

Motion No. M2019-49

Design-Build Contract Award for the Federal Way Link Extension

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee Board	05/09/2019 05/23/2019	Recommend to Board Final action	Ron Lewis, DECM Executive Director Dan Abernathy, Executive Project Director – Federal Way Link Extension

Proposed action

Authorizes the chief executive officer to execute a design-build contract with Kiewit Infrastructure West Co. to complete final design and construction of the Federal Way Link Extension in the amount of \$1,285,200,000 with a 10 percent contingency of \$128,520,000 for a total authorized contract amount not to exceed \$1,413,720,000.

Key features summary

- This design-build contract includes all work necessary to complete final design and construction of 7.8 miles of light rail guideway (elevated, at-grade, and retained cut/fill) connecting to the existing Angle Lake Station extending south along the west side of I-5 to the 317th Federal Way Transit Center.
- In addition to the light rail guideway, the contract also includes final design and construction of three stations, three parking garages, the overhead catenary system, traction power substations, train control and communications, special track-work, utilities, and street improvements where required.
- It is anticipated that a June 2019 Limited Notice to Proceed (NTP) will be issued for scope that is eligible for federal funding under the engineering approval that was received in April 2019. The full NTP will be issued after the completion of the Full Funding Grant Application (FFGA) process. The final design and construction of the contract work will take approximately five years with a revenue service anticipated to be December 2024.
- On July 26, 2018, the Sound Transit Board approved Motion No. M2018-81 authorizing execution of up to three stipend agreements with contractors selected to submit proposals for a design-build contract for the Federal Way Link Extension. Once stipends are paid and Kiewit Infrastructure West Co. is under contract, the Federal Way Link Extension (FWLE) project team will perform a value engineering effort to determine if the additional alternative technical concepts can enhance the project and provide additional savings.
- Motion No. M2018-109 was approved for the WSDOT betterment and Motion No. M2018-125 was approved for the City of Des Moines betterment work. The reimbursable executed agreements provide that Sound Transit will construct two common walls and a new bridge for WSDOT and certain elements for the City of Des Moines College Way Connection.

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 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 317th Federal Way Transit Center. New parking structures will be constructed at each of the three stations.

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, and the 272nd Station. In 2016 the voters approved the ST3 Plan, which provided financing to extend the light rail to the Federal Way Transit Center.

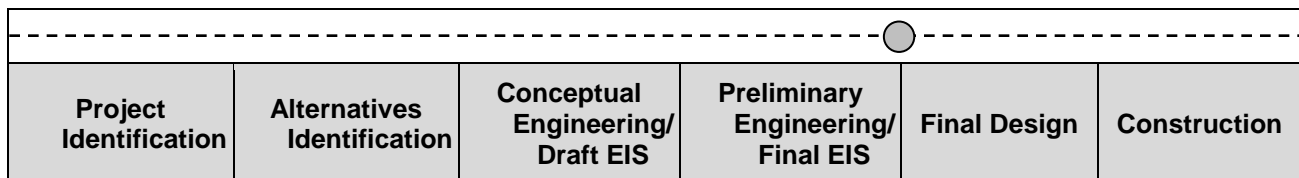
The Federal Way Link Extension Final Environmental Impact Statement was issued on November 18, 2016, pursuant to the State Environmental Policy Act (SEPA) and National Environmental Policy Act (NEPA) and completing the SEPA process. The Sound Transit Board selected the project route, profile, and stations on January 26, 2017. The Federal Transit Administration (FTA) issued a Record of Decision on March 6, 2017, and the Federal Highway Administration issued a Record of Decision on March 9, 2017, completing the NEPA process.

On September 27, 2018, the Sound Transit Board approved the project baseline schedule and budget in Resolution No. R2018-30.

The Federal Way Link Extension has successfully progressed through several steps in the multi-year FFGA process including:

- FTA approval for entry into Project Development in August 2016.
- FTA New Starts Rating of “Medium High” (the second highest rating) in the FY 2019 Annual FTA New Starts Report.
- FTA’s Risk Assessment of the project in September 2018.
- FTA Entry to Engineering Approval in April 2019.
- FFGA application submission in April 2019.

Project status



Projected completion date for final design and construction: 4Q 2024

Project scope, schedule and budget summary are located on page 77 of the February 2019 Link Light Rail Program Progress Report.

Procurement information

A Request for Qualifications (RFQ) was issued on April 12, 2018. On June 7, 2018, three Statements of Qualifications (SOQ) were received. On June 27, 2018, the evaluation panel determined that the three firms that submitted SOQ’s were qualified and within the competitive range. On August 17, 2018, Sound Transit issued a draft Request for Proposal (RFP) to the three shortlisted proposers for their review.

The final RFP was issued on September 14, 2018. During the RFP period, Sound Transit held individual one-on-one meetings with the proposers to facilitate development of Alternative Technical Concepts (ATC's). Offerors were encouraged to develop ATCs to promote innovative and efficient strategies for successful execution of the project. ATCs that were approved or conditionally approved by Sound Transit could subsequently be included in an offeror's proposal. In total 104 ATCs were reviewed by the project team and each offeror included some of the approved/conditionally approved ATCs in their proposals.

On March 20, 2019, Sound Transit received proposals from each of the three offerors. An evaluation panel was convened to review technical proposals. Scored criteria included outreach efforts and commitments to small businesses; technical approach to design and construction, organization and management, and schedule and risk. Additional pass/fail criteria included financial capacity and capability to perform the work. The evaluation of these technical criteria was performed independent of any consideration of price, as the price proposals were not opened until technical evaluations were complete and technical scores were established for each offeror. Proposal prices were scored in accordance with the price scoring equation included in the RFP.

