

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2009-49

**Agreement with King County
for the Kirkland Transit Center/3rd Street Project**

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	6/18/09	Discussion/Possible Action	Jim Edwards, Director, Capital Projects Carol Rhodes, Construction Manager Barry Alavi, Project Manager,	(206) 398-5436 (206) 398-5056 (206) 398-5433

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

Kirkland Transit Center/3rd Street Project

PROPOSED ACTION

Authorizes the chief executive officer to execute an agreement with King County to reimburse Sound Transit for costs related to construction of King County's Wastewater Treatment District utility pipeline work to be built as part of the Kirkland Transit Center/3rd Street Project.

KEY FEATURES of PROPOSED ACTION

Under the terms and conditions of the proposed agreement:

- 1) King County Wastewater Treatment District (KC WTD) agrees to reimburse Sound Transit \$450,000 for the indirect construction costs associated with incorporating KC WTD's utility pipeline work. This cost is based on the overall impact of the utility pipeline work on the Kirkland Transit Center Project schedule and related costs.
- 2) King County agrees to pay for all direct costs associated with installation of the 48" inlet piping and the 16" force main to the pump station (collectively, the "Utility Pipeline Work") located under 3rd Street at the transit center. The KC WTD utility pipeline design has been incorporated in a separate volume and bid schedule in the Kirkland Transit Center bid documents. The bid items for the utility work will be paid directly by KC WTD under this agreement.

BUDGET IMPACT SUMMARY

Current Project Phase: Final Design
Projected Completion Date: 2010

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)	✓	Impact fee of \$450K to be paid by King County.

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 2009 Budget for this project is \$13,300,000, with a construction phase budget of \$8,314,006. The proposed action is to authorize the execution of an agreement with King County which provides for the payment of a project impact fee of \$450,000 to Sound Transit for indirect construction costs associated with incorporating KC WTD's utility pipeline work into the Kirkland Transit Center/3rd Street project.

The funding in this action was not included in the current financial plan and will result in an increase to the revenue for the East King County subarea.

BUDGET TABLE

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

Project: 142 - Kirkland Transit Center

	2009 Adopted Budget ¹ (A)	Committed To Date ² (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
Agency Administration	\$ 692	\$ 692	\$ -	\$ 692	\$ -
Preliminary Engineering	\$ 1,138	\$ 1,187	\$ -	\$ 1,187	\$ (49)
Final Design	\$ 2,529	\$ 1,500	\$ -	\$ 1,500	\$ 1,028
Right of Way	\$ 628	\$ 50	\$ -	\$ 50	\$ 578
Construction	\$ 8,314	\$ 12	\$ -	\$ 12	\$ 8,302
Contingency	\$ -	\$ -	\$ -	\$ -	\$ -
Total Current Budget	\$ 13,300	\$ 3,440	\$ -	\$ 3,440	\$ 9,860

Notes:

¹ Project budget is located on page 157 of the Adopted 2009 Budget book. The 2009 Budget was adopted by the Board on December 11, 2008.

² Committed to date amount includes actual outlays and commitments through March 31, 2009.

SMALL BUSINESS PARTICIPATION

Not Applicable to this action.

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

The Kirkland Transit Center/3rd Street Project, located between Central Way and Kirkland Avenue in the City of Kirkland, will provide improved speed and reliability of bus service, new waiting areas, passenger shelters and enhanced pedestrian crossings.

Sound Transit is the lead agency and is responsible for the planning, review, design, permitting, right-of-way acquisition and construction of the Kirkland Transit Center.

King County WTD is designing an upgrade to a pump station abutting the western edge of the transit center project. The pump station project design has lagged behind the design of the transit center, and the pump station construction is planned to start after the transit center is completed. As part of the pump station project, the utility pipeline work under 3rd Street must be reconstructed. The pipeline work will be constructed as part of the Kirkland Transit Center project, in order to coordinate construction schedules and avoid demolition and replacement of the newly constructed transit center pavement.

In May 2002, the Sound Transit Board established policy direction that Sound Transit should seek reimbursements by third party agencies for requested out-of-scope work to be performed by Sound Transit or its contractors. In November 2002, the Sound Transit Board adopted a scope control policy to guide staff in responding to third party requests for project enhancements. During the course of the design and construction of Link Light Rail and Regional Express/Sounder capital projects, public works agencies have requested Sound Transit contractors to perform selected betterment work. If such betterment work is to be fully reimbursed and will not adversely affect project schedules, Sound Transit has agreed to add this work to contracts.

As part of the agreement with King County, Sound Transit will construct a section of sewer pipeline and a potable water pipeline underneath 3rd Street between Central Way and Kirkland Avenue (collectively, the "Utility Pipeline Work") as part of the transit center project in order to minimize contractor and community disruption. In accordance with the proposed agreement, King County will reimburse Sound Transit for costs to perform the utility pipeline work. King County will pay Sound Transit \$450,000 for indirect construction costs associated with incorporating King County's utility pipeline work based on the overall schedule impact. The County will also pay for direct costs associated with the work by paying the bid price for the utility piping and materials.

Sound Transit and King County previously completed environmental documentation under SEPA (State Environmental Policy Act) for their respective projects (Kirkland Transit Center for Sound Transit and the pump station for King County). The environmental impacts of the work referenced in this staff report were evaluated in this SEPA documentation.

Prior Board/Committee Actions and Relevant Board Policies

None.

CONSEQUENCES of DELAY

A delay of two weeks will not significantly impact the project timeline.

PUBLIC INVOLVEMENT

Not applicable to this action.

ENVIRONMENTAL COMPLIANCE

SSK 5-21-09

LEGAL REVIEW

JW 6/9/09

SOUND TRANSIT

MOTION NO. M2009-49

A motion of the Finance Committee of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute an agreement with King County to reimburse Sound Transit for costs related to construction of King County's Wastewater Treatment District utility pipeline work to be built as part of the Kirkland Transit Center/3rd Street Project.

Background:

The Kirkland Transit Center/3rd Street Project, located between Central Way and Kirkland Avenue in the City of Kirkland, will provide improved speed and reliability of bus service, new waiting areas, passenger shelters and enhanced pedestrian crossings.

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Motion:

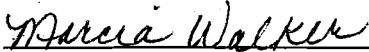
It is hereby moved by the Finance Committee of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute an agreement with King County to reimburse Sound Transit for costs related to construction of King County's Wastewater Treatment District utility pipeline work to be built as part of the Kirkland Transit Center/3rd Street Project.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on June 18, 2009.



Fred Butler
Finance Committee Vice Chair

ATTEST:



Marcia Walker
Board Administrator