

Motion No. M2023-46

Design-Build Contract Award for the Auburn Station Parking and Access Improvement Project

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee	06/08/2023	Recommend to Board	Brooke Belman, Chief Expansion Delivery Officer
Board	06/22/2023	Final action	Ron Lewis, DECM Executive Director Victoria Morris, Project Director, DECM Sarah Perrino, Senior Project Manager

Proposed action

Authorizes the chief executive officer to execute a design-build contract with Absher Construction Co. for the Auburn Station Parking and Access Improvement Project in the amount of \$60,000,000, with a 15 percent contingency of \$9,000,000 and authorizes an alternative concept allowance not to exceed \$2,000,000 to fund maximum cost of added value improvements for the Auburn Station Parking and Access Improvements Project for a total authorized contract amount not to exceed \$71,000,000, contingent upon resolution of any protest received.

Key features summary

- The Design-Build contract with Absher Construction Co. includes all work necessary to complete the design, permitting and construction of a structured parking facility with up to 675 stalls. The project also includes access improvements such as an intersection improvement, new sidewalks, landscaping, and pedestrian crosswalks.
- This action includes an amount of \$2,000,000 within the authorized contract allocation to allow use of a program wide alternative concept allowance to fund alternative design elements that provide added value but may increase the cost of the design build contract for the Auburn Station Parking and Access Improvement project, such as innovative ideas coming from the owner or design builder during the development of the design tor during construction. Use of the alternative concept allowance would be at the sole discretion of Sound Transit.
- The requested contingency within the contract amount is in alignment with similar scale projects, which often require higher percentage contingencies relative to their budgets. Contingency will be used for unanticipated conditions and events that occur during the project
- This award will support the baseline schedule open for service milestone date of Q1 2027.

Background

In November 2008, voters approved access improvements to the Puyallup, Sumner, Kent, and Auburn Sounder Stations as part of the ST2 ballot measure to expand mass transit throughout the region. Subsequently, the Sounder Station Access Study was conducted to identify potential access

improvements at Sounder stations. The August 2021 re-alignment action identified the Sumner, Kent and Auburn projects as Tier 1 projects to proceed to implementation.

The Auburn Project includes the addition of a structured parking facility with up to 675 stalls and access improvements including pedestrian and bicycle safety and traffic calming (i.e., curb extensions, roadway channelization, and installation of rectangular rapid flashing beacons, crosswalks, and ADA curb ramps). As part of the final design, these amenities would be finalized in collaboration with City of Auburn as part of the permitting and approval process.

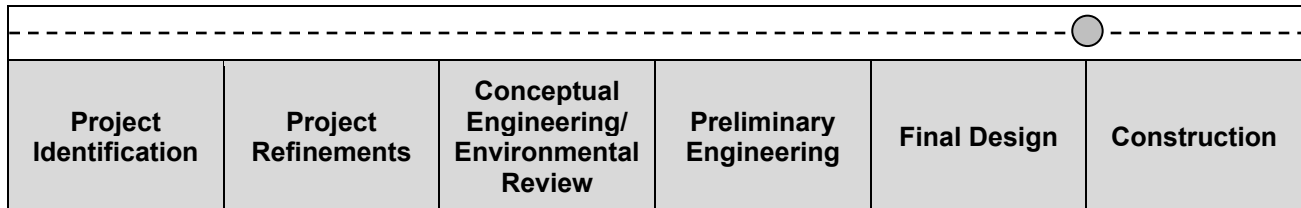
The Auburn project was combined with the Kent and Sumner projects as part of Resolution No. R2023-02 project baseline which the Board approved on January 26, 2023. A program wide alternative concept allowance was established as part of the baseline budget. System Expansion Committee approval is required for expenditures that exceed \$5,000,000, or changes not currently within the baselined budget or schedule, or not within the project definition approved by the Board or consistent with the voter approved projects.

The construction and design build project management contracts for the Sumner Station project were approved by the Board in January 2023. Staff anticipate bringing similar contracts for the Kent Station project in August 2023.

