

Motion No. M2023-110

Contract Modification with HNTB Corporation for the West Seattle and Ballard Link Extensions

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee	12/14/2023	Recommend to Board	Brooke Belman, Deputy CEO, Chief Expansion Delivery Officer Don Billen, Executive Director, PEPD Sandra Fann, Project Director, PEPD
Board	12/15/2023	Final action	

Proposed action

Authorizes the chief executive officer to execute a contract modification with HNTB Corporation to prepare a feasibility assessment under the contract for project development services for the West Seattle-Ballard Link Extensions, in the amount of \$776,247, with a 10% contingency of \$74,801 totaling \$851,048, for a new total authorized contract amount not to exceed \$319,693,752, contingent upon approval of Motion No. M2023-109 and Resolution No. R2023-40.

Key features summary

- This action modifies the consultant services contract with HNTB Corporation (HNTB) to fund a feasibility assessment of an additional alternative in the South Lake Union area for potential inclusion in the Draft Environmental Impact Statement (EIS) for the Ballard Link Extension project.
- Board Motion Nos. M2023-18 and M2023-57 identified the preferred alternative light rail route and station locations for the Ballard Link Extension for additional environmental review, including preparation of a Final EIS, and to advance Preliminary Engineering for the project.
- Board Motion Nos. M2022-57, M2022-73, and M2023-69 authorized scope to prepare Final EIS documents and conduct Preliminary Engineering for both the West Seattle and Ballard Link Extensions projects, and to prepare a new NEPA Draft EIS/SEPA Supplemental Draft EIS for the Ballard Link Extension.
- The additional alternative would combine the Denny Westlake Shifted West station location with a potential South Lake Union station at approximately 5th Avenue and Harrison Street.
- The scope of work for the feasibility assessment includes continued planning, conceptual design, and external engagement on the additional alternative in the South Lake Union area to support a potential subsequent Board action to include the alternative in the Ballard Link Extension Draft EIS and to potentially designate it as a preferred alternative.
- If approved, staff would expedite a feasibility study to allow the Board to consider the results in May 2024. After reviewing the feasibility study, a Board decision to include the alternative in the Draft EIS as an additional alternative or preferred alternative would delay the final completion date for the Ballard Link Extension.
- This action requires a revision to increase the 2024 Proposed Budget's authorized allocation for the Ballard Link Extension project in the preliminary engineering phase by the amount of \$851,048.

Background

The West Seattle and Ballard Link Extension projects (WSLE and BLE, respectively) were approved for funding by voters under the ST3 Plan. The projects will provide fast, reliable light rail connections to dense residential and job centers throughout the region and add a new downtown Seattle light rail tunnel to provide efficient operating capacity for the entire regional system. It consists of two separate Link light rail extensions: one to West Seattle and the other to Ballard. The extension to West Seattle will operate from downtown Seattle to West Seattle's Alaska Junction neighborhood with four stations and will eventually connect to the Everett Link Extension. The Ballard extension will operate from downtown Seattle to Ballard's Market Street area with nine stations and will include a new rail-only tunnel from the Chinatown/International District to South Lake Union and Seattle Center/Uptown. It will eventually connect with the Tacoma Dome Link Extension.

The project development process has three phases. Phase 1 included alternatives development, environmental scoping and identification of a preferred alternative(s) and other alternatives. Phase 2 included the preparation of a Draft Environmental Impact Statement (EIS) and conceptual engineering of a preferred alternative(s) and other alternatives as identified through alternatives development. Both projects were evaluated together in a Draft EIS issued in 2022. Phase 3 includes the preparation of a Final EIS, including responses to public and agency comments on the Draft EIS, and Preliminary Engineering of the Preferred Alternative. In this phase, the West Seattle and Ballard Link Extensions will each be evaluated in separate Final EIS documents. A new NEPA Draft EIS/SEPA Supplemental Draft EIS will be prepared for Ballard Link Extension.

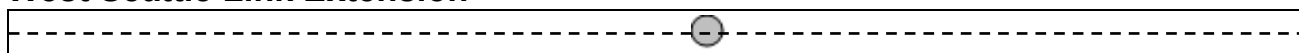
The Board adopted Motion No. M2022-57 in July 2022 to confirm or modify a preferred alternative(s) for the separate Final EIS for the West Seattle Link Extension. The Board adopted Motion No. M2023-18 in March 2023 to confirm or modify a preferred alternative(s) for the separate EIS for the Ballard Link Extension. The Board subsequently adopted Motion No. M2023-57 in July 2023 to modify the preferred station location for the Denny Station for the Ballard Link Extension EIS.

