

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2009-63

Agreement with the City of Kirkland for the Kirkland Transit Center Project

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	7/16/09	Discussion/Possible Action	Jim Edwards, Director, Capital Projects Carol Rhodes, Construction Manager Mark Johnson, Project Manager	(206) 398-5436 (206) 398-5056 (206) 398-5192

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

PROPOSED ACTION

Authorizes the chief executive officer to execute an agreement with the City of Kirkland for 1) the design, construction, operation, and maintenance of the Kirkland Transit Center; and 2) reimbursement to the city for design and construction of intersection improvements for a total authorized amount not to exceed \$1,338,304 and for construction of a temporary transit facility for a total authorized amount not to exceed \$30,000.

KEY FEATURES OF PROPOSED ACTION

Under the terms and conditions of the proposed agreement:

- 1) Sound Transit shall design and construct facilities associated with the transit center. Upon acceptance by the city, the city shall own and maintain all facilities associated with the project, except Sound Transit shall own and maintain the bus shelters and associated street furniture, transit signage, bicycle storage facilities, public art, and the transit center's equipment room and electrical equipment.
- 2) Sound Transit shall reimburse the city a total amount not to exceed \$1,338,304 for the actual costs of design and construction of transit speed and reliability improvements for the transit center at the following intersections:
 - 108th Avenue NE and NE 68th Street: enhanced capacity, reduction of potential for accidents, and easing movements for trucks and buses through addition of a right-turn lane and installation of camera and conduit for future application of Transit Priority Signals (TPS) at this intersection.
 - NE 85th Street/Central Way and 6th Street South: restriping, etc for removal of left-turn lane, installation of temporary transit stops, and easing of transit movements during construction
 - NE 85th Street/Central Way and 3rd Street South: enhanced capacity and ease movements for transit through the transit center (3rd Street South) though replacement and reprogramming of the controller at the intersection and installation of conduit for future application of TPS.

- 3rd Street South and Kirkland Way: enhanced capacity and smoother traffic flow through installation of a traffic signal in place of existing 4-way stop. Completed in June 2009, including conduit for future application of TPS.
- 3) City of Kirkland grants Sound Transit non-exclusive use of portions of 3rd Street and Peter Kirk Park for transit purposes.
 - 4) A temporary transit facility will be provided on the city's Peter Kirk Park property in order to minimize any disruption of transit service during construction of the project. The temporary transit facility will be designed by Sound Transit and constructed by the city. Sound Transit will reimburse the city up to \$30,000 for its actual costs of constructing the temporary transit facility.
 - 5) Sound Transit prepared a survey of the pre-construction existing conditions of the accessible portions of the city parking structure and presented the findings to the city in November 2008. The City of Kirkland performed a similar evaluation of the park restroom structure that city staff shared with the project team. Sound Transit will repair any incremental damage caused by construction to existing city structures relative to their pre-existing condition. The city will approve and pay for repairs or correction to any defects in city-owned structures uncovered by project activities.

BUDGET IMPACT SUMMARY

Current Project Phase: Final Design
Projected Completion Date: 2010

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 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 the City of Kirkland which includes a reimbursement by Sound Transit to the city in an amount not to exceed \$1,368,304 for intersection improvements. This action will leave a construction phase balance of \$6,933,294. The remaining project balance will be \$8,268,352.

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)

Project: 142 - Kirkland Transit Center/3rd

	2009 Adopted Budget ¹ (A)	Committed To Date ² (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
1 Agency Administration	\$ 692	\$ 692	\$ -	\$ 692	\$ -
2 Preliminary Engineering	\$ 1,138	\$ 1,187	\$ -	\$ 1,187	\$ (49)
3 Final Design	\$ 2,529	\$ 1,648	\$ -	\$ 1,648	\$ 881
4 Right of Way	\$ 628	\$ 125	\$ -	\$ 125	\$ 503
5 Construction	\$ 8,314	\$ 12	\$ 1,368	\$ 1,381	\$ 6,933
6 Contingency	\$ -	\$ -	\$ -	\$ -	\$ -
7 Total Current Budget	\$ 13,300	\$ 3,663	\$ 1,368	\$ 5,032	\$ 8,268