A SEPA Environmental Checklist and Determination of Non-significance with Conditions was issued by Sound Transit on January 29, 2020. Under the National Environmental Policy Act (NEPA), FTA concurred that the project qualified as a documented categorical exclusion on February 26, 2020. The Sound Transit Board selected the project to be built on April 23, 2020.

Design changes to the project may require additional environmental review. It is anticipated that a Limited Notice to Proceed with Conditions will be issued for scope that has been environmentally cleared. The full Notice to Proceed will be issued after the completion of any additional environmental review.

Project status



Projected completion date for Open for Service: Q1 2027

Project scope, schedule and budget summary are located on page 168 of the March 2023 Agency Progress Report.

Procurement information

The Auburn Station Parking and Access Improvements project is being delivered using a Design-Build contracting method. Design-build was selected for Puyallup, Sumner, Kent and Auburn Access Improvement projects. Each design-build procurement process allows for proposals focused on providing best value with the funds available within the finance plan for the projects.

The design-build procurement number RTA/DB 0050-22 is considered a fixed-price/variable scope selection method that requests proposers provide the maximum scope within the contract price with the intent to maximize project value for the fixed contract price of \$60M. The contract will be federally

funded, subject to the Build America Buy America Act, and conducted with an open book approach to costs and budget.

Auburn Station Parking and Access Improvement project Request for Qualifications (RFQ) was issued in September 2022 and received five responses. These responses were evaluated and resulted in a shortlist of three teams. A Request for Proposals (RFP) was issued in November 2022 to the shortlisted teams and three one-on-one meetings were held with each of the three teams.

The RFP evaluation criteria was based upon a best value with design, technical and management attributes, quantity of parking spaces and cost narrative, for a fixed price of \$60 million identified in the solicitation. Proposers were requested to specify additional scope that would add value to the project, using a ranked list of enhancements provided in the solicitation. The teams competed on proposing maximum value within the fixed price. Final proposals were submitted in March 2023.

The evaluation panel identified the Absher Construction Co. as the highest scoring proposer. Negotiations with the team concluded in early May 2023.

Pursuant to RCW 39.10.330, a stipend in the amount of \$175,000 will be provided after award of the design-build contract to each of the two shortlisted teams that submitted a responsive proposal and were not awarded the contract.

The bid protest filing period is still open at this time. None have been submitted; however, contract execution is subject to the resolution of any protest in the event one is filed.

Fiscal information

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

The baseline budget for the combined Sumner, Kent, and Auburn Stations Parking and Access Improvements project is \$359,650,000. The proposed action will commit \$71,000,000 (including contingency and alternative concept allowance) for the design-build contract for the Auburn portion of the combined Sumner, Kent, and Auburn Stations Parking and Access improvements project and leave a remaining budget of \$6,811,000.

Sumner Kent Auburn Stations Parking and Access Improvements

(in thousands)	Total Baseline Budget	Board Approvals*	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Operations and Maintenance	\$49	\$49	\$	\$49	\$
Administration	29,050	8,788		8,788	20,262
Preliminary Engineering	8,449	8,209		8,209	240
Final Design	1,019	0		0	1,019
Third Parties	8,161	7,901		7,901	260
Right of Way	25,656	10,937		10,937	14,719
Construction	258,161	59,994	71,000	130,994	127,167
Construction Services	29,105	19,145		19,145	9,960
Total Current Budget	\$359,650	\$115,022	\$71,000	\$186,022	\$173,628

Phase Detail - Construction					
Design Build Contract - Auburn	\$77,811	\$	\$71,000	\$71,000	\$6,811
Other Construction	180,350	59,994		59,994	120,356
Total Phase	\$258,161	\$59,994	\$71,000	\$130,994	\$127,167

Contract Detail	Board Approvals to Date	Proposed Action	Proposed Total for Board Approval	Current Contract Spend Status
Absher Construction Co.				
Contract Amount	\$	\$60,000	\$60,000	\$
Contingency		9,000	9,000	0
Alternative Concept Allowance		2,000	2,000	0
Total Contract Amount	0	71,000	71,000	0
Percent Contingency	0%	15%	15%	0%

Notes:

Amounts are expressed in Year of Expenditure \$000s.
 * Board Approvals = Commitment and PO Contingency Remaining as of 5/17/2023.
 For detailed project information, see page 126 in the 2023 Financial Plan & Adopted Budget.

