

**SOUND TRANSIT  
STAFF REPORT**

**MOTION NO. M2005-30**

**Intergovernmental Agreement with the City of Kirkland for the Funding of Certain  
Improvements Associated with the Totem Lake Freeway Station Project**

<b>Meeting:</b>	<b>Date:</b>	<b>Type of Action:</b>	<b>Staff Contact:</b>	<b>Phone:</b>
Finance Committee	3/17/05	Discussion/Possible Action	Jim Edwards, Capital Projects Deputy Director Christine Engler, Capital Projects Construction Program Manager <b>Hank Howard, Project Manager</b>	(206) 398-5436  (206) 398-5056  (206) 398-5078

<b>Contract/Agreement Type:</b>	✓	<b>Requested Action:</b>	✓
Competitive Procurement		Execute New Contract/Agreement	✓
Sole Source		Amend Existing Contract/Agreement	
Interagency Agreement	✓	Contingency Funds (Budget) Required	
Purchase/Sale Agreement		Budget Amendment Required	

✓ *Applicable to proposed transaction.*

**ACTION**

Authorizes the Chief Executive Officer to execute an Intergovernmental Agreement to accept funding from the City of Kirkland in the amount of \$1,718,984 for improvements requested by the City that include widening the new NE 128th crossing over I-405 to accommodate general purpose traffic, architectural treatment enhancements to said crossing over I-405 and other related improvements beneficial to the City of Kirkland in concert with implementation of Sound Transit's Totem Lake Freeway Station Project.

**KEY FEATURES**

- Authorizes Sound Transit to construct certain improvements, to be funded by the City of Kirkland, in conjunction with construction of the Totem Lake Freeway Station Project. Improvements include the widening of NE 128th Street for general purpose traffic; associated pedestrian lighting, architectural gridwall, conduits and junction boxes for future pedestrian lighting, and relocation of an electrical switch cabinet; and boardwalk and frontage improvements along 116th Street.
- Establishes the amount of reimbursement from the City of Kirkland at \$1,718,984 and defines the provisions for payment.
- Provides for the reimbursement of Sound Transit's actual costs for design, right-of-way acquisition, and construction with a provision to amend the agreement should actual costs exceed the agreement amount.

## **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 already assumed in the financial plan.

## **BUDGET DISCUSSION**

The Totem Lake Freeway Station/NE 128th Project (#140) was included in the 2005 budget as amended with a total project budget of \$85,875,000. Of this amount, \$61,534,000 was included in the ROW and construction phases of the project. To date, \$596,000 has been authorized in the ROW and construction phases, leaving a balance of \$60,938,000 to complete these phases of the work.

This action would authorize the execution of an intergovernmental agreement with the City of Kirkland to accept a funding contribution for certain elements of the project which are already included in the project scope. Based on current project cost estimates, these elements are expected to cost \$1,718,984 which is the amount of the agreement. Should the actual costs for this work exceed the amount of the agreement, the agreement would be amended to provide for the reimbursement of Sound Transit's actual costs. This scope of work will be included in the WSDOT construction task order. No increase to the Sound Transit project budget is necessary as a result of this action.

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

The proposed action is consistent with the current Board-adopted budget and is affordable within Sound Transit's current long-term financial plan and the subarea financial capacity. There are no other revenues accruing to Sound Transit as a result of this action. As discussed in the key features, the agreement provides for the reimbursement of Sound Transit's actual costs, with a provision to amend the agreement should actual costs exceed the agreement amount.

## **BUDGET TABLE**

Not applicable to this action.

## **M/W/DBE – SMALL BUSINESS PARTICIPATION**

Not applicable for this action.

## HISTORY OF PROJECT

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

Motion or Resolution Number	Summary of Action	Date of Action
Discussion	Provided an opportunity for the Finance Committee to concur and give directions for scope and budget revisions to the Kirkland Transit Enhancement Project.	7/17/03
M2002-134	Authorized the Executive Director to execute a project level agreement with the Washington State Department of Transportation for the completion of final design and preparation of plans, specifications, and estimates for the Kirkland HOV Direct Access Ramp Project.	12/5/02
R2001-07	Revised Sound Move to substitute transit enhancement improvements along ST Express Route 540 for a second direct access ramp in Kirkland and to reallocate \$20,000,000 (YOES) to this project from the Kirkland I-405 HOV Direct Access Project. WHEREAS, the project team recommended the design and construction of one new direct access interchange at NE 128 <sup>th</sup> Street in north Kirkland and determined that building a second direct access ramp in central Kirkland would provide limited benefits to transit riders at significant costs.	6/14/01
M2000-111	Authorized the Executive Director to execute Task Order 1A (GCA 1234) with the Washington State Department of Transportation for agency project services toward completion of the design file for the Sound Transit Kirkland Direct Access Ramp Project.	11/16/00
M98-87	A Motion accepting the findings of the HOV/TSM (High Occupancy Vehicle/Transportation System Management) Committee and directing Sound Transit to proceed with implementation of the HOV direct access program.	12/10/98
R98-12	Authorized the Executive Director to execute a Master Agreement for Civil Support Services with Washington State Department of Transportation (WSDOT) covering projects within the geographic areas of Federal Way, Mercer Island, Kirkland, and Lynnwood.	4/9/98
R98-11	Authorized contracts for preliminary engineering and environmental documentation to Sverdrup Civil, Inc., Dames and Moore, David Evans and Associates, Inc., and INCA Engineers.	4/9/98

The Totem Lake Freeway Station Project is one of several Sound Move projects in the Kirkland area. The other projects include the Totem Lake Transit Center, 85th Corridor/Related Improvements, and the Downtown Kirkland Transit Center. The Totem Lake Freeway Station Project will connect NE 128th Street across I-405 and provide direct access to and from the north and southbound HOV lanes on I-405. It will serve the Totem Lake area of Kirkland including the Kingsgate Park-and-Ride Lot and the proposed Totem Lake Transit Center to be located on the Evergreen Hospital campus. The project will provide fast, reliable connections to ST Express and Metro buses. The project also includes a pedestrian walkway connecting the

Kingsgate Park-and-Ride Lot with the new freeway transit stations located on the direct access ramps.

