



Summary Minutes

System Expansion Committee Meeting April 14, 2022

Call to order

The meeting was called to order at 1:33 p.m. by Committee Vice Chair Roscoe virtually on WebEx.

Roll call of members

Chair	Vice Chair
(A) Claudia Balducci, King County Councilmember	(P) Kim Roscoe, Fife Mayor

Board Members	
(P) Nancy Backus, Auburn Mayor	(A) Kent Keel, University Place Mayor
(P) David Baker, Kenmore Councilmember	(P) Joe McDermott, King County Council Vice President
(P) Cassie Franklin, Everett Mayor	(P) Dave Somers, Snohomish County Executive
(P) Bruce Harrell, Seattle Mayor	

Katie Flores, Board Administrator, announced that a quorum of the System Expansion Committee was present at roll call.

Report of the Chair

Introduction of the Board's Independent Consultant, Dave Peters

Deputy CEO Kimberly Fairly introduced the Board's new independent consultant Dave Peters. Mr. Peters has a long history with transit and civil projects across the country. Regionally, Mr. Peters was the chair of the Strategic Bridge Advisory team for WSDOT regarding the SR520 bridge project. He also served on the South Park Movable Bridge (see exec chair notes for full list of accolades).

Mr. Peters added that he was a resident of West Seattle and had a personal interest in successful delivery of the ST3 projects. He advised that he would like to meet with Boardmembers to review their objectives, concerns, measures of success, and more.

Monthly Contract Report and Agency Progress Report

The meeting packet included the monthly contract report and the February agency progress report.

CEO Report

Service outage update – CEO Rogoff advised that service north of the University of Washington station needed to be suspended since the morning. The fire life safety system was of concern and staff was actively troubleshooting the problem. He apologized for the inconvenience.

Update on concrete driver strike – CEO Rogoff shared the good news that the concrete delivery strike has ended. Last Friday, the Teamsters announced an unconditional return to work while they continue to negotiate a contract with the suppliers. He thanked the Teamsters for this action, and urged the parties to work collaboratively on a long-term agreement that avoids risks of further disruptions.

Mr. Rogoff noted that the agency now needs to dig out of a deep hole with more than 4,300 deliveries missed since the strike began. The strike affected all of the Link extensions currently under construction: East Link, Downtown Redmond, Lynnwood and Federal Way. The impacts of the strike combined with other impacts including COVID-19 mean the agency is expecting delays completing and opening projects. Staff will begin the work of understanding the delays more fully and report back to the Board in a timely manner.

Shooting in New York MTA Station – CEO Rogoff applauded the response of staff, police, first responders regarding the shooting in a subway station in New York City. He asked the committee to keep those affected by the tragedy in their thoughts.

Public comment

Vice Chair Roscoe announced that public comment would be accepted via email to emailtheboard@soundtransit.org and would also be accepted verbally.

Written public comments:

none

Verbal Public Comments:

none

Business items

For Committee Final Action

Minutes: March 10, 2022 System Expansion Committee meetings

It was moved by Boardmember Baker, seconded by Boardmember Backus, and carried by unanimous voice vote that the minutes of the March 10, 2022 meeting be approved as presented.

Motion No. M2022-29: Authorizing the chief executive officer to execute a contract modification with HNTB Corporation for design build project management services for the Puyallup Station Parking and Access Improvement project in the amount of \$609,000, for a new total authorized contract amount not to exceed \$9,505,552, contingent upon Board approval of the Proposed 2022 Budget Amendment for Puyallup through Resolution No. R2022-10.

Jon Mihkels, Project Director for New Facilities, and Rick Sarkany, Construction Manager, provided the report on the action and the following two actions related to the Puyallup Station Parking and Access Improvements project. Mr. Mihkels reviewed the details of the project. The Puyallup Station Parking and Access Improvements project was advanced shortly before the onset of the pandemic, while the other projects in Kent, Auburn, and Sumner were delayed. Staff would bring actions to baseline those projects later in the year.

He discussed the project's budget and a financial snapshot. Staff performed a quantitative risk analysis and determined that additional funds would be required to replenish contingency in the projects contracts. The opening date would also be delayed to the fourth quarter of 2022.

The reasons for the actions before the committee threefold. Offsite improvements like signal work were affected by supply chain disruptions and complicated permitting work. Additionally, right of way exceeded the baseline budget due to the challenging acquisition and expensive relocation costs.

