



INFORMATIONAL MEMORANDUM

TO: **Transportation and Infrastructure Services Committee**
 FROM: **Hari Ponnekanti, Public Works Director/ City Engineer**
 BY: **Mike Perfetti, Surface Water Sr. Program Manager**
 CC: **Mayor Ekberg**
 DATE: **March 31, 2023**
 SUBJECT: **Surface Water Fund – East Marginal Way Stormwater Outfalls Project**
Project No. 91041204, Contract No. 20-118
Project Completion and Acceptance

ISSUE

Accept construction contract as complete and authorize release of retainage.

BACKGROUND

This project constructed drainage improvements along the northern portion of East Marginal Way South by reestablishing a drainage connection to the Duwamish River and adding water quality treatment for a portion of East Marginal Way S. Prior to the project, drainage along the northern portion of East Marginal Way South was conveyed to the Duwamish River through four separate outfalls. The outfalls are owned by Jorgensen Forge, the Boeing Company, and two by the King County International Airport. The Jorgensen Forge outfall was abandoned in 2012 under an order from the Environmental Protection Agency (EPA) and flows had been temporarily diverted to a King County Airport outfall.

DISCUSSION

This project was awarded on October 19, 2020, and construction began on March 8, 2021. The construction was physically completed on July 27, 2022. The final affidavits of wages paid have since been received and the notice of completion submitted to State L&I.

FINANCIAL IMPACT

The original contract amount was \$1,035,201.00, including tax, and four change orders were executed for \$348,280.03 and a total contract value of \$1,383,481.03, which were approved by Council on August 16, 2021.

Some cost overruns and project delays resulted from underground utility conflicts: first, a previously unknown fiber optic utility and later an unmarked 4” steel conduit were found to conflict with the alignment of the new drainage system. Construction was put on hold to accommodate alignment design revisions. Of the total contract award, \$71,494.76 in retainage is being held by the City.

The project received \$1,106,250 in design and construction funding from the Department of Ecology Municipal Stormwater Capacity grant and \$100,000 in construction funding from the King County Opportunity Fund. The remaining project costs were funded through storm water utility revenue, including savings from the design and construction management portions of the project.

| | <u>Expenses</u> | <u>Fund Source</u> | <u>Construction Budget</u> |
|------------------------------|------------------------|---------------------------|-----------------------------------|
| Construction Contract Amount | \$1,035,201.00 | DOE Grant | \$1,106,250.00 |
| Change Order Nos. 1-4 | 348,280.03 | KC Grant | 100,000.00 |
| Net Unit Price Overruns | <u>46,414.18</u> | Surface Water Fund | <u>223,645.21</u> |
| Total Contract Amount | \$1,429,895.21 | Total | \$1,429,895.21 |

RECOMMENDATION

Council is being asked to formally accept the East Marginal Way Stormwater Outfalls contract with Marshbank Construction as complete and authorize the release of the \$71,494.76 retainage, subject to standard claim and lien release procedures, and to consider this item on the Consent Agenda at the April 17, 2023 Regular Council Meeting.

Attachments: Project Photos
2021 CIP, page 84
Notice of Completion, Contract #20-118

East Marginal Way South Photos



Bioretention planter, late summer 2022



Stormwater media filter unit installation

CITY OF TUKWILA CAPITAL PROJECT SUMMARY

2021 to 2026

PROJECT: East Marginal Wy S Stormwater Outfalls

Project No. 91041204

DESCRIPTION: Establish legal drainage connections from East Marginal Way South to the Duwamish River.

