

**STAFF REPORT**

**SOUND TRANSIT  
MOTION NO. M2000-79**

**Contract with BOAS for Archaeological Services**

<b>Meeting:</b>	<b>Date:</b>	<b>Type of Action:</b>	<b>Staff Contact:</b>	<b>Phone:</b>
Finance Committee	9/7/00	Discussion/Possible Action	Paul Bay, Director, Link Light Rail Mary Jo Porter, Deputy Director, Link Light Rail	(206)398-5134 (206)398-5210

**PROPOSED ACTION**

This action authorizes the Executive Director to execute a contract with BOAS for archaeological services associated with construction of the Central Link Light Rail project. The action establishes a contract amount of \$1,275,000 and a 10% contingency of \$127,500, for a total authorized amount not to exceed \$1,402,500.

**KEY FEATURES**

**Highlights of Proposed Action:**

- ◆ Authorizes the Executive Director to execute a contract with BOAS for archaeological services for the Central Link Light Rail project in areas where construction activity may result in the encountering of historic, archaeological or traditional cultural resources.
- ◆ Establishes a contract amount of \$1,275,000 and a 10% contingency of \$127,500, for a total authorized amount not to exceed \$1,402,500.
- ◆ Scope includes: 1) documentation of oral history data; 2) sub-surface testing at specified locations prior to construction; 3) monitoring of specified construction locations to prevent the destruction of significant archaeological deposits; and 4) a treatment and monitoring plan.
- ◆ The contract amount includes some budget for “rapid response” in the event a minor archaeological resource is discovered and construction work must cease for recovery of the resource. However, if a significant resource is discovered the budgeted funds will not cover the entire recovery cost and additional budget will be requested.
- ◆ BOAS is a certified M/W/DBE. 50% of the contract will be allocated to M/W/DBE.

## **Discussion of Proposed Action:**

Section 106 of the National Historic Preservation Act of 1966, requires that federal agencies identify and assess the effects of federally assisted undertakings on historic resources, archaeological sites, and traditional cultural properties, and to consult with interested parties to find acceptable ways to avoid or mitigate adverse effects. To comply with Section 106 regulations, the Federal Transit Administration (FTA) and Sound Transit have consulted with the State Historic Preservation Officer (SHPO) and Advisory Council on Historic Preservation (ACHP) to determine the project's potential adverse effects on historic archaeological resources during construction of the Central Link Light Rail project and have agreed to appropriate mitigation measures. Consultations were also completed with interested parties, including the Suquamish, Muckleshoot, and Duwamish Tribes.

These mitigation measures and archaeological services have been documented in a Programmatic Agreement and the Record of Decision, which stipulate that Sound Transit carry out the following measures as part of the Link project:

1. Traditional Cultural Property/Ethnographic Study. Documentation of oral history data from members of area Tribes with ancestry in the project area to determine previous use of areas and likelihood of discovering archaeological resources.
2. Cultural Resource Inventory. This includes additional archaeological research and sub-surface testing at specified locations prior to construction to determine the probability of finding archaeological resources and allow time for recovery prior to the beginning of construction.
3. Construction Monitoring. Monitoring will occur at specified locations along the alignment to prevent the destruction of significant archaeological deposits that may be encountered during construction.
4. Treatment and Monitoring Plan. This plan will detail conditions under which construction will cease or slow in order that archaeological investigations can take place.

BOAS was selected to perform these services through a competitive RFP process that included a selection committee comprised of staff, Tribal representatives and the State Historic Preservation Officer. BOAS is certified M/W/DBE and 50% of the contract will be allocated to M/W/DBE.

## **BUDGET**

Funding for this Scope of Work is included in the Sound Move plan and in the FY2000 capital budget. The budget for completion of these tasks is identified in Sound Transit's 2000 Budget under construction. Work under this action will occur throughout the Central Link Light Rail line. Therefore, the total construction budget is reflected in the first column of the table. Budget for this activity, as well as for some other project-wide activities, are contained within the allocated contingency.

