

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2006-41

**Transit Center Easement Purchase and Reimbursement Agreement
for the Totem Lake Transit Center**

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	05/18/06	Discussion/Possible Action to Recommend Board Approval	Phil O'Dell, Director Project Delivery Support	(206) 398-5013
Board	05/25/06	Discussion/Possible Action	James Staudinger, Real Estate Manager Paul Cornish, Project Manager	(206) 398-5026 (206) 398-5342

Contract/Agreement Type:	✓	Requested Action:	✓
Competitive Procurement		Execute New Contract/Agreement	✓
Sole Source		Amend Existing Contract/Agreement	
Agreement with Other Jurisdiction(s)	✓	Budget Amendment	
Real Estate	✓	Property Acquisition	

PROJECT NAME

Totem Lake Transit Center/Evergreen Medical Center

PROPOSED ACTION

Authorizes the Chief Executive Officer to execute a Transit Center Easement Purchase and Reimbursement Agreement with King County Hospital District No. 2 (Evergreen Healthcare) regarding the development and maintenance of the Totem Lake Transit Center at Evergreen Hospital.

KEY FEATURES of PROPOSED ACTION

- This action defines a scope of work for the construction and acquisition of property rights for the Totem Lake Transit Center/Evergreen Medical Center project in Kirkland.
- The agreement covers four key aspects of the project: capital cost; right-of-way acquisition; operations and facility maintenance; and mid-life replacement of various transit improvements.
 - Capital Cost. The purchase price is \$4,043,578.
 - Right of Way Acquisition. The agreement provides for a 40-year easement. Sound Transit will pay Evergreen Healthcare a lump-sum payment of \$400,000 upfront for the easement.

- Operation & Maintenance. Evergreen Healthcare shall be required to provide maintenance for the facility. Sound Transit shall be responsible for reimbursing Evergreen Healthcare's maintenance expenses up to \$29,000/year; with annual increases based on the Consumer Price Index for All Urban Consumers (CPI).
 - Replacement/Improvements. There is a provision for capital expenditures by Sound Transit in 20 years for replacement of the transit canopies and the seat wall estimated at \$531,285.
- Easement rights are to be granted to Sound Transit under the following conditions:
 - It will have a duration of 40 years.
 - It may be assigned to other transit agencies.
 - It will include transit bays, seating areas, weather protection, signage and a driver comfort station.

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 and FINANCIAL PLAN DISCUSSION

The Board-adopted budget for this project is \$7,743,331. The proposed action is to execute a Transit Center Easement Purchase and Reimbursement Agreement with King County Hospital District No. 2 (Evergreen Healthcare) regarding the development of the Totem Lake Transit Center/Evergreen Medical Center project.

The Right of Way (ROW) phase Board adopted budget is \$728,239. The proposed action calls for the purchase of a 40-year easement in the amount of \$400,000, resulting in a phase level balance of \$270,525.

The Construction phase Board adopted budget is \$4,559,052. The proposed action is to reimburse Evergreen Healthcare in the amount of \$4,043,578, resulting in a construction phase balance of \$506,720.

The project balance after this action will be \$1,713,925.

The proposed action also calls for the payment of annual maintenance costs for a period of 40 years following completion of the project. In addition, the proposed action contains a mid-life capital component to replace the transit canopies and seat wall after 20 years. The annual maintenance and mid life replacement costs will be included in the appropriate future year Transportation Services budgets.

There are sufficient funds to complete this action. Committing these funds will not endanger any other project elements that are to be funded out of the overall project.

BUDGET TABLE

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

Action Item: Execute an Agreement with King County Hospital District No. 2 for the Totem Lake Transit Center/Evergreen Medical Center project (#328).

