

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2007-37

**University Link Supplement to Memorandum of Agreement
between Sound Transit and the City of Seattle**

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	3/1/07	Discussion/Possible Action to Recommend Board Approval Action	Ahmad Fazel, Link Executive Director	(206) 398-5389
Board	3/8/07		John Harrison, University Link Project Director	(206) 398-5309
			Ron Endlich, University Link Deputy Project Director	(206) 398-5141

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

University Link – Pine Street Stub Tunnel to University of Washington Station

PROPOSED ACTION

Authorizes the chief executive officer to execute the University Link Supplement to the Memorandum of Agreement with the City of Seattle to reimburse the City for project-related services in support of University Link final design work in the amount of \$1,979,401 with a 10% contingency of \$197,940, for a total authorized agreement amount not to exceed \$2,177,341.

KEY FEATURES of PROPOSED ACTION

- This is the sixth supplement to the MOA with the City of Seattle (City) referred to as the "University Link Supplement".
- Under this agreement, Sound Transit would reimburse the City for certain project-related expenses associated with University Link final design work.
- The work to be performed under this agreement is expected to be completed by the end of 2008.
- The scope of the supplement covers services to be provided by the City in four primary areas:

Program and Project Management

- Seattle Department of Transportation (SDOT) will provide the City's core team management for University Link design review and will provide management, oversight, and coordination of project-related City activities to help ensure services are provided in an efficient and effective manner.

Design Review

- The City will provide project final design submittal review activities including pre-submittal reviews, identifying and resolving conflicting City comments, and preparing and delivering one set of internally consistent and coordinated City comments to Sound Transit for each submittal.
- City design review activities support the issuance of the overarching Project Construction Permits and will involve the SDOT, Seattle Public Utilities (SPU), the Seattle Fire Department (SFD), the Seattle Police Department (SPD), and consultants retained by the City.

Department of Planning and Development (DPD) Services

- DPD permits will be required for some elements of the project. DPD will provide Sound Transit with expedited Master Use, Building, and other permit processing and assist with permit submittals to ensure applications are complete. DPD will provide a timely review of all submittals for compliance with all applicable current City codes. DPD will facilitate resolution of permit issues with other City departments as needed.

Seattle City Light (SCL) Design Review and System Engineering Services

- Sound Transit and the City jointly recognize the need to evaluate SCL infrastructure and the ability to provide adequate utility service during the construction and operation of University Link. Under this task, SCL's project manager will manage the planning, design review, and cost estimating of electrical transmission and distribution system relocations along the project alignment; and coordinate services among SCL's three service centers, power stations, and systems planning office, various City departments, and Sound Transit to efficiently and safely design and construct necessary improvements in support of the Project.

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 proposed action authorizes execution of the University Link Supplement to the Memorandum of Agreement (MOA) with the City to reimburse the City for project-related services in support of University Link final design work in the amount of \$1,979,401, with a 10% contingency of \$197,940, for a total authorized agreement amount not to exceed \$2,177,341.

The total current adopted budget for University Link is \$1.514 billion. Within that amount, \$19.73 million has been set aside for reimbursement of services provided by outside agencies within the third party phase. When added to current commitments, the proposed action would increase the total commitment for the City to \$2,412,737, and total commitments for third parties to \$2,957,107, leaving a remaining budget balance of \$16.78 million for this phase.

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 impact on Sound Transit.

BUDGET TABLE

Action Item: City of Seattle (reimburse the City for project-related services in support of final design for the University Link - PSST to UW Station project)

(Year of Expenditure \$000)

University Link		Adopted 2007 Budget (A)	Committed To Date (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
1	Agency Administration	87,532	8,768		8,768	78,764
2	Preliminary Engineering	24,476	24,872		24,872	(396)
3	Final Design	74,635	50,345		50,345	24,290
4	Right of Way	135,261	40,401		40,401	94,860
5	Construction	972,140	-		-	972,140
6	Construction Services	57,911	-		-	57,911
7	Third Party Agreements	19,733	780	2,177	2,957	16,776
8	Vehicles	142,320	-		-	142,320
9	Total Current Budget	1,514,008	125,165	2,177	127,343	1,386,665
Third Party Phase						
10	City of Seattle	-	235	2,177	2,413	(included below)
11	Third Party Agreements	19,733	544		544	16,776
12	Total Phase	19,733	780	2,177	2,957	16,776
Contract Amount						
MOA with the City of Seattle		Board Approvals to Date (F)	Current Approved Contract Value (G)	Proposed Action (H)	Proposed Total for Board Approval (I)	Proposed Contract Value (J)
13	Contract Amount	-	-	1,979	1,979	1,979
14	Contingency	-	-	198	198	198
15	Total	-	-	2,177	2,177	2,177
16	Percent Contingency	0%	0%	10%	10%	10%

(B) COMMITTED TO DATE amounts are from Agency WBS Report as of January 2007 + approved and pending board actions not recorded as of 1/31/07, or submitted after that date.

SMALL BUSINESS PARTICIPATION

City staff will perform the work tasks conducted under this agreement. Any procurement of services by the City will be done consistent with the City's M/W/DBE – Small Business Participation Program.

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

On April 20, 1998, the City and Sound Transit entered into a Memorandum of Agreement for Intergovernmental Cooperation.

Since then, five supplements to that original agreement have been adopted by the Sound Transit Board and the City to cover project-related services performed by the City. These supplements primarily covered design and construction activities for the Initial Segment. However, the Fourth Supplement, adopted in April 2002, included \$50,000 for City assistance in support of the North Link conceptual engineering and Draft Supplemental Environmental Impact Statement (SEIS) effort. An amendment to the Fifth Supplement adopted in October 2004,

reimbursed the City for project-related services in support of North Link preliminary engineering and Final Supplemental Environmental Impact Statement work in the amount of \$238,400 (plus 10% contingency).