Phase Budget Detail

8 Construction	\$ 6,930	\$ -	\$ -	\$ -	\$ 6,930
9 Misc. Activity	\$ 1,384	\$ 12	\$ 1,368	\$ 1,381	\$ 3
10 Total Phase	\$ 8,314	\$ 12	\$ 1,368	\$ 1,381	\$ 6,933

Contract Budget	Current Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
11 City of Kirkland			\$ 1,368	\$ 1,368
12 Contingency				\$ -
13 Total	-	-	1,368	1,368
14 Percent Contingency	0%		0%	0%

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 May 31, 2009.

SMALL BUSINESS PARTICIPATION

Not Applicable to this action.

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

The Kirkland Transit Center Project, located on 3rd Street 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 of city streets. An adjacent pump station renovation project is being designed and constructed by King County's Wastewater Treatment Division immediately following completion of the transit center.

The Kirkland Transit Center was not originally included in Sound Move. With adoption of the 2005 Budget (Resolution No. R2004-19, December 9, 2004), the Board approved a change to Sound Move creating the Kirkland Transit Center project and funded the project through a \$13.3M transfer from the East King County Program Reserves.

This intergovernmental agreement identifies responsibilities of each party for each component of the transit center facility. A majority of components will be situated in the public right-of-way and consist of elements (e.g. curb/sidewalk, pavements, street lighting, etc.) usually owned and maintained by the local jurisdiction. Consequently, the agreement assigns both ownership and maintenance responsibility for such elements to the city. Elements typically used to support transit operations (e.g. bus shelters, benches within shelters, transit signage, etc.) are assigned to Sound Transit in terms of both ownership and maintenance

responsibilities. Elements of the project that are located in Peter Kirk Park and that are primarily urban design enhancements not primarily for support of transit operations are assigned to the city for both ownership and maintenance responsibilities.

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. Final design and engineering was complete in May 2009 and the construction contract is scheduled for advertisement in July 2009.

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

The agreement reflects both Sound Transit's and the City of Kirkland's best estimates of the amount to design and construct the intersection improvements and the amount Sound Transit will reimburse the city. The city competitively bids the intersection improvement work, ensuring that actual amounts paid are based on actual work performed.

Prior Board or Committee Actions

Motion or Resolution Number	Summary of Action
R2004-19 12/9/04	Adopted an annual budget for the period from January 1 through December 31, 2005 and amended Sound Move to include a downtown Kirkland transit center project and to change the name and scope of Project #374 from the Willows Arterial Project to the Redmond Transit Center Project.
M2009-49 6/18/09	Authorized the chief executive officer to execute an agreement with King County (KC) to reimburse Sound Transit for the costs related to construction of KC's Wastewater Treatment District (WTD) utility pipeline work to be built as part of the Kirkland Transit Center.

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

LA 7/30/09

SOUND TRANSIT

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A motion of the Finance Committee of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute an agreement with the City of Kirkland for 1) the design, construction, operation, and maintenance of the Kirkland Transit Center; and 2) reimbursement to the city for design and construction of intersection improvements for a total authorized amount not to exceed \$1,338,304 and for construction of a temporary transit facility for a total authorized amount not to exceed \$30,000.

Background:

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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 the City of Kirkland for 1) the design, construction, operation, and maintenance of the Kirkland Transit Center; and 2) reimbursement to the city for design and construction of intersection improvements for a total authorized amount not to exceed \$1,338,304 and for construction of a temporary transit facility for a total authorized amount not to exceed \$30,000.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on August 6, 2009.



Aaron Reardon
Finance Committee Chair

ATTEST:



Marcia Walker
Board Administrator