



## Motion No. M2019-22

### Agreement with the Washington State Department of Transportation for Construction and Construction Services for the I-405/NE 44th Street Inline BRT Station and Direct Access Ramps

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee Board	05/09/2019 05/23/2019	Recommend to Board Final action	Ron Lewis, DECM Executive Director <b>Mark Johnson, Project Director- BRT and Sounder Line</b> <b>Paul Cornish, Project Director, PEPD</b>

### Proposed action

Authorizes the chief executive officer to execute an agreement with the Washington State Department of Transportation to provide final design, construction, construction management, and related services for the I-405/NE 44th Street Inline Bus Rapid Transit Station and Direct Access Ramps in the City of Renton for the I-405 BRT Project, for a total authorized agreement amount of \$118,400,000.

### Key features summary

- The proposed agreement funds the construction of the NE 44th Street direct access ramps and bus rapid transit (BRT) improvements as identified in the 2002 I-405 Master Plan.
- The capped contribution dollar amount reimburses Washington State Department of Transportation (WSDOT) for final design, construction, construction management, right-of-way acquisition, and permitting for the I-405/NE 44th Street interchange BRT improvements. WSDOT will build the two BRT station platforms, interchange improvements, direct access ramps, pedestrian access, and install conduit to support Sound Transit-installed and -owned BRT stations.
- The agreement identifies the roles and responsibilities of each agency during the design-build procurement, design process, and project construction. Sound Transit will have equal decision-making authority for BRT-related improvements.
- The agreement includes project milestones that provide Sound Transit access to the site for the installation of BRT station elements in order to meet the BRT revenue service schedule.

### Background

The direct access ramps and inline BRT station pair at the I-405/NE 44th Street interchange in Renton, are part of the overall I-405 BRT Project identified in the voter-approved ST3 Plan. The I-405 BRT Project will establish BRT service for approximately 37 miles along I-5, I-405, and SR 518 between Lynnwood and Burien. The project consists of several elements, including new and upgraded transit centers, freeway BRT stations, new park-and-ride capacity, and non-motorized access improvements to the stations. I-405 BRT will connect to the regional transit system at three Link light rail stations and the SR 522/NE 145th BRT in Bothell.

WSDOT is building new express toll lanes between Renton and Bellevue as part of WSDOT's I-405 Renton-to-Bellevue Widening and Express Toll Lanes Project. Sound Transit has partnered with WSDOT to include the NE 44th Street BRT facilities, as identified in the I-405 Master Plan and funded

by ST3, in WSDOT’s I-405 Renton-to-Bellevue Widening and Express Toll Lanes Project Design-Build Contract.

WSDOT and Sound Transit have coordinated to define the scope of work that WSDOT will complete on behalf of Sound Transit, and Sound Transit’s fair share of funding for jointly used facilities. The scope related to Sound Transit’s NE 44th Street BRT improvements was included in WSDOT’s I-405, Tukwila-to-I-90 Vicinity Express Toll Lanes Project Environmental Assessment. The Federal Highway Administration (FHWA) issued a National Environmental Policy Act (NEPA) Environmental Assessment for the I-405, Tukwila-to-I-90 Vicinity Express Toll Lanes Project on July 3, 2018. WSDOT published a State Environmental Policy Act (SEPA) Determination of Non-Significance for the Project on July 9, 2018, which included and addressed Sound Transit’s project at the I-405/44th Street interchange. FHWA issued its NEPA Determination, a Finding of No Significant Impact (FONSI) on April 12, 2019.

While environmental review and conceptual engineering are underway for the larger I-405 BRT project, Sound Transit determined that the 44th Street components have independent utility and can be advanced separately. The facilities at the NE 44th Street interchange area would serve existing bus transit service operating in the corridor and could be constructed and operated prior to completion of the full I-405 BRT program.

**Project status**

<b>Project Identification</b>	<b>Project Refinements</b>	<b>Conceptual Engineering/ Environmental Review</b>	<b>Preliminary Engineering</b>	<b>Final Design</b>	<b>Construction</b>
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Projected completion date for Final Design and Construction of 44th Street BRT improvements: 1Q 2024

Project scope, schedule and budget summary are located on page 172 of the December 2018 Agency Progress Report.

**Fiscal information**

This action is within the authorized project allocation to date and sufficient monies remain after approval of this action to fund the remaining work in the construction phase as contained in the current cost estimates.

The authorized project allocation to date budget for the I-405 BRT project is \$250,743,000. Within the construction phase, \$124,320,000 has been allocated to the budget line item for WSDOT NE 44th construction services. The proposed action would commit \$118,400,000 to this line item and leave a remaining budget balance of \$5,920,000.

