

**SOUND TRANSIT**

**MOTION NO. M99-62**

**Link EIS Consultant Contract  
BACKGROUND AND COMMENTS**

<b>Meeting:</b>	<b>Date:</b>	<b>Type of Action:</b>	<b>Staff Contact:</b>	<b>Phone:</b>
Finance Committee	9/16/99	Discussion/Possible Action	James Irish, Senior Environmental Analyst Paul Bay, Director, Link	398-5140 398-5134

**ACTION:**

Approve Motion No. M99-62 to amend the Environmental Services Consulting contract with Parametrix, Inc., for preparation of environmental studies for the Central and Tacoma Link light rail transit systems in the amount of \$1,262,000. An additional \$253,000 (20%) is requested to be authorized as a contingency reserve (to cover changes in the work if needed).

**BACKGROUND:**

On February 17, 1998, the Sound Transit Board authorized the Executive Director to execute a contract with Parametrix, Inc., to provide environmental review services for the Central and Tacoma Link light rail projects for a not to exceed amount of \$4,349,849. An additional contingency reserve of \$919,970 was also approved to cover unforeseen changes in the work. The Parametrix team initially included 18 subconsultant firms and has expanded to include 26 subconsultant firms.

The work performed under this contract provides compliance for the Link light rail project under federal, state, and local environmental regulations. Timely completion of this process is a necessary step to implement the light rail project, to meet the commitments of the Sound Move plan, and obtain federal funding.

The proposed action would amend the contract with Parametrix to revise the contract scope of work consistent with established procurement procedures, and increase the contract amount. This is being requested because the scope of the environmental review has increased beyond what could reasonably have been anticipated at the time of the contract.

**Status of contract budget**

The original contract amount for the Central EIS and Tacoma EIS was \$4,349,849 plus a 20 percent contingency under Sound Transit's control. The actual contract amount authorized to date is \$5,269,819 and the contingency has been used in its entirety. However, work needed to complete the final EIS and to provide the capability of providing support during legal appeals and to support the environmental permitting process will require an estimated additional \$1,262,000. The reasons for that are enumerated below.

## **New alternatives added to the EIS evaluations**

In most EIS processes, it can be expected that some minor revisions will be made to the project alternatives after the draft EIS is issued. In the case of the Central Link project, a number of major changes and new alternatives have been added that required preparation of additional environmental reports. A major one was the Rainier Valley Tunnel Alternative, which was studied at the request of the Board in a separate environmental report distributed to the public. An Environmental Assessment (a separate NEPA report) has also been prepared and distributed to address impacts of four additional maintenance base options and associated new route alternatives, four new station options on Capitol Hill, and a new station option at NE 45<sup>th</sup> Street in the University District. In addition, about 10 route alternatives and over 20 stations were added or revised in response to public comments and to reduce impacts. That work has been included in the final EIS.

## **Comment letters exceeded estimate**

One of the primary tasks of the final EIS is to respond to all comments from the public and other agencies received during the comment period. Based on the number of comments received during the EIS scoping period, approximately 500 comment letters were anticipated on the draft EIS. The actual number of letters is over 950. Also, because of the controversial issues in some segments of the corridor, many of the comment letters are unusually long and detailed.

## **Support for appeals and environmental permitting**

There is a probability of appeals and lawsuits related to the EIS, based on the controversy over some elements of the preferred project. To prepare for and support Sound Transit's defense of any such legal action, it would be desirable to provide funds in the revised contract to use the EIS consultant as expert witnesses and for technical assistance during the appeal process.

Also, support is being requested of the EIS consultant to assist with preparation for resource agency environmental approvals and permits for the Central Link project. Preparation and agency coordination for most of these approvals begin during the EIS process.

## **RELEVANT BOARD POLICIES AND PREVIOUS ACTIONS TAKEN:**

- ◆ Adoption of Sound Move, The Ten-Year Regional Transit System Plan (May 31, 1996)  
Sound Move calls for light rail service to be implemented ten years after voter approval.
- ◆ Adoption of Implementation Guide (May 22, 1997)
- ◆ Adoption of First Moves (May 22, 1997)
- ◆ Resolution No. 78-1 (April 9, 1998)  
Grants the Finance Committee authority to execute contracts up to \$5,000,000, and allows the Board to authorize non-standard procurements, such as sole source and special circumstances procurements.
- ◆ Adoption of Fiscal Year 1999 Budget (November 12, 1998)  
The 1999 budget includes \$55,031,000 for pre-engineering and environmental review.

- ◆ Adoption of Resolution No. 98-2 (February 17, 1998)  
Authorized the original contract with Parametrix for environmental services in the amount of \$4,349,849 and an additional contingency reserve of \$919,970.

**FUNDING:**

Funding for this work is included in Sound Move Plan and in the Link project budget, FTA Preliminary Engineering Grant, and FY'99 Capital Budget. The budget for completion of these tasks is identified in Sound Transit's 1999 Budget (page 86) under Preliminary Engineering and Final Design.

