

**SOUND TRANSIT  
STAFF REPORT**

**MOTION NO. M2002-57**

**Agreement with City of Seattle to Underground Utilities on Martin Luther King, Jr. Way S.**

<b>Meeting:</b>	<b>Date:</b>	<b>Type of Action:</b>	<b>Staff Contact:</b>	<b>Phone:</b>
Board	4/25/02	Discussion/Possible Action	Ahmad Fazel, Link Director <b>Ron Lewis, Link Deputy Director</b>	(206) 398-5389 (206) 689-4905

<b>Contract/Agreement Type:</b>		<b>Requested Action:</b>	
Competitive Procurement	3	Execute New Contract/Agreement	3
Sole Source		Amend Existing Contract/Agreement	3
Memorandum of Agreement	3	Contingency Funds Required	
Purchase/Sale Agreement		Budget Amendment Required	

4 Applicable to proposed transaction.

**OBJECTIVE OF ACTION**

- To work with the City of Seattle to design and construct underground utilities in the Rainier Valley along Martin Luther King, Jr. Way S. in conjunction with the Link light rail project.

**ACTION**

- Authorizes the Executive Director to: (1) Initiate the final design for undergrounding utilities on Martin Luther King, Jr. Way S. (from approximately the McClellan Station to South Barton Street) in conjunction with completion of final design for the Link light rail project and to develop a cost estimate and identify impacts of undergrounding utilities. (2) Based upon a refined cost estimate and identification of impacts, negotiate an agreement with the City of Seattle to define terms and conditions for undergrounding utilities on Martin Luther King, Jr. Way S.

**KEY FEATURES**

- Assumes City of Seattle commitment and intent by Resolution 30459 to support payment up to \$19.8 million (2002 dollars) for undergrounding City-owned electric utilities in commercially zoned areas and constructing spare conduits throughout the Martin Luther King, Jr. Way S. light rail corridor.
- Per Board Resolution R2001-16 Sound Transit will pay up to \$13.5 million (YOES) for undergrounding of utilities throughout the Martin Luther King, Jr. Way S. light rail corridor.
- Concurrent with agreement negotiation, Sound Transit will identify amendments to scope and costs of authorized design contracts necessary in moving from above ground to underground utility design, which staff will bring to the Board for consideration. If agreement between Sound Transit and the City cannot be executed on funding for utility undergrounding, Sound Transit will seek to share with the City, the Sound Transit consultant costs spent for final design.

- Any right-of-way easements beyond those required for light rail construction will be obtained by the City of Seattle at no cost to Sound Transit.
- Undergrounding of utilities may require a re-sequencing of construction within the Martin Luther King, Jr. Way S. light rail corridor. City of Seattle will remain flexible with regard to its requirements for construction to accommodate schedule impacts.

**BUDGET IMPACT SUMMARY**

**Project Description:** Initial Segment  
**Current Status:** Final Design/Construction  
**Projected Completion Date:** 07/2009

<b>Action Outside of Adopted Budget:</b>	<b>Y/N</b>	<b>Y Requires Comment</b>
This Line of Business	N	
This Project	N	
This Phase	N	
This Task	N	
Budget amendment required	N	
<b>Key Financial Indicators:</b>	<b>Y/N</b>	<b>Y Requires Comment</b>
Contingency funds required	N	
Subarea impacts	N	
Funding required from other parties other than what is already assumed in financial plan	N	

N = Action is assumed in current Board-adopted budget. Requires no budget action or adjustment to financial plan

**BUDGET DISCUSSION**

The total budget for the Initial Segment from CPS to South 154<sup>th</sup> is \$2.07 billion. Within that budget, the activity contemplated within this motion is identified within the Construction phase. This activity was included within the cost estimate and there are sufficient funds for work identified in this motion. The budget for this activity is \$13,500,000 (YOES). With the execution of this agreement, there is sufficient budget remaining to complete the project.

The design consultants’ budgets were recently amended and did not include undergrounding utilities. Modifications to these contracts are being evaluated and will be brought to the Board with further budget information.

Sound Transit’s consultant costs for final design of undergrounding are in the range of \$1.0 to \$1.3 million. This amount is included within Sound Transit’s \$13.5 million and the City’s \$19.8 million participation.

**REVENUE, SUBAREA, AND FINANCIAL PLAN IMPACTS**

The proposed action is consistent with the current board adopted budget and is affordable within the agency’s current long-term financial plan and subarea financial capacity. The action will have no new revenue impacts on Sound Transit.

