

MOTION NO. M2012-37
Contract for Link Systems Construction for the University Link Project

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:	PHONE:
Capital Committee	06/14/2012	Recommendation to Board	Ahmad Fazel, DECM Executive Director	206-398-5389
Board	06/28/2012	Final Action	Joe Gildner, Executive Project Director Justin Garrod, Senior Systems Engineer	206-689-3350 206-398-5384

PROPOSED ACTION

Authorizes the chief executive officer to execute a contract with Stacy and Witbeck, Inc., for procurement of rail and rail fasteners for the University Link systems construction for a total authorized contract amount not to exceed \$7,139,169.

KEY FEATURES

- The proposed contract covers early procurement for two materials (rail, and high compliance rail fasteners), identified by Sound Transit and Stacy and Witbeck, Inc., during pre-construction services. Due to the long lead time to procure the materials, early procurement was recommended to meet critical milestones.
- A full GC/CM contract cannot be awarded at this time because Stacy and Witbeck, Inc. is still completing pre-construction work.
- Sound Transit and Stacy and Witbeck, Inc. will continue to perform pre-construction services through late summer 2012 with a Maximum Allowable Construction Cost (MACC) anticipated to be negotiated by early fall 2012. The contract amount included in this proposed action will be included in the negotiated MACC.
- If MACC negotiations are unsuccessful, the materials procured under the contract become Sound Transit property and will be an owner-furnished item.

PROJECT DESCRIPTION

University Link is a 3.15-mile light rail extension located entirely underground with tunnels traveling east from Pine Street, under the I-5 freeway to an underground station at Capitol Hill, continuing north beneath SR 520 and the Lake Washington Ship Canal to an underground station on the University of Washington campus, near Husky Stadium.

FISCAL INFORMATION

This action is within the adopted budget and sufficient monies remain after approval of this action to fund the remaining work in the Construction phase as contained in the current cost estimates.

PROJECT TABLE

University Link

	2012 TIP	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Agency Administration	115,229	50,083		50,083	65,146
Preliminary Engineering	24,261	24,266		24,266	(5)
Final Design	87,633	79,798		79,798	7,835
Right of Way	152,332	126,482		126,482	25,850
Construction	1,158,183	714,502	7,139	721,642	436,541
Construction Services	95,814	81,515		81,515	14,298
Third Party Agreements	18,646	11,915		11,915	6,731
Vehicles	103,909	99,185		99,185	4,724
Total Current Budget	1,756,007	1,187,748	7,139	1,194,887	561,120

Phase Detail

Construction

	2012 TIP	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
U830 Systems	110,500	-	7,139	7,139	103,361
Other Construction	1,047,683	714,502		714,502	333,181
Total Phase	1,158,183	714,502	7,139	721,642	436,541

Contract Detail

	Board Approvals to Date	Current Approved Contract Status	Proposed Action	Proposed Total for Board Approval
Contract Amount	-	-	7,139	7,139
Contingency	-	-	-	-
Total	-	-	7,139	7,139
Percent Contingency	0%	0%	0%	0%

Notes:

Amounts are expressed in Year of Expenditure \$000s.

Board Approvals = Committed To-Date + Contingency, and includes pending Board actions.

Project Budget is located on page 36 of the 2012 Transit Improvement Plan (TIP).

SMALL BUSINESS PARTICIPATION

As this contract is for the purpose of procuring material it does not include SBE or DBE goals. Stacy and Witbeck, Inc. is committed to meeting Sound Transit's SB/DBE goals established for the Total Contract Costs and that commitment will be reflected at the conclusion of MACC negotiations.

EQUAL EMPLOYMENT WORKFORCE PROFILE

543 employees; 22% women; 43% minorities

BACKGROUND

In November 2011, the Board approved a contract for pre-construction services with Stacy and Witbeck, Inc. for the University Link systems construction. The University Link systems contract

covers installation of track, signaling, traction power substations, overhead catenary system and communications systems for the University Link extension.

U830 rail distribution at Capitol Hill Station is on the critical path of the University Link Project and is one of the first milestones of the U830 contract with completion required by March 2013. The rail and rail fasteners being requested under this proposed action is required to meet this milestone. An evaluation of the backlog at the rail manufacturing facilities indicates a schedule risk if we were to wait until November 2012, when board consideration of the negotiated Maximum Allowable Construction Cost is anticipated. Staff is recommending the execution of these early procurements to mitigate this risk and to ensure successful on-time delivery of the needed materials.

In accordance with RCW 39.10, the supplier bid packages were competitively bid as individual procurements by Stacy and Witbeck, Inc., during pre-construction and will be awarded upon Board approval to execute the contract.

Consistent with the GC/CM process, Sound Transit will continue to negotiate the MACC for the full construction contract with Stacy and Witbeck, Inc. If a MACC is agreed-upon, the cost of these long lead items will be included in the full construction contract.

ENVIRONMENTAL COMPLIANCE

Environmental compliance for University Link pursuant to the National Environmental Policy Act (NEPA) and State Environmental Policy Act (SEPA) was completed with the North Link Final Supplemental Environmental Impact Statement (EIS) issued on April 7, 2006. The Federal Transit Administration issued a Record of Decision for North Link in June 2006.

JI 5/15/2012

PRIOR BOARD/COMMITTEE ACTIONS

Motion No. M2011-78: Authorized the chief executive office to execute a contract with Stacy and Witbeck, Inc., to provide pre-construction phase services for the University Link systems construction in the amount of \$666,455, with a 7.5% contingency of \$50,000, for a total authorized contract amount not to exceed \$716,455.

TIME CONSTRAINTS

A one month delay could delay the start of construction. Contract milestone dates are required under the Master Implementation Agreement (MIA) with the University of Washington. Under the terms of the MIA, liquidated damages may be assessed by the University for such delays.

PUBLIC INVOLVEMENT

Not applicable to this action.

LEGAL REVIEW

LA 6/8/12

MOTION NO. M2012-37

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a contract with Stacy and Witbeck, Inc., for procurement of rail and rail fasteners for the University Link systems construction for a total authorized contract amount not to exceed \$7,139,169.

BACKGROUND:

In November 2011, the Board approved a contract for pre-construction services with Stacy and Witbeck, Inc. for the University Link systems construction. The University Link systems contract covers installation of track, signaling, traction power substations, overhead catenary system and communications systems for the University Link extension.

U830 rail distribution at Capitol Hill Station is on the critical path of the University Link Project and is one of the first milestones of the U830 contract with completion required by March 2013. The rail and rail fasteners being requested under this proposed action is required to meet this milestone. An evaluation of the backlog at the rail manufacturing facilities indicates a schedule risk if we were to wait until November 2012, when board consideration of the negotiated Maximum Allowable Construction Cost is anticipated. Staff is recommending the execution of these early procurements to mitigate this risk and to ensure successful on-time delivery of the needed materials.

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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 Stacy and Witbeck, Inc., for procurement of rail and rail fasteners for the University Link systems construction for a total authorized contract amount not to exceed \$7,139,169.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on June 28, 2012.


Julia Patterson
Board Vice Chair

ATTEST:



Marcia Walker
Board Administrator