



## Motion No. M2023-23

### Contract Modification with Northwest Transit Systems Partners for the East Link Extension's Systems Construction Management Consultant Services

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee	03/09/2023	Recommend to Board	Ron Lewis, DECM Executive Director
Board	03/23/2023	Final action	<b>Jon Lebo, Executive Project Director – East Link</b> Ben Neeley – Principal Construction Manager - Systems

### Proposed action

Authorizes the chief executive officer to increase the contract contingency with Northwest Transit Systems Partners for Construction Management Consultant services for the East Link Extension's Systems in the amount of \$8,800,000 for a new total authorized contract amount not to exceed \$72,661,124, with \$36,721,160 allocated to the East Link Extension, all within the Board approved project budget.

### Key features summary

- On August 15, 2016, Sound Transit and Northwest Transit Systems Partners (NTSP) entered into an agreement for systems construction management consultant (CMC) pre-construction services for the Northgate and Eastlink Extension projects. In May 2017, the Board authorized a contract amendment with NTSP to provide CMC services for the Northgate Link and East Link systems construction phase, and the preconstruction phase of the Lynnwood Link systems construction.
- Delays from the civil contracts has delayed the completion of the systems work. The original planned substantial completion for the systems work was December 31, 2021.
- This request provides necessary funding to extend NTSP's services to the end of 2025 for construction, pre-revenue and closeout management and documentation.
- It is important to note that to the extent that the extended durations and additional costs such as those referenced here are the result of actions or inactions of our East Link contractors, designers, and or construction management consultants, reimbursement of the costs will be aggressively pursued by Sound Transit.

### Background

East Link extends light rail 14 miles, with 10 stations from Seattle's International District to Judkins Park, across I-90 to Mercer Island and South Bellevue, through downtown Bellevue and the Bel-Red area to Redmond Technology Station. The original revenue service date was June 2023.

In February 2013, Sound Transit made the decision to combine the Systems construction contract for the Northgate Link and East Link extensions into one construction package based on a value engineering recommendation. The systems construction contract package includes installation of signals, traction electrification, traction power substations, overhead catenary systems (OCS),

communications, and SCADA (supervisory control and data acquisition) systems across the Northgate and East Link extensions, covering 18 miles of the light rail system.

Northgate Link and East Link extensions are both highly complex and require close coordination of work and access between the Civil Contractors and the Systems Contractor. In April 2015, the Capital Program Control Board (CCB) authorized Phase 1, pre-construction, and Phase 2, construction services for the Systems CMC for both Northgate and East Link extensions to provide continuity in CMC services in-line with the contracting approach.

Sound Transit has found NTSP to be a valuable partner in administering the delivery of the ELE systems work. Coordination between Mass Electric Construction (MEC) Company and the civil contracts through the delays has allowed MEC to complete and commission elements of its work while civil delay issues are resolved. It is critically important that NTSP continue its work through the completion of the East Link Systems construction, testing and commissioning.

**Project status**

○					
<b>Project Identification</b>	<b>Alternatives Identification</b>	<b>Conceptual Engineering/ Draft EIS</b>	<b>Preliminary Engineering/ Final EIS</b>	<b>Final Design</b>	<b>Construction</b>

Projected Revenue Service: Spring 2025

Project scope, schedule and budget summary are located on page 23 of the December 2022 Agency Progress Report.

**Procurement information**

Sound Transit issued a Request for Qualifications for construction management services for the Northgate Link and East Link Extensions, which included an option for the Lynnwood Link Extension, in November 2015. Sound Transit received three Statements of Qualifications. Northwest Transit Systems Partners was the highest ranked pursuant to the criteria in the RFQ and entered into negotiations for a fair and reasonable price. In August 2016, contract RTA/AE 0040-15 was executed to provide CMC services during the preconstruction phase of the Northgate Link and East Link Extensions systems construction. With Board approval in May 2017, the contract was modified to exercise the option for CMC services for the construction phase of Northgate and East Link Extensions and the preconstruction phase of Lynnwood Link Extension systems construction.

**Fiscal information**

This action is within the baseline budget and sufficient monies remain after approval of this action to fund the remaining work. This action does not impact the affordability of any other system expansion project.

The baseline budget for the East Link project is \$3,677,150,000. Within the construction services phase, \$37,288,909 has been allocated to E750 Systems CMC. The action would commit an additional \$8,800,000 to this line item and leave a budget balance of \$2,191,109.