Ongoing community feedback has prompted interest by some in studying an additional alternative in the South Lake Union area of the Ballard Link Extension. The additional alternative would incorporate the Denny Westlake Shifted West station location, which is already included as a Draft EIS alternative, but would be coupled with a potential South Lake Union station at approximately 5th Avenue and Harrison Street several blocks west of the current preferred station location.

The suggested additional alternative was discussed at a meeting of the System Expansion Committee in November 2023 which then requested that staff prepare an action for the Committee to consider in December 2023 to assess the feasibility of the additional alternative in the South Lake Union area for potential inclusion in the Draft EIS for the Ballard Link Extension project, as well as any associated budget and contract amendments for project development work, so the committee could consider forwarding said actions to the Board.

Project status

West Seattle Link Extension



Project Identification	Alternatives Identification	Conceptual Engineering/ Draft EIS	Preliminary Engineering/ Final EIS	Final Design	Construction
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Projected completion date for Preliminary Engineering/Final EIS: 2024

Project scope, schedule and budget summary are located on page 113 of the October 2023 Agency Progress Report.

Ballard Link Extension

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Project Identification	Alternatives Identification	Conceptual Engineering/ Draft EIS	Preliminary Engineering/ Final EIS	Final Design	Construction

Projected completion date for Preliminary Engineering/Final EIS: 2026

Project scope, schedule and budget summary are located on page 16 of the October 2023 Agency Progress Report.

Procurement information

A Request for Qualifications (RFQ), contract number RTA/AE 0036-17, West Seattle-Ballard Link Extension for three phases of the project development process (Alternatives Development, Draft EIS and Conceptual Engineering, Final EIS/ROD and Preliminary Engineering) was advertised on April 20, 2017. Sound Transit received two Statements of Qualifications (SOQs) on May 17, 2017. The SOQs were reviewed and evaluated per the criteria in the RFQ: Firm Experience and History, Knowledge and Experience of Key Individuals, Capacity and Project Organization, Project Understanding and Approach, Good Faith Efforts and Commitment to DBEs and other Small Business, and Equal Employment Opportunity (EEO) Commitment. Clauses required for federal funding are included in the contract.

Based on these evaluations, both submitters were invited for interviews. The HNTB Corporation team was determined to be the highest ranked firm based on qualifications and was invited to enter into negotiations. Sound Transit executed the contract with HNTB Corporation on October 15, 2017 in an amount not to exceed \$24,412,019 for Phase 1 work. A Phase 2 modification in the amount not to exceed \$60,293,750 was issued on May 23, 2019. HNTB has satisfactorily completed Phase 1 and 2 work and was invited to negotiate the scope of work and cost for Phase 3.

Three contract modifications have been issued to advance Phase 3, Final EIS and Preliminary Engineering of the Preferred Alternative. The first modification, authorized by Motion M2022-56, was issued for HNTB to complete a limited portion of the scope of Phase 3 Final EIS and Preliminary Engineering for two months' work, to initiate Phase 3 activities until the Preferred Alternative for West Seattle Link Extension was identified by the Board. A second contract modification, authorized by Motion M2022-73, provided scope to advance the Final EIS and Preliminary Engineering for the West Seattle Extension and work to address the Board request for further studies prior to identifying a Preferred Alternative for the Ballard Link Extension. A third contract modification, authorized by Motion M2023-69, added scope to complete the remainder of work elements for Phase 3, including finalizing a Final EIS for the West Seattle Link Extension and advancing preparation of the Draft EIS and Final EIS, and completing Preliminary Engineering for the Ballard Link Extension.

This current Action further amends the existing contract with HNTB to conduct project development services to assess the feasibility of an additional alternative in the South Lake Union area for potential inclusion in the Draft EIS for the Ballard Link Extension Project. Following the System Expansion Committee's request in November 2023 that staff prepare an action for the Committee in December 2023 to consider conducting the feasibility assessment, HNTB prepared and submitted a draft scope of work to Sound Transit. After participating in negotiations with Sound Transit, HNTB submitted a revised

scope of work and cost proposal that was accepted by Sound Transit. Based on the review of the scope of work level of effort and cost analysis, the Procurement and Contracts team has determined that the scope of work for this action is within the general scope of work originally procured and the price is fair and reasonable.

