

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2008-13

**Intergovernmental Agreement with the City of SeaTac
for Undergrounding of Existing Utilities**

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	1/17/08	Discussion/Possible Action to Recommend Board Approval Action	Ahmad Fazel, Link Executive Director	(206) 398-5389
Board	1/24/08		Joe Gildner, Link Deputy Executive Director John Sleavin, Link Civil Engineering Manager	(206) 689-3350 (206) 398-5150

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

Central Link Light Rail Initial Segment

PROPOSED ACTION

Authorizes the chief executive officer to execute an intergovernmental agreement with the City of SeaTac which authorizes Sound Transit to construct on the City's behalf, underground ducts, vaults and appurtenances in the vicinity of the Tukwila International Boulevard Station, to support the City's conversion of existing overhead utility wires to underground facilities and other improvements at the City's expense.

KEY FEATURES of PROPOSED ACTION

- This proposed intergovernmental agreement between the City of SeaTac (City) and Sound Transit provides for the construction of underground electrical distribution facilities along International Boulevard in the vicinity of the Tukwila International Boulevard Station as part of the Link C759 contract. The proposed facilities are beyond the required limits of the Link project as permitted by the City of SeaTac.
- The City has provided all design drawings and specifications for inclusion in the C759 contract documents at its own expense. The agreement provides for Sound Transit to construct on the City's behalf, underground ducts, vaults and appurtenances for Seattle City Light and Qwest. The scope also includes street lighting systems for the City and associated sidewalk and pavement restoration as needed, for which Sound Transit will be reimbursed by the City.

- This agreement provides that the City will fully reimburse Sound Transit's actual costs, expenses, and management fees related to this work. The basis of payment for reimbursement of Sound Transit's construction costs will be calculated from bid unit prices and actual field measured quantities. The agreement also provides that the City will pay Sound Transit 10% of the actual construction cost of the City's facilities to cover Sound Transit's construction management costs.
- The City will make its own separate arrangements to contract directly with Seattle City Light and Qwest to relocate their existing overhead lines into the underground facilities constructed by Sound Transit and to remove the existing poles.
- The City of SeaTac remains responsible for the environmental review and permits related to the work they have requested.

BUDGET IMPACT SUMMARY

Current Project Phase: Construction
 Projected Completion Date: 2009

Action Outside of Adopted Budget:	✓	Comments on Checked Items
This Project		
This Phase		
This Task		
Budget Amendment Required		

Key Financial Indicators:	✓	Comments on Checked Items
Contingency Funds Required		
Funding required from other parties (other than what is in financial plan)	✓	Proposed action is for betterment work for which Sound Transit will be fully reimbursed by the City of SeaTac.

Not checked = action is assumed in current Board-adopted budget. No budget action or adjustment to financial plan required.

BUDGET and FINANCIAL PLAN DISCUSSION

The proposed action is for betterment work that has been requested by the City of SeaTac in the vicinity of the Tukwila Freeway segment within the Initial Segment project, at the C759 Southcenter Boulevard Improvements site. This betterment work will be separately tracked and invoiced, and will be fully reimbursed by the City of SeaTac. Approximately \$741,711 has been estimated for construction of City facilities at the site to be performed by Sound Transit's C759 Construction Contractor. In addition, the City has agreed to reimburse Sound Transit for construction management costs in an amount equal to 10% of the actual costs to construct these City facilities.

The proposed action is outside the scope of the current board-adopted budget, the agency's long-term finance plan, and subarea financial capacity. It will have no revenue impact on Sound Transit.

BUDGET TABLE

Not applicable to this action.

SMALL BUSINESS PARTICIPATION

Not applicable to this action.

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

On February 16, 2006 Sound Transit executed a Development and Transitway Agreement with the City of SeaTac for the Airport Link Project of Central Link Light Rail, specifying the terms and conditions for development of the Airport Link Project between the Tukwila International Boulevard Station and the SeaTac/Airport Station. Subsequently, during the design development of the C759 contract for the Central Link Initial Segment, the City of SeaTac requested that Sound Transit underground a short section of existing overhead lines along International Boulevard, in order to complete their plan to bury all utilities along International Boulevard within their city limits. The limits of the existing utilities that the City requested to be undergrounded were along the east side of International Boulevard from the northerly edge of the driveway into the supplemental parking lot for the Tukwila International Boulevard Station, running north to South 152nd Street. Sound Transit agreed to include this scope in the C759 contract with all of Sound Transit's costs to be reimbursed at the City's expense. Because the City's request was essentially not related to the Link light rail project, Sound Transit legal staff recommended that the proposed undergrounding agreement not be added to the previous Development and Transitway Agreement between the City and Sound Transit, and that a separate intergovernmental agreement be prepared and executed to provide for the reimbursement process. The proposed intergovernmental agreement will require approval from both the SeaTac City Council and the Sound Transit Board.

