



Motion No. M2023-49

Contingency Reimbursement for Ductbank Betterment for the Lynnwood Link Extension Northgate Station to NE 200th Street General Contractor / Construction Manager Contract for Betterment Work

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee Board	06/08/2023 06/22/2023	Recommend to Board Final action	Brooke Belman, Deputy CEO, Chief Expansion Delivery Officer Ron Lewis, DECM Executive Director Randy Harlow, Executive Project Director - Lynnwood Link Extension Josh Pategas, Deputy Executive Project Director - Lynnwood Link Extension

Proposed action

Authorizes the chief executive officer to increase the contract contingency for the Lynnwood Link Extension Northgate Station to NE 200th Street General Contractor/Construction Manager contract with Stacy and Witbeck-Kiewit-Hoffman, a Joint Venture, for betterment work requested by Seattle City Light in the amount of \$2,896,103, for a new total authorized contract amount not to exceed \$913,242,121.

Key features summary

- This action would reimburse the contingency in the amount of \$2,896,103 for expenditures under the contract needed to complete the betterment task order with the City of Seattle requested in Motion No. M2023-48 The betterment reimbursement from the city includes \$3,185,713 to cover construction and construction management costs to complete the work.
- Upon receipt of the city's commitment to reimburse Sound Transit, General Contractor/Construction Manager (GC/CM) was authorized to proceed with the SCL-proposed scope in advance of formalized task order documentation under the construction services agreement, in order to ensure that the betterment scope request would not result in a delay to permanent power activation to the Shoreline South/148th station and garage.
- A portion of the betterment reimbursement from the City of Seattle will also be used to increase the contract contingency for the Lynnwood Link construction management services contract with PGH Wong Engineering, Inc. in the amount of \$289,610. The increase to the PGH Wong Engineering, Inc. contract is within the CEO's authority for contract increases as a result of betterments.
- Since these amounts are being fully reimbursed, the requested action comes at zero net cost to Sound Transit and directs the funds back to the source of expenditure.

Background

The Lynnwood Link Extension is an 8.5-mile light rail extension from Northgate to Lynnwood with service to the Cities of Shoreline, Mountlake Terrace, and Lynnwood. The extension will travel primarily along Interstate 5 and will include four stations: Shoreline South/NE 148th Street, Shoreline North/NE 185th Street, Mountlake Terrace Transit Center, and Lynnwood City Center. Revenue service is anticipated to begin in 2024.

The original design for the Shoreline South/148th Station and garage anticipated utilization of the existing Seattle City Light (SCL) service feed in 5th Avenue NE to supply power to the station and garage. In early 2020, SCL advised that the capacity of the existing 5th Avenue direct-buried cable was insufficient to supply the power needed for the new light rail station, and apprised project leadership of SCL's plans to augment the power supply to the area for future needs via a future "5th Avenue Ductbank" project that had yet to be designed.

In mid-2020 SCL staff approached the Lynnwood Link Extension project team requesting additional SCL services in the vicinity of the Shoreline South/148th Station and Garage.

Through collaborative discussions, design effort, and eventual agreement, the Lynnwood Link power needs were re-designed to feed from SCL service drops along NE 152nd Street. As part of the effort, SCL identified several additional infrastructure needs in the station area, and requested that Sound Transit incorporate additional ductbank, conduit, and vaults to support future growth expected in the area immediately north of the station site.

The betterment compensates Sound Transit for the work specifically associated with the portion of the ductbank serving SCL customers other than Sound Transit.

The betterment task order to the Construction Services Agreement with the City of Seattle incorporated in Motion No. M2023-48 provides funding for this reimbursement of the contract contingency.

Project status

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Project Identification	Project Refinements	Conceptual Engineering/ Environmental Review	Preliminary Engineering	Final Design	Construction

Projected completion date for revenue service: Summer/Fall 2024

Project scope, schedule and budget summary are located on page 88 of the March 2023 Agency Progress Report.

Fiscal information

This action is within the baseline budget and sufficient funds 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 Lynnwood Link Extension is \$2,771,622,000. Within the construction phase, \$883,761,156 has been allocated to the L200 Northgate to NE 200th. This action would increase the contract contingency for the construction contract by \$2,896,103 and leave no remaining budget. This amount will be reimbursed by a betterment agreement in a concurrent action, resulting in no additional financial commitment to the project budget.

