

**SOUND TRANSIT  
STAFF REPORT**

**MOTION NO. M2005-19**

**Final Design for Stage I of the I-90 Two-Way Transit and HOV Operations Project**

<b>Meeting:</b>	<b>Date:</b>	<b>Type of Action:</b>	<b>Staff Contact:</b>	<b>Phone:</b>
Finance Committee	2/18/05	Discussion/Possible Action	Agnes Govern, Director Capital Projects Christine Engler, Construction and HOV Access Program Manager, Capital Projects <b>Hank Howard, Project Manager, Capital Projects</b>	(206) 398-5037  (206) 398-5056  (206) 398-5078

<b>Contract/Agreement Type:</b>	<input checked="" type="checkbox"/>	<b>Requested Action:</b>	<input checked="" type="checkbox"/>
Competitive Procurement	<input checked="" type="checkbox"/>	Execute New Contract/Agreement	<input checked="" type="checkbox"/>
Sole Source	<input type="checkbox"/>	Amend Existing Contract/Agreement	<input type="checkbox"/>
Interlocal Agreement	<input type="checkbox"/>	Contingency Funds (Budget) Required	<input type="checkbox"/>
Purchase/Sale Agreement	<input type="checkbox"/>	Budget Amendment Required	<input type="checkbox"/>

*✓ Applicable to proposed transaction.*

**ACTION**

Authorizes the Chief Executive Officer to execute Agreement GCA 3536 Task Order #12 with the Washington State Department of Transportation for design services for the I-90 Two-Way Transit and HOV Operations project necessary to complete 30% design for certain project elements that were deferred during the Preliminary Engineering/ Environmental Documentation phase and to prepare Final Design for Stage I of construction in the amount of \$3,398,911, with a contingency of \$339,891, for a total authorized amount not to exceed \$3,738,802.

**KEY FEATURES**

- Authorizes WSDOT to enter into a separate consultant agreement for professional support services to complete this effort. The budget related to WSDOT's scope of work is \$1,017,899 and the budget related to the consultant team's scope of work is \$2,381,012.
- Establishes the scope of Stage 1 improvements as an HOV lane in the outer roadway west bound between Bellevue Way and Mercer Island with direct access ramps at Bellevue Way and 80<sup>th</sup> Ave SE.

**BUDGET IMPACT SUMMARY**

There is no action outside of the Board-adopted budget; there are no contingency funds required, no subarea impacts, or funding required from other parties other than what is assumed in the financial plan.

## **BUDGET DISCUSSION**

This action would authorize the execution of a task order for final design services of stage 1 of the I-90 Two-Way Transit Operations Project (#382). The project budget contains sufficient funds for this effort. The I-90 Two-Way Transit Operations Project was included in the Adopted 2005 budget with a total project budget of \$40.4 million. This budget provides funds for the completion of the PE/ED phase and provides \$12.4 million for the final design phase. The Adopted 2005 budget also includes \$21.5 million that was transferred into the project for construction from unanticipated East King County revenues as part of the 2005 budget process.

The initial estimate for construction of the first stage is approximately \$25 million, based on the 2003 WSDOT Cost Estimate Validation Process (CEVP). Assuming a combination of Sound Transit and WSDOT funds, the proposed first stage of the project is fully funded. The cost of, and funding for, construction of the proposed first stage will be continually evaluated as the design evolves.

Additional funds will be needed to design and construct the remaining stages of the project. The cost estimate for the full project is \$128 million, based upon the 2003 CEVP, including \$5.2 million committed to date for the completion of the environmental documentation and preliminary design phase. Existing funding sources and potential funding sources are noted in the Revenue, Subarea, and Financial Plan Impacts section of this report.

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

The cost to implement Alternative R-8A (HOV lanes on the outer roadways) is estimated at \$128 million. This includes funds spent to date on preliminary design/environmental documentation.

The Board and the I-90 Steering Committee were informed of the pending budget shortfall in 2000 when preliminary construction estimates for the alternatives under consideration were prepared. At that time, Sound Transit informed the project partners that due to the broadening of the purpose and need for the project to include HOV's, funds would be required from others to construct the project.