	2006 Board Adopted Budget ¹ (A)	Committed To Date ² (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
1 Agency Administration	\$ 702	\$ 702	\$ -	\$ 702	\$ -
2 Preliminary Engineering	\$ 511	\$ 625	\$ -	\$ 625	\$ (115)
3 Final Design	\$ 275	\$ 192	\$ -	\$ 192	\$ 83
4 Right of Way	\$ 728	\$ 58	\$ 400	\$ 458	\$ 271
5 Construction	\$ 4,559	\$ 9	\$ 4,044	\$ 4,052	\$ 507
6 Contingency	\$ 968	\$ -	\$ -	\$ -	\$ 968
7 Total Current Budget	\$ 7,743	\$ 1,586	\$ 4,444	\$ 6,029	\$ 1,714
Phase Budget Detail					
8 ROW	\$ 728	\$ 58	\$ 400	\$ 458	\$ 271
9 Total Phase	\$ 728	\$ 58	\$ 400	\$ 458	\$ 271
Phase Budget Detail					
10 Construction	\$ 4,559	\$ 9	\$ 4,044	\$ 4,052	\$ 507
11 Total Phase	\$ 4,559	\$ 9	\$ 4,044	\$ 4,052	\$ 507
Contract Budget					
	Current Approved Contract Value (F)	Spent to Date (G)	Proposed ROW Action (H)	Proposed Construction Action (H)	Proposed Total Contract Value (I)
12 KC Hospital District No. 2	\$ -	\$ -	\$ 400	\$ 4,044	\$ 4,444
13 Contingency	-	-	-	-	-
14 Total	-	-	400	4,044	4,444
15 Percent Contingency			0%	0%	0%
Budget Shortfall ³					
	Level	Shortfall Amt (J)	Potential Funds (K)	Funding Source (L)	
16 Preliminary Engineering		\$ (115)	\$ 115	Project Contingency	
17 Total		\$ (115)	\$ 115		

Notes:

¹ Project budget is located on page 142 of the Adopted 2006 budget book.

² Committed to-date amount includes actual outlays and commitments through April 20, 2006.

³ There is a budget shortfall in Preliminary Engineering of \$115K, there are sufficient project contingency funds to cover the shortfall.

M/W/DBE – SMALL BUSINESS PARTICIPATION

King County Public Health District No. 2 (Evergreen Healthcare) does not have a small business participation program. They will follow their procurement guidelines and procure a construction contractor.

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

The Totem Lake Transit Center at Evergreen Hospital in Kirkland includes six transit bays on the ground floor of the medical office building on the Evergreen Campus, with seating areas for passengers and overhead canopies. The transit center will be served by King County Metro. Sound Transit and King County Metro are negotiating the transfer of the easement.

The Transit Center will be located on a circular driveway surrounding the building at grade level with connections at each end to 128th Ave NE.

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. The EA was issued May 2002 and the Federal Highway Administration and Federal Transit Administration issued a Finding of No Impact (FONSI) on November 13, 2002. The EA and FONSI were adopted under the Washington State Environmental Policy Act and the Determination of Non-Significant Impact was issued on November 13, 2003.

Prior Board/Committee Actions on this Project and Relevant Board Policies

Motion or Resolution Number	Summary of Action	Date of Action
Discussion Item	Totem Lake Transit Center Easement Purchase and Reimbursement Agreement with King County Public Health Hospital District No. 2.	10/6/05
Discussion Item	Totem Lake Transit Center Development Agreement between Sound Transit and Evergreen Healthcare.	6/5/03

CONSEQUENCES of DELAY

A two-week delay would not create adverse impacts on this project.

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.

ENVIRONMENTAL COMPLIANCE

SK 4/25/06

LEGAL REVIEW

JW 5/12/06

SOUND TRANSIT

MOTION NO. M2006-41

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the Chief Executive Officer to execute a Transit Center Easement Purchase and Reimbursement Agreement with King County Hospital District No. 2 (Evergreen Healthcare) regarding the development and maintenance of the Totem Lake Transit Center at Evergreen Hospital.

Background:

The Totem Lake Transit Center at Evergreen Hospital in Kirkland includes six transit bays on the ground floor of the medical office building on the Evergreen Campus, with seating areas for passengers and overhead canopies. The transit center will be served by King County Metro. Sound Transit and King County Metro are negotiating the transfer of the easement.

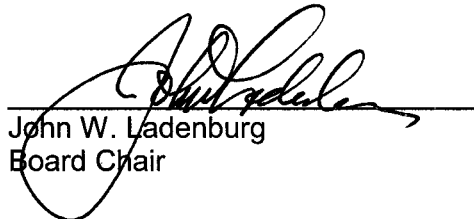
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Motion:

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the Chief Executive Officer is authorized to execute a Transit Center Easement Purchase and Reimbursement Agreement with King County Hospital District No. 2 (Evergreen Healthcare) regarding the development and maintenance of the Totem Lake Transit Center at Evergreen Hospital.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on May 25, 2006.


John W. Ladenburg
Board Chair

ATTEST:


Marcia Walker
Board Administrator