Preliminary Engineering for University Link was completed in spring 2006. The North Link Final SEIS was published on April 7, 2006, which informed the Board's final decision on the North Link project to be built, including route, station locations, project phasing, and financing. On April 27, 2006, the Sound Transit Board adopted Resolution No. R2006-07 which selected the University Link project to be advanced to final design and property acquisition followed by construction and operation. The University Link project is a 3.15-mile extension of the Initial Segment of light rail in twin-bored tunnels with two cut-and-cover stations connecting downtown Seattle with Capitol Hill and the University of Washington campus.

Sound Transit transmitted a request for final design approval to the FTA in May 2006. The Record of Decision (ROD) for North Link was issued by the FTA in June 2006, completing the environmental review process. The FTA gave final design approval for University Link in December 2006. A contract with Northlink Transit Partners, JV was executed for University Link final design in November 2006 and work began in December 2006.

Final design for University Link is expected to be completed by the end of 2008, with initial construction activities beginning in late 2008. Under this University Link Supplement, Sound Transit would reimburse the City for certain project-related expenses associated with University Link final design work managed by work tasks.

The University Link Supplement covers services to be provided by the City in four primary areas including program and project management, utility engineering, design review, and permitting.

Under this agreement, Sound Transit shall submit to the City its project designs, plans, and specification for City review in connection with the implementation of the project. The City shall provide timely reviews as necessary for the issuance of permits and approvals by the City.

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

Motion/Resolution Number and Date	Summary of Action
R2006-07 4/27/06	(1) Selected the final route, profile, and station locations for the North Link Light Rail Project; (2) selected the University Link portion of North Link to be constructed and operated as part of the Central Link Light Rail Project, including authorizing the steps necessary to complete final design and implementation of the University Link Project including securing a federal Full Funding Grant Agreement; (3) increased the University Link lifetime Adopted 2006 Budget and revising the annual Adopted 2006 Budget; and (4) for planning purposes reduced the minimum debt service coverage for the North King County subarea to 1.15x for the University Link Finance Plan.
R2004-08 5/20/04	Identified the preferred route, profiles, and station locations for the North Link Light Rail Project.
M2004-101 10/28/04	Executed an amendment to the Fifth Supplement to the Memorandum of Agreement with the City of Seattle reimbursing the City for project-related services in support of North Link preliminary engineering and Final Supplemental Environmental Impact Statement work in the amount of \$238,400, with a 10% contingency of \$23,840, for an amount of \$262,240, and

	a revised total amount of the Fifth Supplement not to exceed \$1,608,864.
M2003-89 9/25/03	Executed the Fifth Supplement to the Memorandum of Agreement with the City of Seattle in the amount of \$1,224,204 with a 10% contingency of \$122,420 for a total estimated amount of \$1,346,624, and a revised total of the Memorandum of Agreement not to exceed \$15,099,309.
M2003-41 4/24/03	Executed an amendment to the Fourth Supplement to the Memorandum of Agreement with the City of Seattle reimbursing the City for project-related services in support of the Central Link Light Rail project within City of Seattle's jurisdiction for a total estimated amount not to exceed \$2,138,937, and a revised total Memorandum of Agreement not to exceed \$13,752,684.
M2002-41 4/11/02	Executed the Fourth Supplement to the Memorandum of Agreement with the City of Seattle reimbursing the City for project related services in support of the Central Link Light Rail project within the City of Seattle for a total estimated amount not to exceed \$2,935,97.
M2001-41 5/10/01	Executed a Third Supplement to the Memorandum of Agreement with the City of Seattle reimbursing the City for project related expenses for the Central Link Light Rail project within City of Seattle jurisdiction for a total estimated amount not to exceed \$1,590,792.
M99-33 7/8/99	Executed a First Supplement to the April 20, 1998 Memorandum of Agreement between the City of Seattle and Sound Transit for an estimated amount of \$4,919,821.
M98-15 3/12/98	Entered into a Memorandum of Agreement with the City of Seattle.

CONSEQUENCES of DELAY

This Supplement allows for timely assistance from City staff to support Sound Transit's University Link final design effort. Delaying the approval of this Supplement could delay Sound Transit's work progress and delay the completion of final design.

PUBLIC INVOLVEMENT

Not applicable to this action.

ENVIRONMENTAL COMPLIANCE

JI 02/07/07

LEGAL REVIEW

JW 2/23/07

SOUND TRANSIT

MOTION NO. M2007-37

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute the University Link Supplement to the Memorandum of Agreement with the City of Seattle to reimburse the City for project-related services in support of University Link final design work in the amount of \$1,979,401 with a 10% contingency of \$197,940, for a total authorized agreement amount not to exceed \$2,177,341.

Background:

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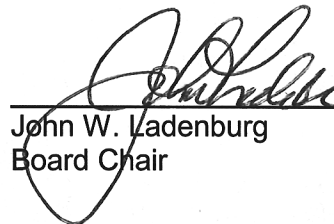
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Motion:

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute the University Link Supplement to the Memorandum of Agreement with the City of Seattle to reimburse the city for project-related services in support of University Link final design work in the amount of \$1,979,401 with a 10% contingency of \$197,940, for a total authorized agreement amount not to exceed \$2,177,341.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on March 8, 2007.



John W. Ladenburg
Board Chair

ATTEST:



Marcia Walker
Board Administrator