Lynnwood Link Extension

(in thousands)

	Baseline Budget	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Administration	\$98,164	\$64,132	\$	\$64,132	
Preliminary Engineering	39,054	39,053		39,053	1
Final Design	164,162	159,007		159,007	5,155
Third Party Agreements	17,600	15,917		15,917	1,683
Right of Way	219,053				219,053
Construction	2,094,553	2,023,458	2,896	2,026,355	68,198
Construction Services	139,036	137,383		137,383	1,653
Total Current Budget	\$2,771,622	\$2,438,950	\$2,896	\$2,441,847	\$295,743
Phase Detail					
Construction					
L200 Northgate to NE 200th	\$883,761	\$880,865	\$2,896	\$883,761	\$
Other Construction	1,210,792	1,142,593		1,142,593	68,198
Total Phase	\$2,094,553	\$2,023,458	\$2,896	\$2,026,355	\$68,198

Contract Detail	Board Approvals to Date	Proposed Action	Proposed Total for Board Approval	Current Contract Spend Status
Stacy and Witbeck/Kiewit/Hoffman (SKH)				
Contract Amount - Lynnwood Link Extension	\$855,530	\$	\$855,530	\$862,533
Contingency - Lynnwood Link Extension	29,286	2,896	32,182	25,179
Contract Amount - 130th St Infill	22,456		22,456	22,823
Contingency - 130th St Infill	3,074		3,074	2,707
Total Contract Amount	\$910,346	\$2,896	\$913,242	\$913,242
Percent Contingency	4%	100%	4%	3%
Less Betterment	1,055	2,896	3,951	3,951
Sound Transit Share	\$909,291	\$	\$909,291	\$909,291

Notes:

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

* Board Approvals = Commitment and PO Contingency Remaining as of 5/15/23.

For detailed project information, see page 69 of the 2023 Financial Plan & Adopted Book.

Public involvement

Sound Transit has engaged the public and stakeholder to reach early and durable agreement on the Lynnwood Link Extension project definition, including station locations, access and other project components. The City of Seattle has supported these efforts throughout the course of light rail construction. In addition, the City of Shoreline has been collaborating with Sound Transit through the land use permitting approval process to ensure Sound Transit facilities are compatible with their community vision.

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 has committed to the following small business/DBE participation:

CN 0079-15C: L200 Lynnwood Link Extension Northgate to NE 200th	
<i>Small business and disadvantaged business enterprise (DBE) goals</i>	
Contract DBE Goal: 4%	Contract Small Business Goal: 12%
DBE Commitment: 5.15%	Small Business Commitment: 12.04%
Current DBE Attainment: 7.38%	Current Small Business Attainment: 15.31%

Time constraints

A one-month delay will not adversely impact the project.

Prior Board/Committee actions

Motion No. M2022-46: (1) Authorized the chief executive officer to execute contract modifications to specific existing Lynnwood Link Extension contracts, for the NE 130th Street Infill Station project with: a) Stacy & Witbeck / Kiewit / Hoffman JV for civil construction services for the NE 130th Street Infill Station for an additional \$14,000,000 with an 8 percent contingency of \$1,120,000 for a new total authorized contract amount not to exceed \$910,178,746.

Motion No. M2021-17: Authorized the chief executive officer to increase the contract contingency for the Northgate Station to NE 200th Street construction contract with Stacy and Witbeck, Inc. / Kiewit Infrastructure West Co. /Hoffman Construction Company of Washington, a Joint Venture to allow for the implementation of a betterment with the City of Shoreline, in the amount of \$649,000, for a new total authorized contract amount not to exceed \$890,200,003.

Motion No. M2019-92: Authorized the chief executive officer to execute a contract modification with Stacy and Witbeck-Kiewit-Hoffman, a Joint Venture, to provide construction services for the Northgate Station to NE 200th Street segment within the Lynnwood Link Extension in the amount of \$751,851,006, with a 5 percent contingency of \$37,592,550, totaling \$789,443,556, for a new authorized contract amount not to exceed \$883,761,156.

Environmental review – KH 5/23/23

Legal review – JEN 06/02/23



Motion No. M2023-49

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to increase the contract contingency for the Lynnwood Link Extension Northgate Station to NE 200th Street General Contractor/Construction Manager contract with Stacy and Witbeck-Kiewit-Hoffman, a Joint Venture, for betterment work requested by Seattle City Light in the amount of \$2,896,103, for a new total authorized contract amount not to exceed \$913,242,121.

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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 for the Lynnwood Link Extension Northgate Station to NE 200th Street General Contractor/Construction Manager contract with Stacy and Witbeck-Kiewit-Hoffman, a Joint Venture, for betterment work requested by Seattle City Light in the amount of \$2,896,103, for a new total authorized contract amount not to exceed \$913,242,121.

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