

**SOUND TRANSIT  
STAFF REPORT**

**MOTION NO. M2008-91**

**Agreement with the City of Newcastle for the Newcastle Transit Center Project**

<b>Meeting:</b>	<b>Date:</b>	<b>Type of Action:</b>	<b>Staff Contact:</b>	<b>Phone:</b>
Finance Committee	9/18/08	Discussion/Possible Action	Jim Edwards, Director, Capital Projects <b>Fred Wilhelm, Capital Projects</b>	(206) 398-5436  (206) 398-5469

<b>Contract/Agreement Type:</b>	<b>✓</b>	<b>Requested Action:</b>	<b>✓</b>
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**

Newcastle Transit Center Project

**PROPOSED ACTION**

Authorizes the chief executive officer to 1) amend the agreement with the City of Newcastle to extend the timeline for completion of the Newcastle Transit Center project from 3<sup>rd</sup> Quarter 2009 to 1<sup>st</sup> Quarter 2010 and 2) reimburse the City of Newcastle for actual costs of the final design and construction phases of the Newcastle Transit Center project (for a total project contribution of an amount not to exceed \$4 million).

**KEY FEATURES of PROPOSED ACTION**

- The proposed action maintains the overall cost sharing arrangement between the City of Newcastle and Sound Transit for the preliminary engineering/environmental documentation, final design and construction phases. Sound Transit's capped contribution to the project remains at a not to exceed amount of \$4,000,000.
- The proposed action amends the project schedule to state that construction will be completed by the end of the 2<sup>nd</sup> Quarter 2009 and project closeout will be completed by 1<sup>st</sup> Quarter 2010.
- Staff advised the Board in the staff report for Motion No. M2007-19 that it would return to the Finance Committee following completion and approval of the preliminary engineering and environmental documentation to seek authorization for reimbursement of actual costs for the final design and construction phases of the project.

## **BUDGET IMPACT SUMMARY**

Current Project Phase: Preliminary Engineering/Environmental Documentation  
Projected Completion Date: 1<sup>st</sup> Quarter 2010

Action Outside of Adopted Budget:	✓	Comments on Checked Items
This Project		
This Phase	✓	The reallocation of the \$4M between phases will result in a construction phase shortfall of \$387K, but there will now be a surplus in both PE and final design sufficient to cover this shortfall.
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)		

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 Adopted 2008 Budget for this project is \$7,222,909. The prior approved action (Motion No. M2007-19) capped Sound Transit's contribution to the City of Newcastle for preliminary engineering/environmental documentation, design and construction in the amount of \$4,000,000. The phase level budgets estimated at that time were \$250,000 for preliminary engineering/environmental documentation, \$750,000 for final design and \$3,000,000 for construction. The Proposed 2009 Budget reflects these amounts.

Saff has further defined the cost sharing of the project. While there is no change to Sound Transit's total commitment, there is a change to the phase level commitments. The new commitments are \$226,373 for preliminary engineering/environmental documentation, \$386,732 for final design and \$3,386,895 for construction. The change in commitments is reflected in the Budget table section of this report.

The phase reallocation of the \$4 million will result in a construction phase shortfall of \$387,000 and a surplus in preliminary engineering/environmental documentation and final design totaling \$389,000. The Proposed 2009 Budget will reflect these changes.

## **BUDGET TABLE**

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

Project: 330 - Newcastle Transit Center/SE 70th

	2008 Adopted Budget <sup>1</sup> (A)	Committed To Date <sup>2</sup> (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) <sup>3</sup> (E)
1 Agency Administration	\$ 390	\$ 363	\$ -	\$ 363	\$ 27
2 Preliminary Engineering	\$ 427	\$ 401	\$ -	\$ 401	\$ 26
3 Final Design	\$ 755	\$ 392	\$ -	\$ 392	\$ 363
4 Right of Way	\$ -	\$ -	\$ -	\$ -	\$ -
5 Construction	\$ 3,000	\$ 3,387	\$ -	\$ 3,387	\$ (387)
6 Contingency	\$ 2,650	\$ -	\$ -	\$ -	\$ 2,650
7 Total Current Budget	\$ 7,223	\$ 4,544	\$ -	\$ 4,544	\$ 2,679

Contract Budget	Current Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
8 City of Newcastle	\$ 4,000	\$ 613		\$ 4,000
9 Contingency				\$ -
10 Total	\$ 4,000	\$ 613	\$ -	\$ 4,000
11 Percent Contingency	0%	0%	0%	0%

Budget Shortfall <sup>3</sup> Level	Shortfall Amt (J)	Potential Funds (K)	Funding Source (L)
12 Construction	\$ (387)	\$ 389	PE and Final Design
13 Total	\$ (387)	\$ 389	

### **Notes:**

<sup>1</sup> Project budget is located on page 163 of the Adopted 2008 Budget book. The 2008 Budget was adopted by the Board on November 29, 2007.

<sup>2</sup> Committed to date amount includes actual outlays and commitments based on actual costs through July 31, 2008.

<sup>3</sup> The phase level shortfall will be covered by reallocating project funds to align phase budget amounts with project phase activity.

## **SMALL BUSINESS PARTICIPATION**

The City of Newcastle will be the lead agency for the project and will follow its established small business/DBE business participation requirements.

## **EEO COMMITMENT**

The City of Newcastle will be the lead agency for the project and will follow its established EEO requirements.