In addition to the Sound Transit funds for the project, WSDOT received \$15 million in funding from the state, \$1.75 million in Federal Interstate Maintenance funds, and a \$1.4 million STP grant for the construction of the screening on the shared-use path on the floating bridge. A potential source of the required additional funding includes a joint WSDOT/Sound Transit request of \$30 million from the reauthorization of TEA-21.

The I-90 Steering Committee is working with Sound Transit to develop a funding strategy for the project.

## BUDGET TABLE

The I-90 Two Way Transit Operations project (#382) appears on page 154 of the Proposed 2005 Budget book. The following table illustrates the impacts of this action on the phase level and project budgets.

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

Action Item: Execute Task Order #12 for Agreement GCA 3536 with Washington State Department of Transportation (WSDOT) for final design services for the I-90 Two-Way Transit and HOV Operations Project (#382) , \$s in thousands

	2005 Adopted Budget <sup>1</sup> (A)	Committed To Date <sup>2</sup> (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
Agency Administration	\$ 1,116	\$ 1,008	\$ -	\$ 1,008	\$ 108
Preliminary Engineering	5,425	5,191	-	5,191	234
Final Design	12,348	30	3,739	3,769	8,579
Right of Way	-	-	-	-	-
Construction	21,500	-	-	-	21,500
Contingency	-	-	-	-	-
<b>Total Current Budget</b>	<b>\$ 40,389</b>	<b>\$ 6,229</b>	<b>\$ 3,739</b>	<b>\$ 9,968</b>	<b>\$ 30,421</b>

### Phase Budget Detail

Stage I Design	\$ 3,800	\$ -	\$ 3,739	\$ 3,739	\$ 61
Other Consulting	30	30	-	30	-
Other	8,518	-	-	-	8,518
<b>Total Phase</b>	<b>\$ 12,348</b>	<b>\$ 30</b>	<b>\$ 3,739</b>	<b>\$ 3,769</b>	<b>\$ 8,579</b>

WSDOT Task Order Budget	Current Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
Final Design	\$ -	\$ -	\$ 3,399	\$ 3,399
ST Contingency	-	-	340	340
<b>Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 3,739</b>	<b>\$ 3,739</b>
<b>Percent Contingency</b>	<b>0%</b>	<b>0%</b>	<b>10%</b>	<b>10%</b>

### Notes:

<sup>1</sup> The Adopted 2005 Budget comes from Page 154 of the Proposed 2005 Budget book, which was adopted by the Board on December 9, 2004, as amended by Amendment #3 (altering the phase level budgets) and Amendment #24 (adding \$21.5M from unanticipated East King County revenues).

<sup>2</sup> Committed to-date includes actual outlays and commitments through January 26, 2005 (HQ). Committed amount includes contract contingencies.

## M/W/DBE – SMALL BUSINESS PARTICIPATION

This project will be constructed within the WSDOT right-of-way, WSDOT will serve as the lead for final design services. The consultant team is committed to maintaining a workforce reflective of our local region.

## HISTORY OF PROJECT

### 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>
M2004-63	Authorized the Chief Executive Officer to enter into an amendment to the I-90 Memorandum Agreement.	8/12/04
R2004-09	Amended Sound Move to provide for Two-Way Transit and HOV Operations in the outer roadways of I-90 and to select Alternative R-8A as the project to be built.	8/12/04
M2003-120	Directed staff to negotiate an amendment to the Memorandum Agreement for I-90 to define the guiding principles for the ultimate configuration of the I-90 roadway with HCT in the center roadway.	11/13/03
M2003-99	Identified Alternative R-8A as the preferred alternative for the I-90 Two-Way Transit and HOV Operations Project.	11/13/03
M2003-17	Authorized a supplement to the WSDOT Agreement and an amendment to the URS contract for the completion of environmental analysis/preliminary engineering for the I-90 Project.	4/3/03
M2001-75	Provided direction on how to proceed on the environmental analysis for the I-90 Project.	7/26/01
M2001-07	Provided direction on how to proceed on the I-90 Project.	1/25/01
M2000-112	Approved a supplement to the Agreement with WSDOT for the I-90 Project.	12/7/00
R98-12	Authorized execution of a Master Agreement with WSDOT for the Big Four Projects (including Mercer Island/I-90).	4/9/98