Fiscal information

This action is within the authorized project allocation for the preliminary engineering phase, contingent on Board approval of the 2024 Proposed Budget and revisions outlined in Resolution No. R2023-40. As this project is pre-baselined, both the authorized project budget for project development work and a forecasted cost estimate for the remaining project delivery and construction work are reasonably assumed in the existing Long Range Financial Plan. The current cost estimate for the Ballard Link Extension project is \$11.2 billion in 2023\$. This represents the cost estimate updated at the time of Realignment and does not represent the preferred alternative (Motion Nos. M2023-18 and M2023-57). The assumed in-service date is 2039 for Ballard Link.

The 2024 proposed project allocation (including revisions) for the Ballard Link Extension project is \$729,862,314. Within the \$292,691,048 preliminary engineering phase, \$191,427,248 has been allocated for FEIS / PE (Phase 3). The action would commit an additional \$851,048 to this line item and leave an uncommitted line item balance of \$8,728,828.

Ballard Link Extension

(in thousands)

Project Phase	2024 Proposed Allocation*	Total Commitment to Date	This Action	Total Commitment Plus Action	Uncommitted / (Shortfall)
Agency Administration	\$52,907	\$35,046		\$35,046	\$17,861
Preliminary Engineering	292,691	252,680	851	253,531	39,160
Final Design					
Third Parties	11,350	3,098		3,098	8,252
Right of Way	342,152	3,532		3,532	338,621
Construction					
Construction Services	30,762	30,762		30,762	
Vehicles					
Total Current Budget	\$729,862	\$325,118	\$851	\$325,969	\$403,894
Phase Detail - Preliminary Engineering					
FEIS / PE (Phase 3)	\$191,427	\$181,847	\$851	\$182,698	\$8,729
Other Preliminary Engineering	101,264	70,833		70,833	30,431
Total Phase	\$292,691	\$252,680	\$851	\$253,531	\$39,160
Agreement Detail					
HNTB Corporation PE Agreement	Board Approvals to Date		Proposed Action	Proposed Total for Board Approval	Current Agreement Spend Status
Agreement	\$307,529		\$776	\$308,306	\$129,149
Contingency	11,313		75	11,388	
Total Agreement	\$318,843		\$851	\$319,694	\$129,149
Percent Contingency	4%		10%	4%	0%

Notes:

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

Board Approvals = Commitment and PO Contingency Remaining as of 10/31/2023

For detailed project information, see pages 72 and 75 of the 2023 Financial Plan & Proposed Budget.

*Assuming board approval of 2024 proposed budgets & revisions outlined in M2023-XX.

As noted in the July 2023 Board Motion (Motion No. M2023-57), based on current cost estimates and revenue projections, the preferred alternatives for the West Seattle and Ballard Link extensions are anticipated to exceed the assumptions in the financial plan (by \$510 million in 2019\$). Modifying the preferred alternative has the potential to change or increase the variance to the cost estimate in the financial plan.

Sound Transit, City of Seattle, and King County acknowledged there may be shared responsibility to address the additional cost of the delta between the final project to be built and the realigned financial plan through either additional funding or cost savings opportunities. Together, they have identified up to

\$400 million in additional potential funding for the West Seattle and Ballard Link extensions through various sources including publicly-owned property, value capture from increased development, and in-kind contributions. The City of Seattle and King County provided letters on March 23, 2023, indicating their intent to work with Sound Transit to further analyze costs and funding sources over the next year and develop a funding agreement in advance of the Board actions to select projects to be built for the West Seattle and Ballard Link extensions. Sound Transit will need to perform a detailed analysis of the \$400 million in potential funding sources in relation to the cost estimates in order to assess the efficacy of the proposal on the Financial Plan as well as partner with the City and County to identify additional funding sources.

The alternative alignment’s impact to agency affordability, including debt capacity and net debt service coverage, is unknown at this point and will vary based on the findings of the feasibility study. The Financial Plan cost estimate will be updated based on new data from the preliminary comparative cost estimate and any Board decisions related to this milestone.