Mr. Sarkany reviewed the three actions before the committee and the budget impacts of the contract modifications.

Motion No. M2022-29 was moved by Boardmember Backus and seconded by Boardmember Baker. Vice Chair Roscoe called for a roll call vote.

Ayes

Nancy Backus
David Baker
Cassie Franklin
Bruce Harrell
Joe McDermott
Dave Somers
Kim Roscoe

Nays

It was carried by unanimous vote of the members present that Motion No. M2022-29 be approved as presented.

For Recommendation to the Board

Resolution No. R2022-10: Amending the Puyallup Station Parking and Access Improvements Project budget and schedule by (a) increasing the authorized project allocation by \$3,250,000 from \$79,100,000 to \$82,350,000 to complete the construction phase of the project, (b) increasing the annual project budget by \$5,515,000 from \$10,538,500 to \$16,053,500; and (c) changing the baseline open for service date from February 2022 to the 4th Quarter 2022.

Vice Chair Roscoe advised that the committee had already received a presentation on the action.

Resolution No. R2022-10 was moved by Boardmember Backus and seconded by Boardmember Baker. Vice Chair Roscoe called for a roll call vote.

Ayes

Nancy Backus
David Baker
Cassie Franklin
Bruce Harrell
Joe McDermott
Dave Somers
Kim Roscoe

Nays

It was carried by unanimous vote of the members present that Resolution No. R2022-10 be forwarded to the Board with a do-pass recommendation.

Motion No. M2022-30: Authorizing the chief executive officer to increase the contract contingency for the Puyallup Station Parking and Access Improvement project construction contract with Hensel Phelps Construction Co. in the amount of \$2,200,000 for a new total authorized contract amount not to exceed \$52,800,000, contingent upon Board approval of the Proposed 2022 Budget Amendment for Puyallup through Resolution No. R2022-10.

Vice Chair Roscoe advised that the committee had already received a presentation on the action

Motion No. M2022-30 was moved by Boardmember Franklin and seconded by Boardmember Harrell. Vice Chair Roscoe called for a roll call vote.

Ayes

Nancy Backus
David Baker
Cassie Franklin
Bruce Harrell
Joe McDermott
Dave Somers
Kim Roscoe

Nays

It was carried by unanimous vote of the members present that Motion No. M2022-30 be forwarded to the Board with a do-pass recommendation.

Motion No. M2022-31: Authorizing the chief executive officer to increase the contract contingency with Jacobs Project Management Company to provide construction management consultant services for the Seattle to South Bellevue segment of the East Link Extension in the amount of \$15,000,000 for a new total authorized contract amount not to exceed \$63,919,350.

Jon Lebo, Deputy Director for the East Link Extension provided the staff presentation. He explained that the contract modification affected the segment of the East Link Extension from the International District Station to just before the South Bellevue Station. He summarized the construction management contract scope and detailed the factors contributing to the needed increase. Complexities in working on a first-in-the-world track, plinth quality problems, Covid-19 pandemic delays, and the concrete strike all affected the project were among those. Staff was reviewing the possibility of recouping some costs from the construction contractor.

Boardmember Harrell asked why delayed work would lead to increased management service costs. Mr. Lebo advised that the contracts had a time component. In the case of this contract, the agency was paying the costs for labor. Delays would lead to longer times for work. Boardmember Harrell asked about potential Force Majeure clauses. Mr. Lebo advised that the contracts had Force Majeure clauses, however agency staff still needed to oversee the project, and staff time was billed to those projects.

Motion No. M2022-31 was moved by Boardmember Harrell and seconded by Boardmember Somers. Vice Chair Roscoe called for a roll call vote.

Ayes

Nancy Backus
David Baker
Cassie Franklin
Bruce Harrell
Joe McDermott
Dave Somers
Kim Roscoe

Nays

It was carried by unanimous vote of the members present that Motion No. M2022-31 be forwarded to the Board with a do-pass recommendation.

Motion No. M2022-32: (1) Authorizing the chief executive officer to execute a construction agreement with the Washington State Department of Transportation to share costs for the design-build delivery of WSDOT's Brickyard to SR 527 Improvement Project as part of the Bus Rapid Transit Program in the amount of \$133,200,000 with a 6 percent contingency of \$7,992,000 for a total authorized agreement amount not to exceed \$141,192,000; and (2) approving present-value Land Bank credits as reimbursement for fish passage correction in an estimated amount of \$25 million included in the amount authorized.