The City provided all design drawings and specifications for inclusion in the C759 bid documents. After the low bid from SCI Infrastructure was evaluated by Sound Transit and determined to be responsive and responsible, the City was provided with a breakdown of the bid price for the City's portion of the contract scope. The City staff reviewed the bid and recommended acceptance for the City's portion of the work. The City's portion of the total bid price is calculated to be \$741,711 based on estimated quantities in the bid form and the bid unit prices. The proposed agreement will provide for the City's reimbursement of construction costs to be based on actual field measured quantities and may vary from that amount.

The intergovernmental agreement will also provide that the City pay Sound Transit 10% of the actual construction cost of the City's facilities to cover Sound Transit's construction management costs.

Construction of this project will be expected to begin in February 2008 and completed by June 2009. The City will make its own separate arrangements to contract directly with Seattle City Light and Qwest to relocate their existing overhead lines into the underground facilities constructed by Sound Transit and to remove the existing poles.

Prior Board/Committee Actions

Motion/Resolution Number and Date	Summary of Action
M2006-12 1/26/06	Authorized the Chief Executive Officer to execute a Development and Transitway Agreement with the City of SeaTac for the Airport Link Project of Central Link Light Rail, specifying the terms and conditions for development of the Airport Link Project between the Tukwila International Boulevard Station and the SeaTac/Airport Station and establishing the use of City of SeaTac street right-of-way, and to execute all other subsequent agreements with the City of SeaTac as may be necessary to implement this agreement for a total authorized expenditure not to exceed \$7,416,808.

CONSEQUENCES of DELAY

If this action is delayed beyond the expected Notice to Proceed for the C759 contract in February 2008, Sound Transit will need to direct the contractor not to perform any of the City of SeaTac's scope of work until the action is approved and the agreement is executed. If this action is not approved, Sound Transit will delete the City of SeaTac's scope of work from the C759 contract by change order.

PUBLIC INVOLVEMENT

Not applicable to this action.

ENVIRONMENTAL COMPLIANCE

Jl, 01/09/08

LEGAL REVIEW

JW 1/9/08

SOUND TRANSIT

MOTION NO. M2008-13

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute an intergovernmental agreement with the City of SeaTac which authorizes Sound Transit to construct on the City's behalf, underground ducts, vaults and appurtenances in the vicinity of the Tukwila International Boulevard Station, to support the City's conversion of existing overhead utility wires to underground facilities and other improvements at the City's expense.

Background:

On February 16, 2006 Sound Transit executed a Development and Transitway Agreement with the City of SeaTac for the Airport Link Project of Central Link Light Rail, specifying the terms and conditions for development of the Airport Link Project between the Tukwila International Boulevard Station and the SeaTac/Airport Station. Subsequently, during the design development of the C759 contract for the Central Link Initial Segment, the City of SeaTac requested that Sound Transit underground a short section of existing overhead lines along International Boulevard, in order to complete their plan to bury all utilities along International Boulevard within their city limits. The limits of the existing utilities that the City requested to be undergrounded were along the east side of International Boulevard from the northerly edge of the driveway into the supplemental parking lot for the Tukwila International Boulevard Station, running north to South 152nd Street. Sound Transit agreed to include this scope in the C759 contract with all of Sound Transit's costs to be reimbursed at the City's expense. Because the City's request was essentially not related to the Link light rail project, Sound Transit legal staff recommended that the proposed undergrounding agreement not be added to the previous Development and Transitway Agreement between the City and Sound Transit, and that a separate intergovernmental agreement be prepared and executed to provide for the reimbursement process. The proposed intergovernmental agreement will require approval from both the SeaTac City Council and the Sound Transit Board.

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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 an intergovernmental agreement with the City of SeaTac which authorizes Sound Transit to construct on the City's behalf, underground ducts, vaults and appurtenances in the vicinity of the Tukwila International Boulevard Station, to support the City's conversion of existing overhead utility wires to underground facilities and other improvements at the City's expense.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on January 24, 2008.



Aaron Reardon
Board Vice-Chair

ATTEST:



Marcia Walker
Board Administrator