## East Link Extension

(in thousands)	Total Baseline Budget	Board Approvals*	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Operations and Maintenance	\$7,106	\$7,106		\$7,106	\$
Administration	179,094	129,183		129,183	49,911
Preliminary Engineering	54,776	50,874		50,874	3,902
Final Design	271,888	247,285		247,285	24,603
Third Parties	52,150	36,988		36,988	15,162
Right of Way	288,516	279,838		279,838	8,678
Construction	2,518,224	2,271,004		2,271,004	247,220
<b>Construction Services</b>	<b>271,677</b>	<b>241,889</b>	<b>8,800</b>	<b>250,689</b>	<b>20,989</b>
System Testing-Start Up	33,718	21,136		21,136	12,582
<b>Total Current Budget</b>	<b>\$3,677,150</b>	<b>\$3,285,302</b>	<b>\$8,800</b>	<b>\$3,294,102</b>	<b>\$383,048</b>

Phase Detail - Construction Services					
E750 Systems CMC	\$37,289	\$26,298	\$8,800	\$35,098	\$2,191
Other Construction	234,388	215,591		\$215,591	18,798
<b>Total Phase</b>	<b>\$271,677</b>	<b>\$241,889</b>	<b>\$8,800</b>	<b>\$250,689</b>	<b>\$20,989</b>

Northwest Transit Systems Partners (NTSP)	Board Approvals to Date	Current Approved Contract Status	Proposed Action	Proposed Total for Board Approval
<b>East Link Contract Amount</b>	\$25,456	\$25,456		\$25,456
<b>East Link Contingency</b>	2,454	2,454	8,800	11,254
Northgate Link Contract Amount	13,283	13,283		13,283
Northgate Contingency	1,237	1,237		1,237
Lynnwood Link Contract Amount	20,059	20,059		20,059
Lynnwood Contingency	1,372	1,372		1,372
Total Contract Contingency				
<b>Total Contract Amount</b>	<b>\$63,861</b>	<b>\$63,861</b>	<b>\$8,800</b>	<b>\$72,661</b>
Percent Contingency	9%	9%	100%	24%

### Notes:

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

For detailed project information, see page 78 of 176 of the 2023 Financial Plan & Proposed Budget.

\* Board Approvals = Commitment and PO Contingency Remaining as of 2/26/2023.

## 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 the successful Bidder/Proposer committed to the following small business/DBE participation:

Small business and disadvantaged business enterprise (DBE) goals	
Sound Transit small business goal: 9.5%	DBE goal: 4.5%
Small business commitment: 11%	DBE commitment: 6.0%
SBE Participation to Date: 15.6%	DBE Participation to Date: 9%

## **Public involvement**

Not applicable to this action.

## **Time constraints**

A one-month delay would not create a significant impact to the project schedule. However, funding for E750 CMC services will be exhausted in May 2023.

## **Prior Board/Committee actions**

Motion No. M2017-74: Authorizes the chief executive officer to execute a contract amendment with Northwest Transit Systems Partners to provide construction management consultant services for the Northgate Link and East Link systems construction phase, and the preconstruction phase of the Lynnwood Link systems construction in the amount of \$36,680,922, with a contingency of \$3,588,242, totaling \$40,269,163, for a new total authorized contract amount not to exceed \$44,106,455.

Motion No. M2016-27: Authorizes the chief executive officer to execute a contract with Northwest Transit Systems Partners to provide systems construction management consultant services for the preconstruction phase of the Northgate Link and East Link extensions systems construction in the amount of \$3,654,564, with a 5% contingency of \$182,728, for a total authorized contract amount not to exceed \$3,837,292.

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**Environmental review – KH 2/24/23**

**Legal review – JEN 03/01/2023**



## Motion No. M2023-23

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to increase the contract contingency with Northwest Transit Systems Partners for Construction Management Consultant services for the East Link Extension's Systems in the amount of \$8,800,000 for a new total authorized contract amount not to exceed \$72,661,124, with \$36,721,160 allocated to the East Link Extension, all within the Board approved project budget.

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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 increase the contract contingency with Northwest Transit Systems Partners for Construction Management Consultant services for the East Link Extension's Systems in the amount of \$8,800,000 for a new total authorized contract amount not to exceed \$72,661,124, with \$36,721,160 allocated to the East Link Extension, all within the Board approved project budget.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on March 23, 2023.



Dow Constantine  
Board Chair

**Attest:**

  
Kathryn Flores  
Board Administrator