

## Motion No. M2023-32

### Amend Construction and Maintenance Agreement with Washington State Department of Transportation for I-5 Steilacoom-DuPont Road to Thorne Lane Corridor (JBLM) Improvements Project

Meeting:	Date:	Type of action:	Staff contact:
Rider Experience & Operations Committee	4/06/2023	Recommend to Board	Ron Lewis, DECM Executive Director
Board	4/27/2023	Final action	Tracy Reed, DECM Deputy Executive Director <b>Mark Johnson, DECM Project Director</b>

### Proposed action

Authorizes the chief executive officer to (1) execute an amendment to the Construction and Maintenance Agreement with the Washington State Department of Transportation for Stage 3 of its I-5 Steilacoom-DuPont Road to Thorne Lane Corridor Improvements Project; and (2) grant additional easements in exchange for compensation from the Washington State Department of Transportation in the amount \$150,100, for a total of \$1,145,200.

### Key features summary

- The original Construction and Maintenance Agreement was authorized through Motion No. M2018-44.
- The proposed amendment is needed to accommodate a reconstructed I-5 interchange at Steilacoom-DuPont Road that will carry vehicular traffic over Sound Transit's rail right-of-way and eliminate the existing at-grade crossing at Barksdale Avenue. This is the third stage of the Washington State Department of Transportation (WSDOT) I-5 Steilacoom-DuPont Road to Thorne Lane Corridor (JBLM) Improvements project, a part of the overall I-5 Mounts Road to Thorne Lane Corridor Improvements Project.
- The proposed amendment will also lower the Pendleton Avenue roadway passing under Sound Transit's railroad bridge at that location to increase clearance for vehicles.
- Under the proposed amended agreement, the following will continue:
  - WSDOT will manage design and construction of the project and is responsible for obtaining all necessary permits and right-of-way,
  - Sound Transit will review designs, plans, reports, and other documents supporting the project,
  - Sound Transit will grant WSDOT a permanent airspace easement and subterranean utility easement;
  - WSDOT will relinquish the existing at-grade crossing easement; and
  - Sound Transit will perform removal of grade crossing infrastructure including signals, gates, and equipment.

- WSDOT will pay Sound Transit for railroad flagging, inspections, and grade crossing infrastructure removal at established rates. WSDOT will reimburse Sound Transit for actual direct costs associated with design reviews and coordination meetings. Indirect costs are waived under the Reciprocal Overhead Waiver Agreement between the two parties.

## **Background**

WSDOT's I-5 Mounts Road to Thorne Lane Corridor Improvements are a series of projects funded by the Washington State Legislature in 2015 that are intended to reduce traffic congestion and prevent accidents in south Pierce County around Joint Base Lewis-McChord. These projects include new freeway interchanges, local connector roads, and grade-separated crossings of Sound Transit's railroad right-of-way that will provide additional access to the surrounding area.

The first stage of the improvements extended the northbound I-5 auxiliary lane between Mounts Road and Center Drive.

The second stage of the improvements rebuilt the interchanges at Thorne Lane and Freedom Way (formerly Berkeley Street) and added an additional lane in each direction to I-5. The rebuilt interchanges are grade-separated from Sound Transit's railroad right-of-way, which eliminated two at-grade crossings.

The third stage of the improvements will construct a new interchange spanning over I-5 and Sound Transit's rail right-of-way at Steilacoom-DuPont Road and remove the existing at-grade crossing at nearby Barksdale Avenue. On Joint Base Lewis-McChord, at Pendleton Avenue's crossing under Sound Transit's railroad bridge, WSDOT will lower the roadway to provide greater clearance for vehicles. Sound Transit will provide design review support, grant WSDOT permanent airspace and subterranean utility easements, and remove grade crossing infrastructure.

Under terms of the 2018 Construction and Maintenance Agreement, WSDOT will reimburse Sound Transit for actual direct costs supporting the project. These costs include attending coordination meetings and review of designs, reports, plans, and other documents. WSDOT will pay established rates for services to be provided through Sound Transit's maintenance-of-way contract: railroad flagging, inspections, and removal of grade crossing infrastructure.

WSDOT completed a Revised Environmental Assessment, and the Federal Highway Administration issued a Finding of No Significant Impact in May 2017; WSDOT issued a Determination of Nonsignificance under SEPA for the project in June 2017. Construction of these third stage improvements by WSDOT is anticipated to begin in mid-2023 and be completed by 2026.

## **Fiscal information**

The proposed action provides for additional reimbursement for services rendered for design reviews conducted by Sound Transit staff, cost incurred for the removal of grade crossing infrastructure as well as permanent airspace and utility easements. The additional compensation for property rights totals \$150,100, which includes an offset for WSDOT's relinquishment of the at-grade crossing easement. Except for indirect costs waived under the Reciprocal Overhead Waiver Agreement, all other Sound Transit costs will be reimbursed by WSDOT. This does not impact the affordability of the Financial Plan.

## **Disadvantaged and small business participation**

Not applicable to this action.

## **Public involvement**

Not applicable to this action.

## **Time constraints**

A one-month delay in executing the agreement could delay the start of construction. WSDOT is in the process of procuring a design-build contract for this project and anticipates beginning construction in mid-2023.

## **Prior Board/Committee actions**

Motion No. M2018-44: Authorized the chief executive officer to (1) execute a Construction and Maintenance Agreement with the Washington State Department of Transportation for their I-5 Steilacoom-DuPont Road to Thorne Lane Corridor Improvements Project; and (2) grant an easement to the Washington State Department of Transportation for considerations in the amount of \$985,100.

Motion No. M2017-47: Authorized the chief executive officer to execute an agreement with the Washington State Department of Transportation to reimburse Sound Transit for review services and coordination for WSDOT's I-5 Mounts Road to Thorne Lane Corridor Improvements.

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**Environmental review** – KH 3/17/23

**Legal review** – PM 3/24/23



## Motion No. M2023-32

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to (1) execute an amendment to the Construction and Maintenance Agreement with the Washington State Department of Transportation for Stage 3 of its I-5 Steilacoom-DuPont Road to Thorne Lane Corridor Improvements Project; and (2) grant additional easements in exchange for compensation from the Washington State Department of Transportation in the amount \$150,100, for a total of \$1,145,200.

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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 (1) execute an amendment to the Construction and Maintenance Agreement with the Washington State Department of Transportation for Stage 3 of its I-5 Steilacoom-DuPont Road to Thorne Lane Corridor Improvements Project; and (2) grant additional easements in exchange for compensation from the Washington State Department of Transportation in the amount \$150,100, for a total of \$1,145,200.

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

\_\_\_\_\_  
Dow Constantine  
Board Chair

**Attest:**

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Kathryn Flores  
Board Administrator