An Environmental Assessment (EA) was prepared for the Totem Lake Freeway Station and Totem Lake Transit Center Projects in compliance with the National Environmental Policy Act (NEPA). The EA was issued in May 2002 and the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) issued a Finding of No Significant Impact (FONSI) on November 13, 2002. The EA and FONSI were adopted under SEPA and the Determination of Non-Significant Impact (DNS) was issued on November 13, 2002.

The City of Kirkland desires to add additional general purpose traffic capacity in the vicinity of the Totem Lake Freeway Station Project by increasing the number of lanes on NE 128th Street between 116th Avenue NE and Totem Lake Boulevard from four to six and by widening NE 128th Street between Totem Lake Boulevard and 120th Avenue NE from two to four lanes to accommodate general purpose use of the new NE 128th Street bridge structure. The City of Kirkland also desires to complete the pedestrian walkway system along the east side of 116th Avenue NE from the existing sidewalk, adjacent to the McDonalds restaurant, to NE 128th Street. This completion is for the City's benefit and will consist of a boardwalk across the McDonalds Wetland and a sidewalk, all to be constructed as part of the Totem Lake Freeway Station Project. These general purpose improvements will provide a more direct link for commuters to the Kingsgate Park-and-Ride Lot and the Totem Lake Transit Center, proposed for future construction by Sound Transit.

Sound Transit is willing to administer the construction of these general purpose improvements at the same time with the Totem Lake Freeway Station Project in order to achieve efficient construction and construction management of the project and general purpose improvements. The City of Kirkland is willing to reimburse Sound Transit for the actual costs of design, right-of-way acquisition, and construction attributable to the City Funded Improvements.

A Project Management Team (PMT) was established for the Totem Lake Freeway Station Project to assist staff in making project decisions. The PMT is comprised of technical staff from Sound Transit, WSDOT, City of Kirkland, and King County Metro. The PMT reviewed the general purpose component of this project and recommended that these changes be incorporated into the project since they provide an overall benefit to the community.

### **CONSEQUENCES OF DELAY**

A delay in authorizing the Intergovernmental Agreement will put award of a construction contract for the Totem Lake Freeway Station project at risk. The construction contract was advertised on February 28, 2005.

## **PUBLIC INVOLVEMENT**

Sound Transit and its project partners (City of Kirkland, WSDOT, and King County Metro) have hosted five public open houses to present ideas about the proposed transit improvements in the Kirkland area. Overall feedback from the open houses has been positive.

In addition, information about the Totem Lake Freeway Station Project has been included in the Kirkland project newsletters and is included on the Sound Transit web site. The public is encouraged to call or email Sound Transit staff at any stage of the project to request information or to provide comments.

## **LEGAL REVIEW**

JW 3/2/05

**SOUND TRANSIT**

**MOTION NO. M2005-30**

A motion of the Finance Committee of the Central Puget Sound Regional Transit Authority authorizing the Chief Executive Officer to execute an Intergovernmental Agreement to accept funding from the City of Kirkland in the amount of \$1,718,984 for improvements requested by the City that include widening the new NE 128th Street crossing over I-405 to accommodate general purpose traffic, architectural treatment enhancements, and other related improvements beneficial to the City of Kirkland in concert with implementation of Sound Transit's Totem Lake Freeway Station Project.

**Background:**

The Totem Lake Freeway Station Project is one of several Sound Move projects in the Kirkland area. The other projects include the Totem Lake Transit Center, 85th Corridor/Related Improvements, and the Downtown Kirkland Transit Center. The Totem Lake Freeway Station Project will connect NE 128th Street across I-405 and provide direct access to and from the north and southbound HOV lanes on I-405. It will serve the Totem Lake area of Kirkland including the Kingsgate Park-and-Ride Lot and the proposed Totem Lake Transit Center to be located on the Evergreen Hospital campus. The project will provide fast, reliable connections to ST Express and Metro buses. The project also includes a pedestrian walkway connecting the Kingsgate Park-and-Ride Lot with the new freeway transit stations located on the direct access ramps.

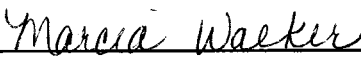
**Motion:**

It is hereby moved by the Finance Committee of the Central Puget Sound Regional Transit Authority that the Chief Executive Officer is authorized to execute an Intergovernmental Agreement to accept funding from the City of Kirkland in the amount of \$1,718,984 for improvements requested by the City that include widening the new NE 128th Street crossing over I-405 to accommodate general purpose traffic, architectural treatment enhancements, and other related improvements beneficial to the City of Kirkland in concert with implementation of Sound Transit's Totem Lake Freeway Station Project.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on March 17, 2005.

  
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Kevin R. Phelps  
Finance Committee Chair

ATTEST:

  
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Marcia Walker  
Board Administrator