## SUMMARY FOR BOARD ACTION

### Summary for Board Action (Year of Expenditure \$000)

#### Action Item: City of Seattle (Undergrounding)

Initial Segment	Current Board		This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
	Adopted Budget (A)	Committed To Date (B)			
1 Agency Administration	226,200	8,373		8,373	217,827
2 Preliminary Engineering	37,992	36,600		36,600	1,392
3 Final Design	116,340	67,846		67,846	48,494
4 Right of Way	233,000	52,923		52,923	180,077
5 Construction	1,175,092	5,824	13,500	19,324	1,155,768
6 Construction Services	77,500			-	77,500
7 Third Party Agreements	58,800	13,036		13,036	45,764
8 Vehicles	145,076			-	145,076
9 Contingency				-	-
10 <b>Total Current Budget</b>	<b>2,070,000</b>	<b>184,602</b>	<b>13,500</b>	<b>198,102</b>	<b>1,871,898</b>

#### Phase Budget Detail

11 Undergrounding	13,500	-	13,500	13,500	-
12 Other Civil Construction	892,921	5,824		5,824	887,097
13 Systems Construction	197,248				197,248
14 Testing & Startup	16,726				16,726
15 Other Construction	54,697	-	-	-	54,697
16 <b>Total Phase</b>	<b>1,175,092</b>	<b>5,824</b>	<b>13,500</b>	<b>19,324</b>	<b>1,155,768</b>

#### Contract Budget

	Current Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
17 Undergrounding			13,500	13,500
18 Contingency				-
19 <b>Total</b>	<b>0</b>	<b>0</b>	<b>13,500</b>	<b>13,500</b>
20 Percent Contingency	0%	0%	0%	0%

A Provisional budget based on estimates of historic costs to be allocated between the Initial Segment and Capitol Hill. Upon completion of recoding costs to the current project structure, a finalized phase-level budget will be presented to the Board.

B Commitments reflect total commitments for Central Link as estimated to be allocated between the Initial Segment and North Link together with all commitments currently under consideration by the Board. This provides a more conservative measure of uncommitted amount (column D) would be higher.

## M/W/DBE – SMALL BUSINESS PARTICIPATION

N/A

## HISTORY OF PROJECT

On November 29, 2001, the Sound Transit Board adopted Resolution No. R2001-16, selecting the Initial Segment for Link light rail to be constructed and operated by 2009. The resolution also stated that the project scope includes the potential for relocating utilities along Martin Luther King, Jr. Way S. underground. The Sound Transit Board identified a budget of \$13.5 million in the project for this purpose and committed to pursuing additional funding sources to supplement the budget in order to pay the total cost of undergrounding utilities along Martin Luther King, Jr. Way S.

During the design process, the City and Sound Transit have agreed that Martin Luther King, Jr. Way S. will be widened to accommodate light rail, but have agreed to a narrower sidewalk/planting strip width than the City's design standard for arterial roadways (typically 10'-6", rather than 10'3" as designed) to limit property acquisitions and impacts. Undergrounding the utilities will maximize the narrower usable sidewalk/planting strip space for pedestrians and landscaping. In addition, Sound Transit's light rail overhead catenary system will run down the center of Martin Luther King, Jr. Way S. the entire length of the surface light rail alignment, creating potential conflicts with overhead utilities. Future build-out of private commercial development under such conditions can also create conflicts between overhead electric infrastructure and buildings in commercial areas.

The City has noted that Sound Transit's complete reconstruction of Martin Luther King, Jr. Way S. and its ability to pay a substantial share of the cost for undergrounding utilities provides a one-time-only opportunity to maximize efficiency and minimize future disruptions by incorporating utility undergrounding in conjunction with construction of the light rail project.

This action would authorize the Executive Director to negotiate an agreement with the City of Seattle identifying Sound Transit and the City's funding responsibilities for undergrounding certain utilities, and determine design and construction parameters in this area, and to complete the final design with undergrounding of utilities included. Sound Transit recognizes City of Seattle Resolution 30459, adopted April 22, 2002, as an expression of sincere intent to enter into such an agreement with Sound Transit to share funding responsibilities for undergrounding utilities along Martin Luther King, Jr. Way S. for up to \$19.8 million (2002 dollars) in City funds.