Bernard van de Kamp, Project Director for Bus Rapid Transit, and Paul Cornish, Project Director for High Capacity Transit Development, provided the presentation for the action. Mr. van de Kamp

explained that the set of projects resulted from extensive coordination with partners in Bothell, Kirkland, Redmond, and WSDOT. This action was similar to the NE 44th Street and NE 85th Street station actions.

Mr. Cornish reviewed the four stations that would be delivered by this action and the benefits of the Bus Rapid Transit projects. The benefits were due to partnered investments with WSDOT in expanding its Express Toll Lanes between Canyon Park and Bellevue. He displayed photo renderings of the Brickyard and Canyon Park stations and outlined the features of the two stations at the SR522 and I-405 connection, which would be the connecting point of the S2 and S3 lines as well.

He reviewed key features of the funding agreement, highlighting that WSDOT would manage the contract, and Sound Transit's elements would account for 20 percent of the overall project. The agency would approve any transit specific element designs and any change orders and WSDOT would consult with Sound Transit on any changes that may impact the project cost or schedule.

Boardmember Baker asked how people at the northbound park and ride would access South-bound service. Mr. Cornish explained that the express lane on-ramp would become signalized, and a crosswalk would allow riders to access the southbound platform of the station.

Motion No. M2022-32 was moved by Boardmember Harrell and seconded by Boardmember Baker. Vice Chair Roscoe called for a roll call vote.

Ayes

Nancy Backus
David Baker
Cassie Franklin
Bruce Harrell
Joe McDermott
Dave Somers
Kim Roscoe

Nays

It was carried by unanimous vote of the members present that Motion No. M2022-32 be forwarded to the Board with a do-pass recommendation.

Resolution No. R2022-11: Authorizing the chief executive officer to enter into agreements for the disposition of interests in the real property identified in the prior Board resolutions listed in Exhibit A for: (1) the relocation of utilities as necessary or desirable for the projects; (2) the satisfaction of permit conditions or mitigation requirements; (3) the curing of damages to real property acquired pursuant to the prior Board actions listed in Exhibit A and caused by the projects; or (4) returning real property identified in the prior Board actions listed in Exhibit A to previous owners for the purpose of minimizing Sound Transit's costs of operations and maintenance; provided that the foregoing dispositions of real property must be compatible with and must not interfere with regional transit system uses and must avoid the creation of unbuildable, residual parcels whenever possible.

Faith Roland, Director of Real Property, provided the staff report for the action. She reminded the Committee that nearly all projects required acquisition of real property interests and subsequent disposal of some property for utility easements and other reasons. She outlined a series of more than 300 property conveyances. She noted that last fall staff brought an action to authorize easements for the East Link project and since that time staff have worked to develop a proposal to streamline Board authorization for easements required for projects. The proposed action authorizes disposition of easements for the reasons listed in the resolution. The easements do not have a monetary component.

Going forward, any new acquisitions would incorporate additional language to allow the acquisition and subsequent disposition of property rights for the reasons outlined in the action.

Resolution No. R2022-11 was moved by Boardmember McDermott and seconded by Boardmember Harrell.

Vice Chair Roscoe anticipated some questions or concerns about this action at the full Board meeting. CEO Rogoff advised that staff also anticipated this, and they would not put the action on the consent agenda to allow for Board member questions. Staff was also actively attempting to avoid disposition of unbuildable parcels in all acquisitions; something it did not do during construction of the 1 line through the Rainier Valley.

Vice Chair Roscoe called for a roll call vote.

Ayes

- Nancy Backus
- David Baker
- Cassie Franklin
- Bruce Harrell
- Joe McDermott
- Dave Somers
- Kim Roscoe

Nays

It was carried by unanimous vote of the members present that Resolution No. R2022-11 be forwarded to the Board with a do-pass recommendation.

Reports to the Committee – None.

Executive session - None.

Other business - None.

Next meeting

Thursday, March 12, 2022
1:30 p.m. to 4:00 p.m.
Virtually via WebEx

Adjourn

It was moved by Boardmember Backus, seconded by Boardmember Harrell and carried by unanimous consent to adjourn the meeting.

The meeting adjourned at 2:46 p.m.

ATTEST:

Kim Roscoe
System Expansion Committee Vice Chair

Kathryn Flores
Board Administrator

APPROVED on _____, AM.