The I-90 Two-Way Transit and HOV Operations project was initiated in 1998 to address the lack of priority for transit in the reverse-peak direction in the I-90 corridor. The purpose of the project is to provide reliable two-way transit and HOV operations between Bellevue and Seattle while minimizing impacts to the environment and other users and transportation modes. To date, the project has been guided by the I-90 Steering Committee, which is comprised of representatives from the cities and agencies that signed the 1976 Memorandum Agreement (MA) for I-90: The Cities of Bellevue, Mercer Island, Seattle; King County, and WSDOT. The Committee also includes representatives from Sound Transit, the Federal Highway Administration (FHWA), and the Federal Transit Administration.

At its July 15, 2003 meeting, the I-90 Steering Committee reached consensus in support of recommendations made by the Cities of Bellevue, Mercer Island, and Seattle; and King County. The Steering Committee identified its ultimate configuration for I-90, with High Capacity Transit (HCT) in the center roadway. The Committee identified Alternative R-8A (HOV lanes on the outer roadways) as the first step toward the ultimate configuration of I-90.

In November 2003, the Sound Transit Board, informed by the Steering Committee's recommendation, identified Alternative R-8A as the preferred alternative for the I-90 project. The Board also directed staff to negotiate an amendment to the Memorandum Agreement to address the I-90 Steering Committee's recommendations.

The Final Environmental Impact Statement (FEIS) prepared in compliance with State Environmental Policy Act (SEPA) and National Environmental Policy Act (NEPA) for the I-90 project was issued on May 21, 2004. The FEIS identified Alternative R-8A as the preferred

alternative. The Record of Decision (ROD) was approved and issued by the FHWA on September 28, 2004, and R-8A was identified as the preferred alternative in FHWA's ROD.

On August 12, 2004, the Sound Transit Board amended Sound Move to include HOV lanes on the outer roadways, to select Alternative R-8A as the project to be built, and to enter into an amendment to the Memorandum Agreement for I-90 which identifies Alternative R-8A as the first step toward the ultimate configuration for I-90 with High Capacity Transit (HCT) in the center roadway.

The cities and agencies that participated on the I-90 Steering Committee, and were signatories to the 1976 Memorandum Agreement on I-90, approved the amendment to the Memorandum Agreement which calls for the implementation of Alternative R-8A and establishes guiding principles regarding the ultimate configuration of I-90 with HCT in the center roadway. The amendment and the proposed change to I-90 were approved by the State Transportation Commission, as required by the I-90 Memorandum Agreement, on September 16, 2004.

### **CONSEQUENCES OF DELAY**

Delaying action on this item will affect the ability to complete final design of Stage I and initiate some construction by early 2006. The FHWA, which owns the I-90 roadway, approved the environmental documentation for the project which requires that construction be initiated by early 2006.

Sound Transit and King County Metro bus routes serving the I-90 corridor will continue to operate unreliably until this project is completed. The cost of providing transit service in the I-90 corridor will continue to increase, due to the requirement to operate additional service in the effort to meet route schedules.

### **NEXT STEPS**

Staff expects to request authorization to prepare final design for the remaining stages of construction during the second or third quarter of 2005.

### **PUBLIC INVOLVEMENT**

An extensive public involvement process has been implemented for the I-90 Project. Beginning in 1998, the agency has held over 15 public meetings on the I-90 project during the environmental documentation and preliminary design phase. The I-90 Steering Committee meetings were open to the public and included a public comment period. Three open houses/public hearings were held in May 2003 in the Cities of Bellevue, Seattle, and Mercer Island; as part of the public review process for the Draft EIS. The public is updated on the project through the Sound Transit website, project newsletters, and postcards mailed to the project mailing list.