## I-405 Bus Rapid Transit Project

(in thousands)

Project Phase	Authorized Project Allocation to Date	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Administration	\$13,673	\$2,816	\$	\$2,816	\$10,857
Preliminary Engineering	36,730	30,681		30,681	6,049
Final Design	3,750				3,750
Third Party Agreements	1,000	232		232	768
Right of Way	65,350	25,103		25,103	40,247
Construction	130,240		118,400	118,400	11,840
Construction Services	0				
<b>Total Current Budget</b>	<b>\$250,743</b>	<b>\$58,831</b>	<b>\$118,400</b>	<b>\$177,231</b>	<b>\$73,512</b>
<b>Phase Detail - Construction</b>					
WSDOT NE 44th Construction	\$124,320	\$	\$118,400	\$118,400	\$5,920
Other Construction	5,920				5,920
<b>Total Phase</b>	<b>\$130,240</b>	<b>\$30,681</b>	<b>\$118,400</b>	<b>\$118,400</b>	<b>\$11,840</b>

### Agreement Details WSDOT

	Board Approvals to Date	Approved Contract	Proposed Action	for Board Approval
Agreement Amount	\$	\$	\$118,400	\$118,400
Contingency				
<b>Total Agreement</b>	<b>\$</b>	<b>\$</b>	<b>\$118,400</b>	<b>\$118,400</b>
Percent Contingency	0%	0%	0%	0%

#### Notes:

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

\* Board Approvals = Commitment and PO Contingency Remaining as of 4/29/19.

For detailed project information, see page 209 of the 2019 Financial Plan & Adopted Budget.

## Small business/DBE participation

Sound Transit promotes and encourages small business participation, which also includes disadvantaged business enterprises (DBEs). WSDOT anticipates self-performing and procuring a design-build contractor for the work under this agreement.

## Public involvement

The Sound Transit project team has participated in WSDOT-led stakeholder meetings for the I-405 Renton-to-Bellevue Widening and Express Toll Lanes Project. In summer 2018, Sound Transit held a public meeting in downtown Renton to provide information on the I-405 BRT Project, including the NE 44th Street BRT Station. The public meeting was supplemented with an online open house. Sound Transit met with residents and representatives of neighborhoods near the future NE 44th Street BRT Station, including the Kennydale and Lacrosse Neighborhood Associations.

Sound Transit also provided information on the proposed improvements to the I-405 BRT Elected Leadership Group, I-405 BRT Interagency Group, and SR 167/I-405 Executive Advisory Group.

In January 2019, Sound Transit held an online open house to provide project updates and request input on non-motorized access barriers. Project staff provide ongoing coordination through web updates, briefings, emails, and phone correspondence.

### **Time constraints**

A one-month delay would not create a significant impact to the project schedule.

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**Environmental review** – KH 4/5/19

**Legal review** – JSA 5/3/19



## **Motion No. M2019-22**

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute an agreement with the Washington State Department of Transportation to provide final design, construction, construction management, and related services for the I-405/NE 44th Street Inline Bus Rapid Transit Station and Direct Access Ramps in the City of Renton for the I-405 BRT Project, for a total authorized agreement amount of \$118,400,000.

### **Background**

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WSDOT is building new express toll lanes between Renton and Bellevue as part of WSDOT's I-405 Renton-to-Bellevue Widening and Express Toll Lanes Project. Sound Transit has partnered with WSDOT to include the NE 44th Street BRT facilities, as identified in the I-405 Master Plan and funded by ST3, in WSDOT's I-405 Renton-to-Bellevue Widening and Express Toll Lanes Project Design-Build Contract.

WSDOT and Sound Transit have coordinated to define the scope of work that WSDOT will complete on behalf of Sound Transit, and Sound Transit's fair share of funding for jointly used facilities. The scope related to Sound Transit's NE 44th Street BRT improvements was included in WSDOT's I-405, Tukwila-to-I-90 Vicinity Express Toll Lanes Project Environmental Assessment. The Federal Highway Administration (FHWA) issued a National Environmental Policy Act (NEPA) Environmental Assessment for the I-405, Tukwila-to-I-90 Vicinity Express Toll Lanes Project on July 3, 2018. WSDOT published a State Environmental Policy Act (SEPA) Determination of Non-Significance for the Project on July 9, 2018, which included and addressed Sound Transit's project at the I-405/44th Street interchange. FHWA issued its NEPA Determination, a Finding of No Significant Impact (FONSI) on April 12, 2019.

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Sound Transit staff will periodically update the System Expansion Committee as the design of the NE 44th BRT station and park and ride evolves. The station will be designed and built by WSDOT with review and concurrence from Sound Transit for frequent and reliable bus rapid transit service and to maximize access and safety for pedestrians, bicyclists, and other forms of active transportation.

**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 an agreement with the Washington State Department of Transportation to provide final design, construction, construction management, and related services for the I-405/NE 44th Street Inline Bus Rapid Transit Station and Direct Access Ramps in the City of Renton for the I-405 BRT Project, for a total authorized agreement amount of \$118,400,000.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on May 23, 2019.

  
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John Marchione  
Board Chair

**Attest:**

  
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Kathryn Flores  
Board Administrator