Undergrounding utilities would require changes in contracts for Link light rail designers, adding additional scope and possibly affecting cost and schedule. Staff will bring design contract amendments to the Board for necessary approval and track additional costs as a result of this change. With Sound Transit Board approval of this motion, staff would be authorized to immediately begin modifying designs to include undergrounding of utilities with the understanding and recognition of the City's intent to share the costs of implementing undergrounding. If agreement between Sound Transit and the City cannot be executed on funding for utility undergrounding, Sound Transit will seek to share with the City, the Sound Transit consultant costs spent for final design~~If an agreement cannot be executed between Sound Transit and the City of Seattle, Sound Transit will seek to collect the additional costs for design changes from the City of Seattle.~~

Design measures to be undertaken with approval of this Motion:

- Determine design responsibilities between Seattle City Light (SCL) and ST.
- Analyze schedule impacts to complete underground utility design.
- Negotiate changes to contracts as needed.

- Locate and design ductbanks and vaults for private and public utilities.
- Modify other existing or new utilities to accommodate underground ductbanks and vaults.
- Design cross street transitions from above grade utilities to underground utilities.
- Coordinate design with private utilities.
- Modify urban design work to accommodate ductbank and vault locations.
- Coordinate design work with relevant parties: Seattle Public Utilities, SeaTran, Seattle City Light, Seattle Housing Authority, KC Metro and other third parties.
- Support the City of Seattle in negotiating agreements with private utilities for undergrounding utilities.

**Prior Board or Committee Actions  
and Relevant Board Policies**

<b>Motion or Resolution Number</b>	<b>Summary of Action</b>	<b>Date of Action</b>
R2001-16	<p>Selected the initial segment of the Central Link Light Rail Project to be constructed and operated by 2009.</p> <p>The light rail project scope shall include the potential for relocating and placing the utilities along Martin Luther King, Jr. Way South underground. The work necessary to place the utilities underground will be performed only if the cost to Sound Transit shall not exceed \$13.5 million and the other elements included within the project scope to underground the utilities can be completed for an amount that does not allow Sound Transit's expenditures to exceed the \$2,070 million project budget. Sound Transit will continue to pursue additional external funding sources to supplement the existing budget in order to pay the cost to underground the utilities as provided in Motion No. M2001-103.</p>	11/29/01

**CONSEQUENCES OF DELAY**

In order to underground utilities on Martin Luther King, Jr. Way S, agreement with the City on funding must be developed in a timely manner, so that the necessary design for undergrounding can take place. Extended delay in completing final design for this segment would likely create a delay in the Link master schedule and result in increased design costs.

**REGIONAL PARTNERSHIP AND COOPERATION**

Sound Transit has worked extensively with the City of Seattle to evaluate conceptual design and costs for the plan to underground utilities in this area. Sound Transit will work closely with Seattle City Light and private telecommunication providers to finalize design.

**PUBLIC INVOLVEMENT**

The Rainier Valley community has maintained a strong expectation for having undergrounded utilities along Martin Luther King, Jr. Way S when light rail begins operation.

**LEGAL REVIEW**

JW 4/22/02

## **SOUND TRANSIT**

### **MOTION NO. M2002-57**

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the Executive Director to: (1) Initiate the final design for undergrounding utilities on Martin Luther King, Jr. Way S. (from approximately the McClellan Station to South Barton Street) in conjunction with completion of final design for the Link light rail project and to develop a cost estimate and identify impacts of undergrounding utilities. (2) Based upon a refined cost estimate and identification of impacts, negotiate an agreement with the City of Seattle to define terms and conditions for undergrounding utilities on Martin Luther King, Jr. Way S.

#### **Background:**

On November 29, 2001, the Sound Transit Board adopted Resolution No. R2001-16, selecting the Initial Segment for Link light rail to be constructed and operated by 2009. The resolution also stated that the project scope includes the potential for relocating utilities along Martin Luther King, Jr. Way S. underground. The Sound Transit Board identified a budget of \$13.5 million in the project for this purpose and committed to pursuing additional funding sources to supplement the budget in order to pay the total cost of undergrounding utilities along Martin Luther King, Jr. Way S.

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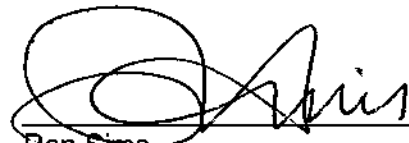
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**Motion:**

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the Executive Director is authorized to: (1) Initiate the final design for undergrounding utilities on Martin Luther King, Jr. Way S. (from approximately the McClellan Station to South Barton Street) in conjunction with completion of final design for the Link light rail project and to develop a cost estimate and identify impacts of undergrounding utilities. (2) Based upon a refined cost estimate and identification of impacts, negotiate an agreement with the City of Seattle to define terms and conditions for undergrounding utilities on Martin Luther King, Jr. Way S.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on April 25, 2002.

  
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Ron Sims  
Board Chair

ATTEST:

  
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Marcia Walker  
Board Administrator