### **LEGAL REVIEW**

JW 1/27/05

## **SOUND TRANSIT**

### **MOTION NO. M2005-19**

A motion of the Finance Committee of the Central Puget Sound Regional Transit Authority authorizing the Chief Executive Officer to execute Agreement GCA 3536 Task Order #12 with the Washington State Department of Transportation for design services for the I-90 Two-Way Transit and HOV Operations project (#382) necessary to complete 30% design for certain project elements that were deferred during the Preliminary Engineering/Environmental Documentation phase and to prepare final design for Stage 1 of construction in the amount of \$3,398,911 with a contingency of \$339,891 for a total authorized amount not to exceed \$3,738,802, contingent upon execution of a letter of agreement between Sound Transit and the Washington State Department of Transportation which communicates that the Washington State Department of Transportation will reimburse Sound Transit for funding final design of the HOV lane components of Stage 1.

#### **Background:**

The I-90 Two-Way Transit and HOV Operations project was initiated in 1998 to address the lack of priority for transit in the reverse-peak direction in the I-90 corridor. The purpose of the project is to provide reliable two-way transit and HOV operations between Bellevue and Seattle while minimizing impacts to the environment and other users and transportation modes.

On August 12, 2004, the Sound Transit Board took action to amend Sound Move to include HOV lanes on the outer roadways and to select Alternative R-8A as the project to be built, while reiterating that the state is responsible for funding and construction of the HOV lane system, including the HOV component of the "ultimate configuration" for the I-90 Corridor, in accordance with its freeway HOV policy. By separate motion, the Sound Transit Board authorized execution of an amendment to the 1976 Memorandum Agreement for I-90 which identifies Alternative R-8A as the first step toward the ultimate configuration for I-90 with High Capacity Transit (HCT) in the center roadway.

The cities and agencies that participated on the I-90 Steering Committee, and were signatories to the 1976 Memorandum Agreement on I-90, approved the amendment to the Memorandum Agreement which calls for the implementation of Alternative R-8A and establishes guiding principles regarding the ultimate configuration of I-90 with HCT in the center roadway. The amendment and the proposed change to I-90 were approved by the State Transportation Commission, as required by the I-90 Memorandum Agreement, on September 16, 2004.

Available funding for the design and construction of Alternative R-8A is limited. Sound Transit has sufficient, existing project budget for the implementation of all of the direct access ramp components of Alternative R-8A, including the final design of the proposed Stage 1 of the project. The Washington State Department of Transportation (WSDOT) has sufficient, existing project budget for the construction of the HOV lane components of the proposed Stage 1 of the project, but insufficient, existing project budget for final design of the HOV lane components of the proposed Stage 1. Therefore, Sound Transit initially will fund final design of both the direct access ramp and the HOV lane components of the Stage 1 improvements. But, consistent with the Board's reiteration of its freeway HOV policy, WSDOT will reimburse Sound Transit for


funding final design of the HOV lane components of Stage 1 by paying an equivalent portion of Sound Transit's cost to construct the direct access ramp components of Stage 1.

**Motion:**

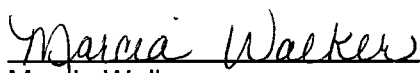
It is hereby moved by the Finance Committee of the Central Puget Sound Regional Transit Authority that the Chief Executive Officer:

- Authorizes an agreement with the Washington State Department of Transportation to perform design services necessary to complete 30% design for certain project elements that were deferred during Preliminary Engineering/Environmental Documentation and to prepare final design for Stage 1 of construction.
- Authorizes the Washington State Department of Transportation to enter into a separate consultant agreement for professional support services to complete this effort. The budget related to the Washington State Department of Transportation's scope of work is \$1,017,899 and the budget related to the consultant team's scope of work is \$2,381,012.
- Establishes the scope of Stage 1 improvements as an HOV lane in the outer roadway west bound between Bellevue Way and Mercer Island with direct access ramps at Bellevue Way and 80th Ave SE.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on February 18, 2005.

  
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Kevin R. Phelps  
Finance Committee Chair

ATTEST:

  
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Marcia Walker  
Board Administrator