

MOTION NO. M2018-81
Stipend Agreements for Design-Build Contract Procurement for Federal Way Link Extension

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:
Capital Committee	07/12/2018	Deferred to Board	Ron Lewis, DECM Act. Executive Director Dan Abernathy, Executive Project Director – Federal Way Link Extension
Board	7/26/2018	Final Action	

PROPOSED ACTION

Authorizes the chief executive officer to execute up to three stipend agreements with contractors selected to submit proposals for a design-build contract for the Federal Way Link Extension for a total authorized amount not to exceed \$4,500,000.

KEY FEATURES SUMMARY

- RCW 39.10.330 requires honorarium payments, in the form of stipends, to finalists submitting responsive proposals that are not awarded the design-build contract. Honorarium payments shall be sufficient to generate meaningful competition among potential proposers on design-build projects.
- This action provides for execution of up to three stipend agreements with the finalists for the preparation of detailed design-build proposals for the Federal Way Link Extension (FWLE).
- A \$1,500,000 stipend would be paid to any finalist that executes the stipend agreement, submits a responsive proposal, and is ultimately not awarded a contract under this procurement. Stipends will not be paid until after contract execution of the procurement. No stipend will be paid to the finalist that is awarded the design-build contract.
- The selection of the preferred design-build contractor will be based on a “best value” formula that includes technical factors and price.

BACKGROUND

The Federal Way Link Extension adds approximately 7.8 miles of light rail from the Angle Lake light rail station at South 200th Street in the City of SeaTac to the Federal Way City Center area in Federal Way. The extension generally parallels State Route 99 and Interstate 5, with stations at Kent/Des Moines, South 272nd, Star Lake Park and Ride, and the Federal Way Transit Center. New parking structures will be constructed at each of the three stations. Notice to proceed for the design-build contract is anticipated in mid-2019 and the project is scheduled to open for service in 2024.

The ST2 Plan, approved by voters in 2008, included environmental studies and preliminary engineering design for light rail connecting SeaTac to Des Moines, Kent, and Star Lake. The ST2 Plan also included construction of light rail from the Angle Lake Station to the Kent/Des Moines Station. In 2016 the voters approved the ST3 Plan, which provided financing to extend the light rail to Federal Way Transit Center.

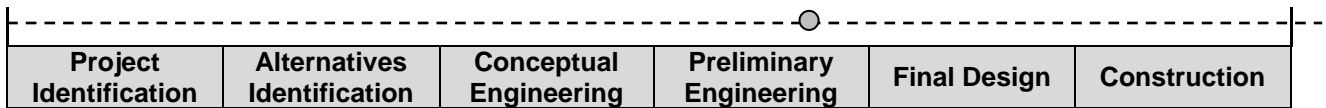
The Final Environmental Impact Statement (EIS) was published on November 18, 2016 in compliance with the State Environmental Policy Act (SEPA) and the National Environmental Policy

Act (NEPA). On January 26, 2017, the Sound Transit Board selected the route, profile, station and associated infrastructure to be built for the Federal Way Link Extension. In early March 2017, the Federal Transit Administration and Federal Highway Administration issued Records of Decision for the Federal Way Link Extension.

The Design-Build Request for Qualifications (RFQ) was issued April 12, 2018. Statements of Qualifications were received on June 7, 2018. The Request for Proposals (RFP) will be issued to the shortlisted teams upon adoption of this motion.

Sound Transit has complied with statute RCW 39.10.330 for design-build procurements by stating in the FWLE RFQ that Sound Transit will pay a stipend (honorarium) in the estimated amount of \$1,500,000 to \$2,000,000 to each firm that executes the stipend agreement, submits a responsive proposal, and is ultimately not awarded a contract under this procurement.

PROJECT STATUS



Projected Completion Date: December 2024.

Project scope, schedule and budget summary located on page 85 of the April 2018 Link Light Rail Program Progress Report.

FISCAL INFORMATION

This action is within the authorized project allocation of \$412,625,000 for the Federal Way Link Extension project. Within the construction phase, \$4,500,000 has been allocated to the budget line item for honoraria. The proposed action would commit \$4,500,000 to this line item and leave a remaining budget balance of \$0.

Federal Way Link Extension

(in thousands)

Project Phase	Authorized Project Allocation to Date	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Agency Administration	\$14,915	\$11,219	\$	\$11,219	\$3,696
Preliminary Engineering	43,409	43,402		43,402	7
Final Design	2,374	851		851	1,523
Third Party	18,646	3,872		3,872	14,774
Right of Way	274,085	33,977		33,977	240,108
Construction	13,524	0	4,500	4,500	9,024
Construction Services	45,672	5,065		5,065	40,607
Vehicles	0	0		0	0
Total Current Budget	\$412,625	\$98,387	\$4,500	\$102,887	\$309,738
Phase Detail - Construction					
Honoraria	\$4,500	\$	\$4,500	\$4,500	\$0
Other Construction	9,024	0		0	9,024
Total Phase	\$13,524	\$	\$4,500	\$4,500	\$9,024
Stipend Agreement Detail					
	Board Approvals to Date	Current Approved Agreement Status	Proposed Action	Proposed Total for Board Approval	
Agreement Amount			\$4,500	\$4,500	
Contingency				0	
Total Agreement Amount	\$	\$	\$4,500	\$4,500	
Percent Contingency	0%	0%	0%	0%	

Notes:

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

Board Approvals = Committed To-Date + Contingency as of May 2018, and includes pending Board actions.

For detailed project information, see page 27 of the Adopted 2018 Transit Improvement Plan (TIP).

SMALL BUSINESS/DBE PARTICIPATION

Not applicable to this action.

PUBLIC INVOLVEMENT

Not applicable to this action.

TIME CONSTRAINTS

A one month delay would create a significant impact to the project schedule.

ENVIRONMENTAL REVIEW

KH 7/3/2018

LEGAL REVIEW

DB 7/24/2018

MOTION NO. M2018-81

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute up to three stipend agreements with contractors selected to submit proposals for a design-build contract for the Federal Way Link Extension for a total authorized amount not to exceed \$4,500,000.

BACKGROUND:

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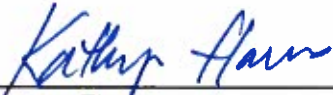
It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute up to three stipend agreements with contractors selected to submit proposals for a design-build contract for the Federal Way Link Extension for a total authorized amount not to exceed \$4,500,000.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on July 26, 2018.



Dave Somers
Board Chair

ATTEST:



Kathryn Flores
Board Administrator