actual outlays and commitments through January 31, 2007.

<sup>4</sup> Sound Transit and WSDOT are sharing the design cost of the I-90 Stage 1 project 50:50. This may result in a credit to Sound Transit from WSDOT after all actual costs have been accounted for.

## **SMALL BUSINESS PARTICIPATION**

During the construction phase of the project WSDOT is responsible for complying with the WSDOT DBE goals and policies set forth in the WSDOT DBE Program in accordance with WSDOT regulations.

## **PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION**

The I-90 Two-Way Transit and HOV Operations Stage 1 Project will improve regional mobility by providing a full-time HOV lane for westbound traffic on the I-90 outer roadway between Bellevue Way and 80<sup>th</sup> Avenue Southeast on Mercer Island, while minimizing impacts to the environment and to other users and transportation modes. Major components of the I-90 Stage 1 Project include:

- A new HOV lane in the westbound outer roadway;

- A new 80th Avenue Southeast HOV direct access ramp from the new westbound outer roadway HOV lane;
- Modifications to the Bellevue Way HOV direct access ramp, and;
- Modifications to the northbound I-405/westbound I-90 connection.

The Final Environmental Impact Statement (FEIS) for the I-90 project was prepared in compliance with State Environmental Policy Act (SEPA) and National Environmental Policy Act (NEPA) and was issued on May 21, 2004. The Record of Decision (ROD) was approved and issued by the Federal Highway Administration on September 28, 2004.

Sound Transit and WSDOT are jointly funding design and construction of the I-90 Stage 1 Project. Sound Transit is responsible for funding the costs related to the direct access portions of the project. Consistent with Board direction at the time final design of Stage 1 was authorized, Sound Transit initially funded the full cost of final design, including the non-direct access portions of the project, since WSDOT had funding for construction but not for design. Therefore, WSDOT will be crediting Sound Transit for WSDOT's proportional share of the final design costs during construction.

#### **Prior Board/Committee Actions on this Project**

<b>Motion/Resolution Number and Date</b>	<b>Summary of Action</b>
M2005-19 2/18/05	Authorized execution of Agreement GCA 3536 Task Order 12 with WSDOT for design services necessary to complete 30% design for certain project elements that were deferred during the PE/ED phase and to prepare final design for Stage 1 in the amount of \$3,398,911, with a contingency of \$339,891, for a total authorized amount not to exceed \$3,738,802.
M2004-63 8/12/04	Authorized the Chief Executive Officer to enter into an amendment to the I-90 Memorandum Agreement.
R2004-09 8/12/04	Amended Sound Move to provide for Two-Way Transit and HOV Operations in the outer roadways of I-90 and to select Alternative R-8A as the project to be built.
M2003-120 11/13/03	Directed staff to negotiate an amendment to the Memorandum Agreement for I-90 to define the guiding principles for the ultimate configuration of the I-90 roadway with HCT in the center roadway.
M2003-99 11/13/03	Identified Alternative R-8A as the preferred alternative for the I-90 Two-Way Transit and HOV Operations Project.
M2003-17 4/3/03	Authorized a supplement to the WSDOT Agreement and an amendment to the URS contract for the completion of PE/ED for the I-90 Project.
M2001-75 7/26/01	Provided direction on how to proceed on the environmental analysis for the I-90 Project.
M2001-07 1/25/01	Provided direction on how to proceed on the I-90 Project.
M2000-112 12/7/00	Approved a supplement to the Agreement with WSDOT for the I-90 Project.
R98-12 4/9/98	Authorized execution of a Master Agreement with WSDOT for the Big Four Projects (including Mercer Island/I-90).

#### **CONSEQUENCES of DELAY**

Bid opening was January 18, 2007. WSDOT cannot award the construction contract until the Board has approved this construction task order agreement with WSDOT. If award is delayed,

project completion could be delayed by several months, which could add significant cost impacts to the project.

## **PUBLIC INVOLVEMENT**

Sound Transit has conducted an extensive community outreach effort. To date, the agency has mailed four newsletters; held and attended over seventeen public meetings; and held three open houses in May 2003 in the Cities of Bellevue, Seattle, and Mercer Island as part of the public review process for the Draft and Final EIS. Sound Transit will continue to update the public throughout the life of the project.

## **ENVIRONMENTAL COMPLIANCE**

SSK 12-06-06

## **LEGAL REVIEW**

JW 2/8/07

## **SOUND TRANSIT**

### **MOTION NO. M2007-27**

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 A-10 with the Washington State Department of Transportation to provide construction and construction management services for the I-90 Two-Way Transit and HOV Operations Stage 1 Project in the amount of \$16,790,707, with a 5% contingency of \$839,535, for a total authorized amount not to exceed \$17,630,243.

#### **Background:**

The I-90 Two-Way Transit and HOV Operations Stage 1 Project will improve regional mobility by providing a full-time HOV lane for westbound traffic on the I-90 outer roadway between Bellevue Way and 80<sup>th</sup> Avenue Southeast on Mercer Island, while minimizing impacts to the environment and to other users and transportation modes. Major components of the I-90 Stage 1 project include:

- A new HOV lane in the westbound outer roadway;
- A new 80th Avenue Southeast HOV direct access ramp from the new westbound outer roadway HOV lane;
- Modifications to the Bellevue Way HOV direct access ramp, and;
- Modifications to the northbound I-405/westbound I-90 connection.

