

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2009-81

SR 522 HOV Enhancements for Bothell

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	09/17/09	Discussion/Possible Action to Recommend Board Approval	Jim Edwards, Director, Capital Projects	(206) 398-5436
Board	09/24/09	Action	Julian Franco, Project Development Coordinator	(206) 689-3397

Contract/Agreement Type:	<input checked="" type="checkbox"/>	Requested Action:	<input checked="" type="checkbox"/>
Competitive Procurement		Execute New Contract/Agreement	
Sole Source		Amend Existing Contract/Agreement	
Agreement with Other Jurisdiction(s)	<input checked="" type="checkbox"/>	Budget Amendment	
Real Estate		Property Acquisition	

PROJECT NAME

SR 522 HOV Enhancements Project/Bothell (#385)

PROPOSED ACTION

Authorizes the chief executive officer to provide funding for the construction phase of the SR 522 HOV Enhancement Project pursuant to the 2006 agreement with the City of Bothell in the amount of \$5,290,362, for a total authorized amount not to exceed \$7,735,906.

KEY FEATURES of PROPOSED ACTION

- Allows the City of Bothell to begin the construction phase of the project and reimburses the City of Bothell for the actual construction costs, not to exceed \$5,290,362, as provided in the Agreement with the City of Bothell authorized by the Finance Committee on June 15, 2006.
- Completes Sound Transit's capped funding contribution for the transit improvements along the SR 522 corridor within the City of Bothell.
- Updates the estimated project schedule within the interlocal agreement to reflect a construction advertisement date of October 2009 and a construction completion date of the 1st Quarter of 2011. The construction advertisement was delayed one year due to slower than anticipated right-of-way certification.

BUDGET IMPACT SUMMARY

Current Project Phase: Final Design
 Projected Completion Date: 2nd Quarter 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 \$8,600,787, with a construction phase budget of \$5,293,363. The proposed action is to authorize the funding for construction in an amount not to exceed \$5,290,362. This action will leave a construction phase balance of \$3,001 and a remaining project balance of \$94,811.

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: 385 - SR522 HOV Enhancements/Bothell

	2009 Adopted Budget ¹ (A)	Committed To Date ² (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
Agency Administration	\$ 462	\$ 462	\$ -	\$ 462	\$ -
Preliminary Engineering	\$ 344	\$ 308	\$ -	\$ 308	\$ 36
Final Design	\$ 673	\$ 673	\$ -	\$ 673	\$ -
Right of Way	\$ 1,772	\$ 1,772	\$ -	\$ 1,772	\$ -
Construction	\$ 5,293	\$ -	\$ 5,290	\$ 5,290	\$ 3
Contingency	\$ 56	\$ -	\$ -	\$ -	\$ 56
Total Current Budget	\$ 8,601	\$ 3,216	\$ 5,290	\$ 8,506	\$ 95

Phase Budget Detail

Construction	\$ 5,293	\$ -	\$ 5,290	\$ 5,290	\$ 3
Misc. Activity					\$ -
Total Phase	\$ 5,293	\$ -	\$ 5,290	\$ 5,290	\$ 3

Contract Budget	Current Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
City of Bothell	\$ 1,979	\$ 1,979	\$ 5,290	\$ 7,269
Contingency	\$ 467	\$ 467	\$ -	\$ 467
Total	\$ 2,446	\$ 2,446	\$ 5,290	\$ 7,736
Percent Contingency	0%	0%	0%	6%

Notes:

¹ Project budget is located on page 182 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 July 31, 2009.

SMALL BUSINESS PARTICIPATION

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

EEO Commitment

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

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

In June 2006, Sound Transit executed an agreement with the City of Bothell stipulating the funding parameters for final design, right-of-way acquisition, construction, and construction management of the SR 522 HOV Enhancements Project. The agreement identified the City of Bothell as the lead agency for the improvements and capped Sound Transit’s total contribution to the project at \$7.7 million. Other partners on this project are King County Metro, the Washington State Department of Transportation and the City of Bothell. The City is responsible for any project cost increase.

Since the execution of the agreement, final design and right-of-way acquisition have been completed. Sound Transit’s funding commitment for these phases to date has been \$2.4 million, leaving a remaining contribution for construction of up to \$5.3 million. Under the agreement, Sound Transit’s funding of the construction phase is contingent upon further approval by Sound Transit’s Board.

The City of Bothell was scheduled to advertise this project for construction in September 2008. The project was delayed for a year due to slower than anticipated right-of-way certification. The interlocal agreement with the City of Bothell will be amended to reflect the project schedule delay. The construction for the project is now scheduled to be advertised in October 2009 and completed by the 1st Quarter of 2011.

The project includes HOV enhancements located within the city limits along SR 522 near 96th Avenue (Wayne Curve). The project scope will include construction of a westbound transit queue bypass lane, eastbound transit lane/right turn lane, signal improvements (including transit signal priority), additional left turn lane, sidewalk, curb/gutter/plantings, 96th Street improvements, north retaining wall, south retaining wall, urban amenities, and illumination.

Environmental compliance under NEPA and SEPA has been completed. A SEPA Environmental Checklist and Determination of Non-significance (DNS) were issued by the City of Bothell in April 2006. A NEPA Documented Categorical Exclusion (DCE) was approved by the Federal Highway Administration (FHWA) March 2007.

PRIOR BOARD/COMMITTEE ACTIONS

Motion/Resolution Number and Date	Summary of Action
M2006-48 6/15/2006	Authorized the Chief Executive Officer to (1) execute an agreement with the City of Bothell for the final design, right-of-way acquisition, construction and construction management phases of the State Route 522 HOV Enhancements/Bothell project and (2) reimburse the City of Bothell for final design and right-of-way acquisition in an amount not to exceed \$2,445,544.
M2004-42 5/20/04	Authorized the chief executive officer to execute a Memorandum of Understanding (MOU) for Cooperative Funding with each of the Cities of Bothell and Kenmore defining scope, schedule, and budget for the SR 522 HOV Enhancements project through final design, right-of-way acquisition, construction, and construction management
M2002-32 3/21/02	Authorized the chief executive officer to execute a project level Memorandum of Agreement (MOA) with the City of Bothell making the City of Bothell lead agency for the SR 522 HOV Enhancement Project PE/ED Phase and committing Sound Transit to contribute 50% of the PE/ED costs up to \$275,000
R2002-02 3/14/02	Amending Sound Move to include the City of Kenmore and to remove the City of Woodinville for the SR 522 HOV Enhancements Project (#384) and changing the name to “SR 522 HOV Enhancements Project (Kenmore to Bothell)”

CONSEQUENCES of DELAY

The City of Bothell is scheduled to advertise this project for construction in October 2009. A significant delay in funding may affect the project timeline, which may result in higher costs for the City of Bothell.

PUBLIC INVOLVEMENT

Not applicable to this action.

ENVIRONMENTAL COMPLIANCE

SSK 9-04-09

LEGAL REVIEW

BN 9-10-09

SOUND TRANSIT

MOTION NO. M2009-81

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to provide funding for the construction phase of the SR 522 HOV Enhancement Project pursuant to the 2006 agreement with the City of Bothell in the amount of \$5,290,362, for a total authorized amount not to exceed \$7,735,906.

Background:

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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 provide funding for the construction phase of the SR 522 HOV Enhancement Project pursuant to the 2006 agreement with the City of Bothell in the amount of \$5,290,362, for a total authorized amount not to exceed \$7,735,906.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on September 24, 2009.

ATTEST:

Marcia Walker
Marcia Walker
Board Administrator

Greg Nickels
Board Chair