Based on the technical evaluation and the price score equation, Kiewit Infrastructure West Co. was determined to be the highest-ranked responsive and responsible proposer. Moreover, Kiewit's price of \$1.285 billion is below Sound Transit's upset price of \$1.54 billion and is within the Board approved baseline budget for the Federal Way Link Extension Project. A 10 percent contract contingency has been assigned to provide authority for future change orders associated with technical and permitting complexities, differing site conditions, utility relocations, and other risks associated with this type of work.

Fiscal information

This action is within the baseline 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.

The baseline budget for the Federal Way Link Extension project is \$2,451,535,000. Within the construction phase, \$1,603,313,000 has been allocated to the budget line item for Federal Way Design Build contract. The proposed action would commit a \$1,374,718,805 to this line item and leave a remaining budget balance of \$228,594,195.

The proposed action includes betterment work that will be funded by the WSDOT and City of Des Moines. Of the total authorized contract amount not to exceed \$1,413,720,000 proposed for Kiewit Infrastructure West Company, the WSDOT and City of Des Moines share of betterments is \$39,001,195, and Sound Transit's share is \$1,374,718,805.

Federal Way Link Extension

(in thousands)

Project Phase	Baseline Budget	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Agency Administration	\$96,520	\$16,268	\$	\$16,268	\$80,252
Preliminary Engineering	46,451	46,122		46,122	329
Final Design	3,085	957		957	2,128
Third Party	27,741	6,733		6,733	21,008
Right of Way	338,783	60,133		60,133	278,650
Construction	1,831,949	1,014	1,374,719	1,375,733	456,216
Construction Services	107,006	5,065		5,065	101,941
Vehicles					
Total Current Budget	\$2,451,535	\$136,292	\$1,374,719	\$1,511,011	\$940,524
Phase Detail - Construction					
F200 DB Angle Lake - FWTC	\$1,603,313	\$	\$1,374,719	\$1,374,719	\$228,594
Other Construction	228,636	1,014		1,014	227,622
Total Phase	\$1,831,949	\$1,014	\$1,374,719	\$1,375,733	\$456,216

Contract Detail	Board Approvals to Date	Current Approved Contract Status	Proposed Action	Proposed Total for Board Approval
Kiewit Infrastructure West Company				
Contract Amount	\$	\$	\$1,285,200	\$1,285,200
Contingency	0	0	128,520	128,520
Total Contract	0	0	1,413,720	1,413,720
Percent Contingency	0%	0%	10%	10%
Less Betterments	0	0	39,001	39,001
Sound Transit Share	0	0	1,374,719	1,374,719

Notes:

Amounts are expressed in Year of Expenditure \$000s.
 Board Approvals = Committed and PO Contingency Remaining as of 4/29/19.
 For detailed project information, see page 175 of the 2019 Adopted Budget.

Small and disadvantaged business participation

Sound Transit promotes and encourages small business participation, which also includes disadvantaged business enterprises (DBEs). Consistent with Sound Transit Policies and federal regulations, Sound Transit has established small business/DBE goals for this contract. These goals are based upon an examination of subcontracting opportunities contained in the work of this contract and the number of small businesses/DBEs available to perform such subcontracting work.

For this specific contract, the following goals were set:

Disadvantaged and Small Business goal	
Small Business goal: 15%	Disadvantaged Business Goal: 5 %

Kiewit committed to:

Disadvantaged and Small Business goal - Design	
Small Business goal: 15.05%	Disadvantaged Business Goal: 12.03 %
Disadvantaged and Small Business goal – Construction	
Small Business goal: 15.07%	Disadvantaged Business Goal: 5.17 %

Public involvement

Throughout the development of the Federal Way Link Extension, Sound Transit has conducted extensive public involvement including mailings, community open houses, presentations, and meetings with individuals and neighborhood groups.

Time constraints

A one-month delay could affect the critical path of the project schedule and potentially affect revenue service.

Prior Board/Committee actions

Motion No. M2018-125: Authorized the chief executive officer to execute a Funding Agreement with the City of Des Moines to reimburse Sound Transit to design and construct the College Way Connection Project as part of the Sound Transit Federal Way Link Extension design-build contract in the amount of \$1,400,000.

Motion No. M2018-109: Authorized the chief executive officer to execute a construction and funding agreement with Washington State Department of Transportation for Sound Transit to design and construct certain elements related to the SR 509 project, as part of the Sound Transit Federal Way Link Extension design-build contract.

Motion No. M2018-81: Authorized 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.

Motion No. M2018-21: Authorized the chief executive officer to execute a contract with South County Transit Partners to provide design-build project management services for the Federal Way Link Extension in the amount of \$4,604,472, with a contingency of approximately 10% or \$460,447, for a total authorized contract amount not to exceed \$5,064,919.

Motion No. M2015-56: Identified the preferred light rail route and station locations for the Federal Way Link Extension Final Environmental Impact Statement and approved Gate 3 within Sound Transit's Phase Gate process.

Environmental review – KH 5/2/19

Legal review – JSA 5/3/19



Motion No. M2019-49

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a design-build contract with Kiewit Infrastructure West Co. to complete final design and construction of the Federal Way Link Extension in the amount of \$1,285,200,000 with a 10 percent contingency of \$128,520,000 for a total authorized contract amount not to exceed \$1,413,720,000.

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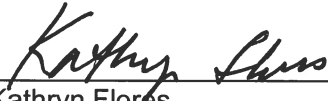
It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute a design-build contract with Kiewit Infrastructure West Co. to complete final design and construction of the Federal Way Link Extension in the amount of \$1,285,200,000 with a 10 percent contingency of \$128,520,000 for a total authorized contract amount not to exceed \$1,413,720,000.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on May 23, 2019.



John Marchione
Board Chair

Attest:



Kathryn Flores
Board Administrator