Disadvantaged and small business participation

Participation by small businesses and disadvantaged business enterprises (DBEs)

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 and HNTB has committed to the following small business/DBE participation:

AE 0036-17: West Seattle-Ballard Link Extension			
Small business and disadvantaged business enterprise (DBE) goals			
Sound Transit small business goal:	18%	Sound Transit DBE goal:	11%
Prime Small business commitment:	19%	Prime DBE commitment:	12%
Current Small Business Attainment: 17.10%		Current DBE Attainment: 10.93%	

Public involvement

In an effort to meet interests to expedite a feasibility study and meet a timeline that includes Board consideration of results in May 2024, staff have assumed a very aggressive schedule. It is assumed that January through March would be focused on exploring and resolving any design/constructability issues associated with this new idea and evaluating ridership, transit integration, environmental concerns, costs, etc. This technical information would then be shared publicly in April. Similar to the spring/summer 2023 engagement effort for further studies focused on the Denny Station, Sound Transit will involve the public through webinars, an updated online open house, community briefings in the neighborhood and briefings to transit riders in communities along the corridors connecting to the station. Public feedback would be documented and made available for board consideration in May 2024.

Time constraints

The Board previously identified the preferred alternative for the Ballard Link Extension in March 2023 and modified the preferred station location for the Denny Station in July 2023. Staff has since been proceeding with environmental review and design development.

Direction to assess the feasibility of an additional alternative in the South Lake Union area for potential inclusion in the Draft EIS would not result in any delay to the overall project schedule. However, upon consideration of the results of the feasibility study, anticipated in May 2024, if the Board were to include the additional alternative in the Draft EIS it would be projected to cause a 10-month delay to the overall project schedule (revenue service date would become 2040). If the Board were to modify the preferred alternative, it would be projected to cause between 10 months and 2 years of delay to the overall project schedule depending on when the preferred alternative was modified (revenue service date would be 2040 to 2041).

Prior Board/Committee actions

Motion No. M2023-69: Authorized the chief executive officer to execute a contract modification with HNTB Corporation to provide project development services for the West Seattle and Ballard Link Extensions project in the amount of \$146,589,734, including contingency, for a new total authorized contract amount not to exceed \$318,842,705.

Motion No. M2023-57: Confirmed or modified the preferred station location for the Denny Station for the Ballard Link Extension Environmental Impact Statement.

Motion No. M2023-18: Confirmed or modified the preferred alternative light rail route and station locations for the Ballard Link Extension, for evaluation in the Final Environmental Impact Statement along with other alternatives.

Motion No. M2022-73: Authorized the chief executive officer to execute a contract modification with HNTB Corporation to provide project development services for the West Seattle and Ballard Link Extensions project in the amount of \$71,858,568, including contingency, for a new total authorized contract amount not to exceed \$172,252,971.

Motion No. M2022-57: Confirmed or modified the preferred light rail route and station locations for the West Seattle and Ballard Link Extensions Final Environmental Impact Statement and requested further studies in some areas to inform potential additional future Board action to confirm or modify the Preferred Alternative.

Motion No. M2022-56: Authorized the chief executive officer to execute a contract modification with HNTB Corporation to provide project development services for the West Seattle and Ballard Link Extensions project in the amount of \$11,162,414, including contingency, for a new total authorized contract amount not to exceed \$100,394,403.

Motion No. M2021-43: Authorized the chief executive officer to execute a contract modification with HNTB Corporation to increase the contract contingency for the West Seattle and Ballard Link Extensions in the amount of \$4,206,000 for the identification of capital cost savings opportunities and to provide additional project contingency for a new total authorized contract amount not to exceed \$91,951,971.

Motion No. M2019-52: Authorized the chief executive officer to execute a contract modification with HNTB Corporation to provide project development services for the West Seattle and Ballard Link Extensions Project in the amount of \$54,812,500, with a ten percent contingency of \$5,481,250, for a new total authorized contract amount not to exceed \$87,745,971.

Motion No. M2018-101: Authorized the chief executive officer to execute a contract amendment with HNTB to provide a speed and reliability study for RapidRide C and D Improvements in the amount of \$599,000, for a new total authorized contract amount not to exceed \$27,452,221.

Motion No. M2017-119: Executed a contract with HNTB Corporation to provide project development services for the West Seattle and Ballard Link Extensions project in the amount of \$24,412,019, with a 10% contingency of \$2,441,202, for a total authorized contract amount not to exceed \$26,853,221.

Environmental review – KH 11/27/23

Legal review – JSA 12/8/23



Motion No. M2023-110

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a contract modification with HNTB Corporation to prepare a feasibility assessment under the contract for project development services for the West Seattle-Ballard Link Extensions, in the amount of \$776,247, with a 10% contingency of \$74,801 totaling \$851,048, for a new total authorized contract amount not to exceed \$319,693,752, contingent upon approval of Motion No. M2023-109 and Resolution No. R2023-40.