**LINK LIGHT RAIL PRELIMINARY ENGINEERING  
EXPENDITURES AND BUDGET**

	1999 Approved Ten-Year Budget	Actuals Spent to- Date <sup>1</sup>	Outstanding Commitments <sup>2</sup>	Budget Available	Proposed Board Action
	A	B	C	D (A - B - C)	E
PE	\$82,189,771	\$41,456,128	\$22,674,458	\$18,059,185	\$1,515,000

1. Expenditures through July 31, 1999.
2. Commitments through August 31, 1999.

**EXECUTIVE SUMMARY:**

**Consultant scope of work**

- Provide environmental review for a number of new or revised project alternatives after the draft Environmental Impact Statement (EIS) was completed. Includes an environmental assessment to address four new maintenance base site options in the North Duwamish Industrial Area, four new Capitol Hill station options, a new station option at NE 45<sup>th</sup> Street, and numerous changes and additions to the alternatives considered in the final EIS.
- Prepare a final EIS that addresses public and agency comment beyond what could reasonably be anticipated. Approximately 500 comment letters were anticipated. The actual number of letters is over 950.
- Provide support to obtain environmental approvals and permits for the Central Link project.
- Act as expert witnesses and provide technical support for Sound Transit's legal defense of anticipated appeals and lawsuits against the environmental process.

**Procurement and selection process**

This is an amendment to an existing contract.

**M/W/DBE participation (of prime and subs)**

The consultant currently has a M/W/DBE participation of:

	<u>Planned</u>	<u>Actual to Date</u>
M/W/DBE Total Contract	21%	29%

**Cost**

The total cost for the additional scope of work is \$1,262,000. This amount is available in the 1999 Link budget (\$55,031,000) for preliminary engineering and environmental review.

**Contingency**

A contingency of \$253,000 will be held by the Director of Link light rail and managed by the Light Rail Change Control Board.

**ALTERNATIVES:**

The additional scope of work or portions of the work could be advertised through a new procurement and selection process. This would delay performance of this work by a number of months, delaying the final EIS, beginning of final design and application for federal funding.

**CONSEQUENCES OF DELAY:**

A delay in a decision on this action may require work on the final EIS to stop or for the consultant to proceed at risk of not being compensated. The process for other environmental approvals would also be delayed and consultant support may not be available during the EIS appeal process. A delay in publishing the final EIS would delay the ability to start final design, delay application for federal funding, and all subsequent major milestones on the project.

**LEGAL REVIEW:**

The Background and Comments and the Motion are approved as to legal sufficiency.

## SOUND TRANSIT

### MOTION NO. M99-62

A motion of the Finance Committee of the Central Puget Sound Regional Transit Authority amending the Environmental Services Consulting contract with Parametrix, Inc., for preparation of environmental studies for the Central and Tacoma light rail transit systems to provide for a contract increase in the amount of \$1,262,000, and authorizing an additional contingency reserve of \$253,000 (20%).

#### Background:

On February 17, 1998, the Sound Transit Board authorized the Executive Director to execute a contract with Parametrix, Inc., to provide environmental review services for the Central and Tacoma Link light rail projects for a not to exceed amount of \$4,349,849. An additional contingency reserve of \$919,970 was also approved to cover unforeseen changes in the work. The Parametrix team initially included eighteen subconsultant firms and has expanded to include twenty-six subconsultant firms.

The work performed under this contract provides compliance for the Link light rail project under federal, state, and local environmental regulations. Timely completion of this process is a necessary step to implement the light rail project, to meet the commitments of the Sound Move plan, and obtain federal funding.

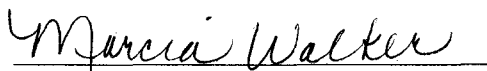
The proposed action would amend the Environmental Services Consulting contract scope of work consistent with established procurement procedures by increasing the contract amount by \$1,262,000. An additional \$253,000 (20%) is requested to be authorized as a contingency reserve (to cover changes in the work if needed). The contract amendment is being requested because the scope of the environmental review has increased beyond what could reasonably have been anticipated at the time of the contract.

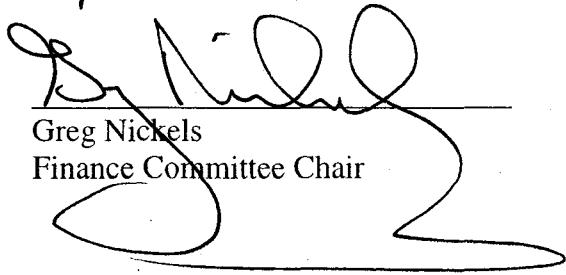
#### Motion:

It is hereby moved by the Finance Committee of the Central Puget Sound Regional Transit Authority that the Environmental Services Consulting contract with Parametrix, Inc., for preparation and environmental studies for the Central and Tacoma light rail transit systems be amended to provide for a contract increase in the amount of \$1,262,000, with an additional \$253,000 (20%) contingency reserve (to cover changes in the work, if needed).

Approved by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof on the 16th day of September, 1999.

ATTEST:

  
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Marcia Walker  
Board Administrator

  
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Greg Nickels  
Finance Committee Chair