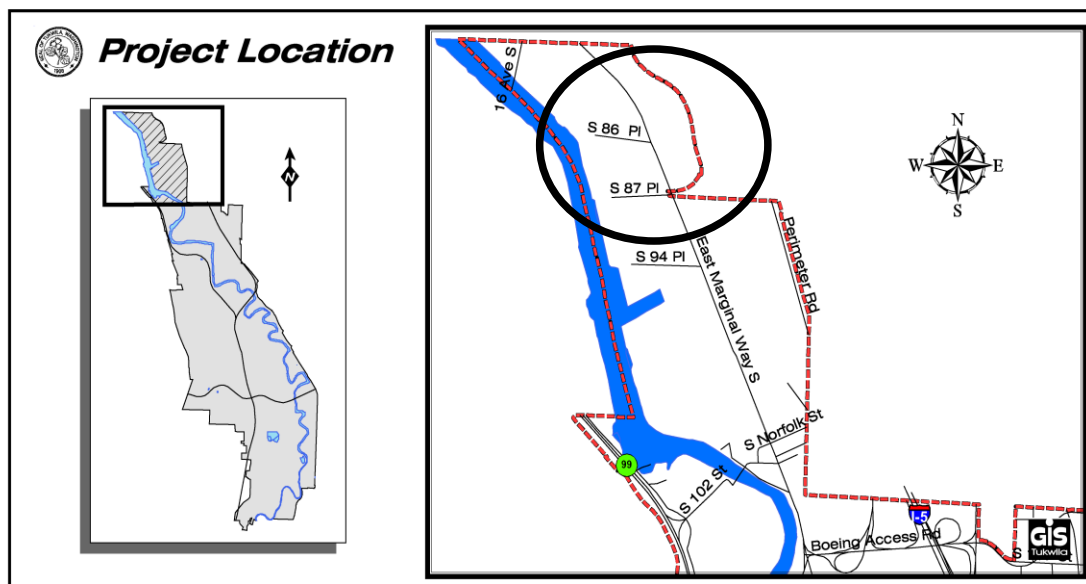
JUSTIFICATION: Drainage from E Marginal Wy S is discharged through outfalls owned and operated by the Boeing Co., Jorgensen Forge, and two King County Airport storm systems without easements.

STATUS: Design completed and approved by the Department of Ecology. Construction is anticipated to begin in September 2020.

MAINT. IMPACT: Clarifies maintenance responsibility and will ensure reliability of system.

COMMENT: City adopted the Z Line in 2015. Construction includes pipe lining, installation of water quality and connecting the Jorgenson drainage area to Boeing's Z Line. DOE design and construction grant awarded in 2018 for \$1.1m.

| FINANCIAL (in \$000's) | Through | | Estimated | | | | | | | | TOTAL |
|---------------------------|------------|------------|--------------|----------|----------|----------|----------|----------|----------|----------|--------------|
| | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 | BEYOND | | |
| EXPENSES | | | | | | | | | | | |
| Design | 265 | 45 | | | | | | | | | 310 |
| Monitoring | 31 | 11 | 11 | | | | | | | | 53 |
| Const. Mgmt. | | 50 | 265 | | | | | | | | 315 |
| Construction | | 300 | 1,000 | | | | | | | | 1,300 |
| TOTAL EXPENSES | 296 | 406 | 1,276 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1,978 |
| FUND SOURCES | | | | | | | | | | | |
| Awarded Grant RCO | 164 | 100 | 842 | | | | | | | | 1,106 |
| KCFCD | | 50 | | | | | | | | | 50 |
| Proposed Grant | | | | | | | | | | | 0 |
| Mitigation Expected | | | | | | | | | | | 0 |
| Utility Revenue | 132 | 256 | 434 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 822 |
| TOTAL SOURCES | 296 | 406 | 1,276 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1,978 |





NOTICE OF COMPLETION OF PUBLIC WORKS CONTRACT

| Department Use Only | |
|---------------------|----------------|
| Assigned to: | Date Assigned: |

| | | |
|-----------------|-----------------------|-----------------|
| Date 03/09/2023 | Form Version Original | Revision Reason |
|-----------------|-----------------------|-----------------|

| Awarding Agency Information | | Prime Contractor Information | |
|--|--------------------|---|--------------------|
| Name TUKWILA, CITY OF | UBI 916001519 | Name MARSHBANK CONSTRUCTION INC | UBI 601649423 |
| Address 6300 S CENTER BLVD #101 TUKWILA,WA-98188 | | Address PO BOX 97 LAKE STEVENS,WA-98258 | |
| Email Address mike.perfetti@tukwilawa.gov | | Email Address rachelle@marshbankconst.com | |
| Contact Name Mike Perfetti | Phone 206-550-4930 | Contact Name MARSHBANK CONSTRUCTION INC | Phone 425-377-9708 |