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 Proposer has committed to the following small business/DBE participation:

Small business and disadvantaged business enterprise (DBE) goals	
Sound Transit Small Business Goal: 0%	Small Business Commitment: 13.8%
Sound Transit Small DBE Goal: 6%	DBE Commitment: 6.5%

Apprentice utilization commitment

Apprentice utilization	
Apprentice utilization goal: 20%	Commitment: 20%

Public involvement

Public engagement during the conceptual engineering phase started with sharing conceptual designs with the public through an open house and online survey in November 2018 and shared environmental

analysis documents online in April of 2020. After the realignment pause, we gathered public input on visual design in May 2022 through an online open house and station drop-in session.

The project also hosts information booths at community events in Auburn, including the Auburn Farmers Market and "Hot Summer Nights" market. Moving forward during project delivery, our external engagement plans include keeping neighboring property owners and tenants updated; a pre-construction open house (online and in-person) to share final designs and what to expect during construction; and regular updates to the community during construction.

Time constraints

A one-month delay in award of the design-build contract would delay the issuance of Notice to Proceed.

Prior Board/Committee actions

Resolution No. R2023-02: Adopted the Sumner, Kent, and Auburn Stations Parking and Access Improvements Projects baseline schedule and budget by (a) combining the three project budgets into one project budget (b) increasing the authorized project allocation to date by \$299,119,865 from \$60,530,135 to \$359,650,000 (c) increasing the annual allocated budget by \$34,989,000 from \$16,516,000 to \$51,505,000. (d) establishing project open for service dates of Q1 2026 for Sumner, Q2 2027 for Kent and Q1 2027 Auburn.

Motion M2023-02: 1) Authorized the chief executive officer to execute a design-build contract with Harbor Pacific Contractors, Inc. for the Sumner Station Parking and Access Improvements Project in the amount of \$49,000,000, with a 12 percent base contingency of \$5,880,000, and 2) authorized an alternative concept allowance not to exceed \$5,000,000 to fund maximum cost of added value improvements for the Sumner Station Parking and Access Improvements Project for a total authorized contract amount not to exceed \$59,880,000.

Resolution R2020-08: Selected the non-motorized, transit and parking improvements to be built to improve access to the Auburn Sounder Station as part of the Auburn Station Parking and Access Improvements project.

Environmental review – KH 5/23/23

Legal review – JSA 6/1/23



Motion No. M2023-46

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 Absher Construction Co. for the Auburn Station Parking and Access Improvement Project in the amount of \$60,000,000, with a 15 percent contingency of \$9,000,000 and authorizes an alternative concept allowance not to exceed \$2,000,000 to fund maximum cost of added value improvements for the Auburn Station Parking and Access Improvements Project for a total authorized contract amount not to exceed \$71,000,000, contingent upon resolution of any protest received.

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value but may increase the cost of the design build contract for the Auburn Station Parking and Access Improvement project, such as innovative ideas coming from the owner or design builder during the development of the design tor during construction. Use of the alternative concept allowance would be at the sole discretion of Sound Transit.

The requested contingency within the contract amount is in alignment with similar scale projects, which often require higher percentage contingencies relative to their budgets. Contingency will be used for unanticipated conditions and events that occur during the project

This award will support the baseline schedule open for service milestone date of Q1 2027.

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 design-build contract with Absher Construction Co. for the Auburn Station Parking and Access Improvement Project in the amount of \$60,000,000, with a 15 percent contingency of \$9,000,000 and authorizes an alternative concept allowance not to exceed \$2,000,000 to fund maximum cost of added value improvements for the Auburn Station Parking and Access Improvements Project for a total authorized contract amount not to exceed \$71,000,000, contingent upon resolution of any protest received.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on June 22, 2023.



Dow Constantine
Board Chair

Attest:



Kathryn Flores
Board Administrator