<b>Total Central Link Construction Budget (YOE \$)</b>	<b>Budget for this Task (A) (YOE \$) (Allocated Contingency)</b>	<b>Expenditures to Date (B)</b>	<b>Total Amount Requested (C)<sup>1</sup> (YOE \$)</b>	<b>Shortfall or Surplus (A-[B+C])</b>
\$1,747,985,000	\$227,238,000	\$ 0	\$1,402,500	

1) Total amount requested includes a contract amount of \$1,275,000 and a 10% contingency of \$127,500.

## **ALTERNATIVES**

- Procurement of a different consultant team for archaeological services.

This alternative would require consultation and review by the Tribal Governments per Sound Transit's Programmatic Agreement and would cause substantial schedule delay.

## **CONSEQUENCES OF DELAY**

The delay or disapproval of this action would have significant impacts to the light rail construction schedule. For example, one segment of the Central Link Light Rail corridor, Design Contract 235, is on the critical path for construction. The Pacific Station area within this design contract is identified with a high probability for archaeological resources. Construction is scheduled to begin late 2000. The selected consultant must develop a draft ethnographic study of this area, conduct sub-surface site investigation, and allow time for potential resource recovery before construction can proceed. Taking action on the proposed motion now will provide enough time to complete tasks at Pacific Station area and other corridor areas in a timely manner.

## **REGIONAL PARTNERSHIP AND COOPERATION**

The development of the Programmatic Agreement including the DRAFT Treatment and Monitoring Plan would not have been possible without the input and assistance of several resource agencies and the FTA. The FTA, Washington State Historic Preservation Officer and the Advisory Council on Historic Preservation are all signatory parties of the Programmatic Agreement. Concurring parties include City of Seattle, Friends of Seattle's Olmsted Parks, and the Suquamish Indian Tribe. The Muckleshoot and Suquamish Indian Tribes and the Duwamish community provided valuable contributions to the Plan. Representatives from Muckleshoot and Suquamish Tribes as well as the SHPO were on the review committee that selected BOAS.

## **PUBLIC INVOLVEMENT**

Public involvement was provided during the Environmental Impact Statement process for general archaeological issues and mitigation measures. Since then, public involvement has been limited to discussions and consultation with the Muckleshoot and Suquamish Tribal Governments and the Duwamish tribal community. There is general support among these groups for this scope of work. Consultation and involvement with these organizations will continue throughout the project and a tribal monitor will be appointed to monitor construction activities.

## **LEGAL REVIEW**

MBL 8/24/00

## SOUND TRANSIT

### MOTION NO. M2000-79

A motion of the Finance Committee of the Central Puget Sound Regional Transit Authority authorizing the Executive Director to execute a contract with BOAS for archaeological services associated with construction of the Central Link Light Rail project for a contract amount of \$1,275,000 and a 10% contingency of \$127,500, for a total authorized amount not to exceed \$1,402,500.

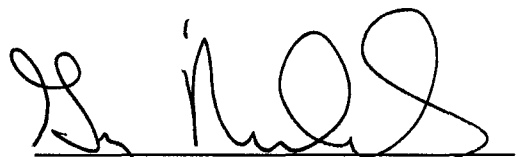
#### Background:

Section 106 of the National Historic Preservation Act of 1966, requires that federal agencies identify and assess the effects of federally assisted undertakings on historic resources, archaeological sites, and traditional cultural properties, and to consult with interested parties to find acceptable ways to avoid or mitigate adverse effects. To comply with Section 106 regulations, the FTA and Sound Transit have consulted with the State Historic Preservation Officer (SHPO) and Advisory Council on Historic Preservation (ACHP) to determine the project's potential adverse effects on historic archaeological resources during construction of the Central Link Light Rail project and have agreed to appropriate mitigation measures. Consultations were also completed with interested parties, including the Suquamish, Muckleshoot, and Duwamish Tribes.

#### Motion:


It is hereby moved by the Finance Committee of the Central Puget Sound Regional Transit Authority that the Executive Director is authorized to execute a contract with BOAS for archaeological services associated with construction of the Central Link Light Rail project for a contract amount of \$1,275,000 and a 10% contingency of \$127,500 for a total authorized amount not to exceed \$1,402,500.

Approved by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof on the 7<sup>th</sup> day of September, 2000.



Greg Nickels  
Finance Committee Chair

ATTEST:



Marcia Walker  
Board Administrator