| Project Information | | | |
|---|--------------------------------|--|-------------------------------|
| Project Name East Marginal Way Outfall Stormwater Retrofit Project | | Contract # 20-118 | Affidavit ID 1181422 |
| Jobsite Address | | | |
| Date Awarded 11/16/2020 | Date Work Commenced 03/08/2021 | Date Work Completed 07/14/2022 | Date Work Accepted 07/22/2022 |
| Federally Funded Transportation Project <i>If yes, attach Contract Bond Statement.</i> <input type="checkbox"/> | | | |
| Bond Waived? | Retainage Waived? | Subcontractors Used? <i>If yes, complete Addendum A.</i> <input checked="" type="checkbox"/> | |

Detailed Description of Work Completed Construction of approximately 1600 linear feet of drainage improvements within the right-of-way of East Marginal Way, including but not limited to stormwater pump station installation, gravity and force main storm sewer, stormwater treatment vaults, cured in place pipe lining, bioretention planters, permeable pavement and paving, roadway, curb and gutter restoration, and other work necessary to complete the Work as specified and shown in the Contract Documents.

| DOR Tax Information | | | |
|---|-----------------------|---|-----------------------|
| <i>*Right-click on the total field and select Update Field to auto-calculate.</i> | | | |
| Contract Amount | \$1,035,201.00 | Liquidated Damages | \$ 0.00 |
| Additions (+) | \$348,280.03 | Amount Disbursed | \$1,358,400.45 |
| Reductions (-) | -\$46,414.18 | Amount Retained | \$ 0.00 |
| Sub-Total* | \$1,429,895.21 | Other | \$71,494.76 |
| Sales Tax Amount | \$ 0.00 | Sales Tax Rate <i>If multiple rates, attach a list.</i> | 10.10% |
| TOTAL* | \$1,429,895.21 | TOTAL* | \$1,429,895.21 |
| <i>These two totals must be equal.</i> | | | |

| Apprentice Utilization Information | |
|---|------------------------------------|
| Was Apprentice Utilization Required? <i>If yes, complete this entire section.</i> <input checked="" type="checkbox"/> | Engineer's Estimate \$1,300,445.00 |
| Utilization % 15.29% | Was a Good Faith Effort approved? |

Comments

The Disbursing Officer must submit this completed notice immediately after acceptance of the work done under this contract. NO PAYMENT SHALL BE MADE FROM THE RETAINED FUNDS until receipt of all release certificates and affidavits.

Submitting Form: Submit the completed form by email to all three agencies below.

Addendum A: Please List all Subcontractors and Sub-tiers Below

This addendum can be submitted in other formats.

Provide known affidavits at this time. No L&I release will be granted until all affidavits are listed.

| Subcontractor's Name: | UBI Number: (Required) | Affidavit ID* |
|--------------------------------|-------------------------------|----------------------|
| APPLY-A-LINE LLC | 600553941 | 1107197 |
| EVERGREEN CONCRETE CUTTING INC | 601605667 | 1072424 |
| GARY MERLINO CONST CO INC | 600584952 | 1077806 |
| GREEN CITY INC | 601196371 | 1164597 |
| INSITUFORM TECHNOLOGIES LLC | 601880220 | 1062187 |
| MAK'S DUMP TRUCK LLC | 602671980 | 1065712 |
| NORTHLINE SURVEYING, INC | 604206249 | 1159632 |
| OLSON BROTHERS PRO-VAC LLC | 602170975 | 1051546 |
| PUGET PAVING & CONST INC | 600403309 | 1097298 |
| SALINAS SAWING & SEALING INC | 601717158 | 1100545 |
| SERVICE ELECTRIC CO INC | 179023787 | 1139247 |
| SILVERSTREAK INC | 600432781 | 1097123 |
| STRONG TRUCKING, INC. | 601777166 | 1028061 |
| VENTILATION POWER CLEANING INC | 578089188 | 1063879 |
| WILSON CONCRETE CONST INC | 602168956 | 1120200 |