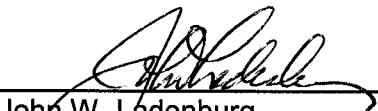
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Sound Transit and WSDOT are jointly funding design and construction of the I-90 Stage 1 Project. Sound Transit is responsible for funding the costs related to the direct access portions of the project. Consistent with Board direction at the time final design of Stage 1 was authorized, Sound Transit initially funded the full cost of final design, including the non-direct access portions of the project, since WSDOT had funding for construction but not for design. Therefore, WSDOT will be crediting Sound Transit for WSDOT's proportional share of the final design costs during construction.


#### **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 A-10 with the Washington State Department of Transportation to provide construction and construction management services for the I-90 Two-Way Transit and HOV Operations Stage 1 Project in the amount of \$16,790,707, with a 5% contingency of \$839,535, for a total authorized amount not to exceed \$17,630,243.

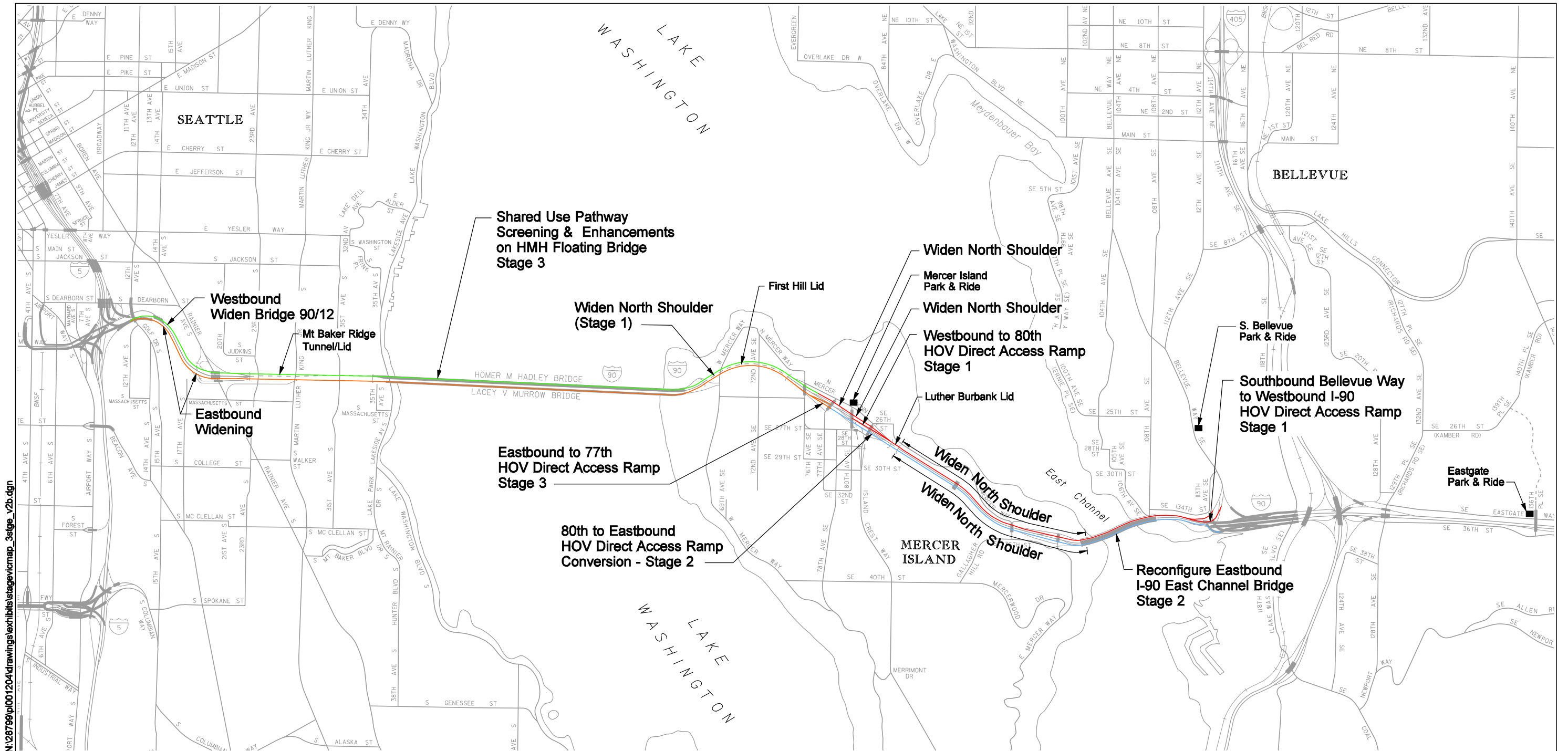
APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on February 22, 2007.

  
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John W. Ladenburg  
Board Chair

ATTEST:

  
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Marcia Walker  
Board Administrator





Source: HNTB, 2006



No Scale

#### LEGEND

- Stage 1 - Westbound HOV, Bellevue Way to 80th Ave.
- Stage 2 - Eastbound HOV, 80th Ave. to Bellevue Way/I-405
- Stage 3a - Mt. Baker Ridge and First Hill Lid Tunnel Systems
- Stage 3b - Westbound HOV, 80th Ave. to Rainier Ave.
- Stage 3c - Eastbound HOV, Rainier Ave. to 80th Ave
- Stage 3d - Dowel Bar Retrofit, entire corridor.

I-90 Two-Way Transit & HOV Operations

**Planned Staging  
January 2007**