Background

The West Seattle and Ballard Link Extension projects (WSLE and BLE, respectively) were approved for funding by voters under the ST3 Plan. The projects will provide fast, reliable light rail connections to dense residential and job centers throughout the region and add a new downtown Seattle light rail tunnel to provide efficient operating capacity for the entire regional system. It consists of two separate Link light rail extensions: one to West Seattle and the other to Ballard. The extension to West Seattle will operate from downtown Seattle to West Seattle's Alaska Junction neighborhood with four stations and will eventually connect to the Everett Link Extension. The Ballard extension will operate from downtown Seattle to Ballard's Market Street area with nine stations and will include a new rail-only tunnel from the Chinatown/International District to South Lake Union and Seattle Center/Uptown. It will eventually connect with the Tacoma Dome Link Extension.

The project development process has three phases. Phase 1 included alternatives development, environmental scoping and identification of a preferred alternative(s) and other alternatives. Phase 2 included the preparation of a Draft Environmental Impact Statement (EIS) and conceptual engineering of a preferred alternative(s) and other alternatives as identified through alternatives development. Both projects were evaluated together in a Draft EIS issued in 2022. Phase 3 includes the preparation of a Final EIS, including responses to public and agency comments on the Draft EIS, and Preliminary Engineering of the Preferred Alternative. In this phase, the West Seattle and Ballard Link Extensions will each be evaluated in separate Final EIS documents. A new NEPA Draft EIS/SEPA Supplemental Draft EIS will be prepared for Ballard Link Extension.

The Board adopted Motion No. M2022-57 in July 2022 to confirm or modify a preferred alternative(s) for the separate Final EIS for the West Seattle Link Extension. The Board adopted Motion No. M2023-18 in March 2023 to confirm or modify a preferred alternative(s) for the separate EIS for the Ballard Link Extension. The Board subsequently adopted Motion No. M2023-57 in July 2023 to modify the preferred station location for the Denny Station for the Ballard Link Extension EIS.

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The suggested additional alternative was discussed at a meeting of the System Expansion Committee in November 2023 which then requested that staff prepare an action for the Committee to consider in December 2023 to assess the feasibility of the additional alternative in the South Lake Union area for potential inclusion in the Draft EIS for the Ballard Link Extension project, as well as any associated budget and contract amendments for project development work, so the committee could consider forwarding said actions to the Board.

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This action modifies the consultant services contract with HNTB Corporation (HNTB) to fund a feasibility assessment of an additional alternative in the South Lake Union area for potential inclusion in the Draft Environmental Impact Statement (EIS) for the Ballard Link Extension project.

Board Motion Nos. M2023-18 and M2023-57 identified the preferred alternative light rail route and station locations for the Ballard Link Extension for additional environmental review, including preparation of a Final EIS, and to advance Preliminary Engineering for the project.

Board Motion Nos. M2022-57, M2022-73, and M2023-69 authorized scope to prepare Final EIS documents and conduct Preliminary Engineering for both the West Seattle and Ballard Link Extensions projects, and to prepare a new NEPA Draft EIS/SEPA Supplemental Draft EIS for the Ballard Link Extension.

The additional alternative would combine the Denny Westlake Shifted West station location with a potential South Lake Union station at approximately 5th Avenue and Harrison Street.

The scope of work for the feasibility assessment includes continued planning, conceptual design, and external engagement on the additional alternative in the South Lake Union area to support a potential subsequent Board action to include the alternative in the Ballard Link Extension Draft EIS and to potentially designate it as a preferred alternative.


If approved, staff would expedite a feasibility study to allow the Board to consider the results in May 2024. After reviewing the feasibility study, a Board decision to include the alternative in the Draft EIS as an additional alternative or preferred alternative would delay the final completion date for the Ballard Link Extension.

This action requires a revision to increase the 2024 Proposed Budget's authorized allocation for the Ballard Link Extension project in the preliminary engineering phase by the amount of \$851,048.

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 modification with HNTB Corporation to prepare a feasibility assessment under the contract for project development services for the West Seattle-Ballard Link Extensions, in the amount of \$776,247, with a 10% contingency of \$74,801 totaling \$851,048, for a new total authorized contract amount not to exceed \$319,693,752, contingent upon approval of Motion No. M2023-109 and Resolution No. R2023-40.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on December 15, 2023.


Dow Constantine
Board Chair

Attest:


Kathryn Flores
Board Administrator