## **PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION**

The City of Newcastle, Sound Transit, and King County Metro have worked for several years to determine an appropriate location and level of investment for a transit center in Newcastle. In October 2003, a site selection study concluded that a transit center should be located at SE 70<sup>th</sup> Street and 132<sup>nd</sup> Place SE, keeping with the City's long term goal of expanding its city center core. The 30% design for a transit center at this location was completed in 2005. Subsequently, the City of Newcastle determined that the proposed transit center at SE 70<sup>th</sup> Street and 132<sup>nd</sup> Place SE was not in keeping with the existing and near term development

plans in the City's existing core area, south of SE 70<sup>th</sup> Street. The decision by the City not to locate the transit center in the existing core area was prompted by discussions between the City of Newcastle and the King County Library System to co-locate a number of public and private facilities, including a re-located Sound Transit facility, on property in and around the current city hall facility. Although the negotiations between the City of Newcastle and King County Library System eventually failed, the City of Newcastle and Sound Transit agreed on the current proposal which places the transit facility at Newcastle Way and Coal Creek Parkway - the City's busiest and most visible intersection.

As a result, the City of Newcastle, Sound Transit and King County Metro identified improvements that will support transit service in the core area on two major transit corridors in the City (Newcastle Way and Coal Creek Parkway). In February 2007, the Board authorized the chief executive officer to enter into an agreement with the City of Newcastle to provide \$4,000,000 in a capped contribution toward the construction of:

- Four new bus shelters, with the accommodation of three additional bus shelters in the future;
- Intersection improvements at Coal Creek Parkway and Newcastle Way, including reconstruction of sidewalks and driveways to be ADA compliant and pedestrian islands;
- Bike lanes along the Newcastle Way corridor between 129<sup>th</sup> Avenue SE and 132<sup>nd</sup> Avenue SE;
- Relocation and modification of the signal system at Newcastle Way and Coal Creek Parkway; and
- Approximately 850 linear feet of 12-foot wide sidewalks along the north and south sides of Newcastle Way between 129<sup>th</sup> Avenue SE and 132<sup>nd</sup> Avenue SE.

These improvements will provide a benefit to transit by improving local access for the City of Newcastle residents to King County Metro service and, as a result, to Sound Transit's regional service. The transit center will be owned and maintained by the City of Newcastle.

Staff advised that it would return to the Finance Committee following completion and approval of the preliminary engineering and environmental documentation to seek authorization for reimbursement of actual costs for the remaining phases (final design and construction) of the project.

Sound Transit and the City of Newcastle are co-lead agencies. The City of Newcastle is the nominal lead agency under SEPA as per WAC 197-11-944. The City issued a Determination of Nonsignificance (DNS) under WAC 197-11-340(2) on June 10, 2008. The SEPA appeal period ended on July 22, 2008. No appeals were submitted.

Sound Transit staff has reviewed and commented on 30% designs and agrees that the project should proceed to Final Design.

## **Prior Board/Committee Actions**

<b>Motion/Resolution Number and Date</b>	<b>Summary of Action</b>
M2007-19 2/1/07	Authorizes the Chief Executive Officer to execute and agreement with the City of Newcastle to provide funding for design and construction of Newcastle Transit Center improvements in an amount not to exceed \$4,000,000.
M2004-49 4/1/07	Authorized Chief Executive Officer to execute a contract with KPFF, Inc. to complete Preliminary Engineering/Environmental Documentation (PE/ED).

## **CONSEQUENCES of DELAY**

A two week delay in Finance Committee action would not negatively impact this project.

## **PUBLIC INVOLVEMENT**

The City of Newcastle is leading public involvement for this project.

## **ENVIRONMENTAL COMPLIANCE**

SSK 8-28-08

## **LEGAL REVIEW**

JW 9/8/08

## **SOUND TRANSIT**

### **MOTION NO. M2008-91**

A motion of the Finance Committee of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to 1) reimburse the City of Newcastle for actual costs of the final design and construction phases of the Newcastle Transit Center project and 2) amend the agreement with the City of Newcastle to extend the timeline for completion of the project from 3<sup>rd</sup> Quarter 2009 to 1<sup>st</sup> Quarter 2010.

#### **Background:**

The City of Newcastle, Sound Transit, and King County Metro have worked for several years to determine an appropriate location and level of investment for a transit center in Newcastle. In October 2003, a site selection study concluded that a transit center should be located at SE 70<sup>th</sup> Street and 132<sup>nd</sup> Place SE, keeping with the City's long term goal of expanding its city center core. The 30% design for a transit center at this location was completed in 2005.

Subsequently, the City of Newcastle determined that the proposed transit center at SE 70<sup>th</sup> Street and 132<sup>nd</sup> Place SE was not in keeping with the existing and near term development plans in the City's existing core area, south of SE 70<sup>th</sup> Street. The decision by the City not to locate the transit center in the existing core area was prompted by discussions between the City of Newcastle and the King County Library System to co-locate a number of public and private facilities, including a re-located Sound Transit facility, on property in and around the current city hall facility. Although the negotiations between the City of Newcastle and King County Library System eventually failed, the City of Newcastle and Sound Transit agreed on the current proposal which places the transit facility at Newcastle Way and Coal Creek Parkway - the City's busiest and most visible intersection.

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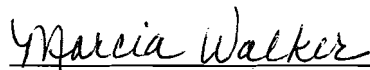
**Motion:**

It is hereby moved by the Finance Committee of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to 1) reimburse the City of Newcastle for actual costs of the final design and construction phases of the Newcastle Transit Center project and 2) amend the agreement with the City of Newcastle to extend the timeline for completion of the project from 3<sup>rd</sup> Quarter 2009 to 1<sup>st</sup> Quarter 2010.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on September 18, 2008.

  
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Fred Butler  
Finance Committee Vice-Chair

ATTEST:

  
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Marcia Walker  
Board Administrator