



## Motion No. M2019-62

### Betterment Agreement between Sound Transit and King County for the Downtown Redmond Link Extension

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee Sound Transit Board	06/13/2019 06/27/2019	Recommend to Board Final Action	Ron Lewis, DECM Executive Director <b>Tony Raben, Executive Project Director – Downtown Redmond Link Extension</b> <b>Brian Holloway, East Corridor Design Manager</b>

### Proposed action

Authorizes the chief executive officer to execute an agreement with King County for the County to pay the cost of the design and construction of two betterments requested by the County to be delivered as part of Downtown Redmond Link Extension, for a total authorized agreement amount of \$7,839,000.

### Key features summary

- Key features of this agreement to complete two betterments on behalf of the County (the “Betterment Agreement”) include:
  - Sound Transit agrees to include a defined portion of the East Lake Sammamish Trail North Extension (Trail) in the DRLE design-build contract and to oversee the design and construction of this betterment, at the expense of the County. The Trail will connect the County’s completed segment of the East Lake Sammamish Trail with the City of Redmond’s Redmond Central Connector Trail.
  - The County will pay Sound Transit for the cost of completing the design and construction of the Trail as part of the DRLE contract, which is estimated at \$6,534,000.
  - Sound Transit agrees to include an extension of water service to Marymoor Park and an increase in the size of the water line (Water Line) in the DRLE design-build contract and to oversee the work, at the expense of the County. The agreed proportional allocated cost that will be reimbursed to Sound Transit by the County under the Betterment Agreement is \$315,000.
  - A total contingency amount of \$990,000 is included in the Betterment Agreement for changes and unforeseen conditions related to all betterment work.
  - At the conclusion of the Betterment Agreement, the County will own, operate, and maintain both betterments.

### Background

The Downtown Redmond Link Extension is a 3.4 mile light rail extension from the future Redmond Technology Center station at NE 40th Street in Redmond to the East Corridor terminus station at 166th Ave. NE in Downtown Redmond. The project includes two stations and a 1400-space parking garage. Funding for final design and construction was approved with the passage of ST3 in November 2016. Service to Downtown Redmond is planned to begin in 2024.

In 2011, DRLE was funded through conceptual engineering. The Board selected the project to be built for East Link, including Segment E of the East Link Project. In June 2017, the Board identified proposed refinements to DRLE for further study, authorizing additional environmental review and preliminary engineering. Proposed refinements include the alignment and station profile in the downtown segment of Redmond from an at-grade profile from Bear Creek to Leary Way, to an elevated profile from Bear Creek to 164th Ave NE, including an elevated station and tail tracks. Additional environmental review was completed August 2018, and the Board approved refinements to the project to be built in September 2018. Third party agreements in support of the DRLE Project, including this Betterment Agreement, are now being finalized.

In November 2018, the County and Sound Transit executed a term sheet that established a common understanding about how the parties would work together to deliver the DRLE Project. On May 9, 2019, the parties executed a Memorandum of Understanding (MOU) that set forth in more detail the parties' agreements relating to the DRLE Project, including that Sound Transit would construct the Trail and Water Line on behalf of the County within the DRLE contract, at the expense of the County. The MOU anticipates that Sound Transit and the County would enter into a separate agreement regarding the betterments.

This Betterment Agreement more specifically defines the complete agreement related to the parties' roles and responsibilities with respect to completing the design, construction, payment, ownership, and ongoing operation and maintenance of the Trail and Water Line. The County agrees to reimburse Sound Transit for the costs of including the Betterments in the DRLE contract and the oversight of the project by Sound Transit.

Proposals for the DRLE design-build contract were received in April 2019. A request for the Board to approve the design-build contract is anticipated in summer 2019.

**Project status**

<b>Project Identification</b>	<b>Alternatives Identification</b>	<b>Conceptual Engineering/ Draft EIS</b>	<b>Preliminary Engineering/ Final EIS</b>	<b>Final Design</b>	<b>Construction</b>
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Anticipated Notice to Proceed for design build contract in Q3 2019.

Project scope, schedule, and budget summary located on page 75 of the March 2019 Agency Progress Report.

**Fiscal information**

The proposed action would authorize an agreement with King County to reimburse Sound Transit for the design and construction of two betterments to be delivered as part of Downtown Redmond Link Extension, including contingency and Sound Transit administrative costs, the estimated cost of which is \$7,839,000.

The scope and cost of these betterments will be included in the final contract with the design-build contractor presented to the Board for approval this summer. However, the betterment costs will be segregated and not recorded as a project cost.

Neither the costs nor the funding for this scope of work has been included in the agency's long term financial plan. Since the costs will be reimbursed to Sound Transit, this action should not impact either the agency's long-term financial plan or subarea financial capacity. If the total cost to perform this work exceeds the estimated reimbursement amount, the agreement will be amended by a future action.

## **Disadvantaged and small business participation**

Not applicable to this action.

## **Public involvement**

Sound Transit will actively seek public feedback at all project stages of the DRLE with the goal of fostering public trust through transparent communication, meaningful involvement, and being responsive to concerns and issues. King County, the City of Redmond, and Sound Transit are developing a coordinated approach for reaching out to and connecting with the public, especially downtown businesses, Marymoor Park users, and nearby residents of the park.

## **Time constraints**

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

## **Prior Board/Committee actions**

Motion M2019-23: Authorizes the chief executive officer to execute a Memorandum of Understanding with King County for the Downtown Redmond Link Extension in the amount of \$3,040,000 to provide schedule assurance and support from King County related to project interfaces and to satisfy conditions related to the acquisition of King County property.

Resolution R2018-37: Adopted the Downtown Redmond Link Extension baseline schedule and budget by increasing the authorized project allocation to date by \$1,351,974,000 from \$178,026,000 to \$1,530,000,000; and establishing a project revenue service date of December 31, 2024.

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**Environmental review** – KH 6/5/19

**Legal review** – NM 6/10/19



## Motion No. M2019-62

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute an agreement with King County for the County to pay the cost of the design and construction of two betterments requested by the County to be delivered as part of Downtown Redmond Link Extension, for a total authorized agreement amount of \$7,839,000.

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- A total contingency amount of \$990,000 is included in the Betterment Agreement for changes and unforeseen conditions related to all betterment work.
- At the conclusion of the Betterment Agreement, the County will own, operate, and maintain both betterments.

## **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 King County for the County to pay the cost of the design and construction of two betterments requested by the County to be delivered as part of Downtown Redmond Link Extension, for a total authorized agreement amount of \$7,839,000.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on \_\_\_\_\_.

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John Marchione  
Board Chair

### **Attest:**

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Kathryn Flores  
Board Administrator