

**SOUND TRANSIT  
STAFF REPORT**

**MOTION NO. M2010-07**

**On-Call Title and Escrow Services Contract**

<b>Meeting:</b>	<b>Date:</b>	<b>Type of Action:</b>	<b>Staff Contact:</b>	<b>Phone:</b>
Finance Committee	1/7/10	Discussion/Possible Action	Ahmad Fazel, Executive Director <b>Roger Hansen, Real Estate Division Manager</b>	(206) 398-5389 (206) 689-3366

<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**

Link Light Rail, Sounder Commuter Rail, and Regional Express Bus Capital Projects

**PROPOSED ACTION**

Authorizes the chief executive officer to execute a five-year contract with Pacific Northwest Title to provide on-call title and escrow services for real property acquisitions, support for property management, and transit oriented development for a total authorized contract amount not to exceed \$460,000.

**KEY FEATURES of PROPOSED ACTION**

- This contract defines a scope of work, including providing initial title reports, title insurance, title research, and escrow services for real property acquisitions for Link light rail, Sounder commuter rail, and Regional Express bus service.
- The purpose of this action is to establish a contract for title and escrow services to cover current and future services needed for ST2, remaining Sound Move real property acquisitions, and to support property management and transit oriented development title and escrow functions and activities.
- The proposed contracts replace the current escrow and title services agreement that expired December 31, 2009.
- Sound Transit issued a Request for Proposal for these on-call title and escrow services that allowed for award of two contracts. This approach accommodates the amount and flow of work required to support real property acquisitions over the next five years. Chicago Title Insurance is the other firm selected.

**BUDGET IMPACT SUMMARY**

Current Project Phase: On going  
Projected Completion Date: On going

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

This on-call services contract will be used for Link light rail, Sounder commuter rail, and ST Express bus capital projects. Services may also be utilized by Operations, subject to budget funding in the future.

The proposed ongoing services for ST2 and remaining Sound Move projects would be assigned by task order within each project. Budget is to be identified and committed prior to a task order being approved to ensure that the total contract amount does not exceed the amount authorized by the Sound Transit Finance Committee. Since the proposed services will be assigned on an as-needed basis, the distribution of costs will be determined as project schedules and budgets are established. Work under these contracts will be authorized as the Board approves individual project budgets for property acquisition.

The proposed action is consistent with the Adopted 2010 Budget, and is affordable within the agency's current long-term financial plan and subarea financial capacity. The action will have no new revenue impact on Sound Transit.

## BUDGET TABLE

**Action Item:** Pacific Northwest Title (Five-year contract to provide on-call title and escrow services for real property acquisitions, property management and transit oriented development)

(Year of Expenditure \$1000s)

	Board Approvals to Date (A)	Current Approved Contract Value (B)	Proposed Action (C)	Proposed Total for Board Approval (D)	Proposed Contract Value (E)
<b>Contract Amount - This Board Action</b>					
Contract Amount			460	460	460
Contingency			-	-	-
<b>Total Contract</b>	-	-	<b>460</b>	<b>460</b>	<b>460</b>
Percent Contingency	0%	0%	0%	0%	0%

### Other ROW Services Board Actions

HDR, Inc.			12,628	12,628	12,628
Universal Field Services, Inc.			12,628	12,628	12,628
Chicago Title Insurance			1,180	1,180	1,180
McKee and Schalka			3,804	3,804	3,804
Bruce C. Allen and Associates, Inc.			3,805	3,805	3,805
Camp Dresser McKee, Inc. (CDM)			3,841	3,841	3,841
Shannon & Wilson, Inc.			3,841	3,841	3,841
GeoEngineers, Inc.			3,841	3,841	3,841
<b>Total Other ROW Services Board Actions</b>	-	-	<b>45,567</b>	<b>45,567</b>	<b>45,567</b>

### TOTAL ROW Services Board Actions

Contract Amount	-	-	46,027	46,027	46,027
Contingency	-	-	-	-	-
<b>TOTAL</b>	-	-	<b>46,027</b>	<b>46,027</b>	<b>46,027</b>
Percent Contingency	0%	0%	0%	0%	0%

### Right of Way Phase Budget

	Adopted 2010 Budget (F)	Committed To Date (G)	This Action (H)	Total Committed & Action (I)	Uncommitted (Shortfall) (J)
Link Light Rail Capital Projects (1)	496,614	384,352	36,489	420,840	75,774
Sounder Commuter Rail Capital Projects (2)	575,058	365,895	8,263	374,158	200,901
Regional Express Bus Capital Projects (3)	60,724	48,916	1,276	50,192	10,533
Agency Operations (4)	151	151	-	151	-
<b>Total Right of Way Phase</b>	<b>1,132,397</b>	<b>799,163</b>	<b>46,027</b>	<b>845,189</b>	<b>287,207</b>

Notes:

(F) ADOPTED 2010 BUDGET amounts as adopted by resolution of the Sound Transit Board (R2009-23, approved 12/10/09).

(F1) Link Light Rail Capital Projects right of way phase budget is located on page 30 of the Proposed 2010 Transit Improvement Plan Book.

(F2) Sounder Commuter Rail Capital Projects right of way phase budget is located on page 53 of the Proposed 2010 Transit Improvement Plan Book.

(F3) Regional Express Bus Capital Projects right of way phase budget is located on page 84 of the Proposed 2010 Transit Improvement Plan Book.

(H4) Right of way administration services in support of Agency Operations would be subject to budget funding in the future.

(B) COMMITTED TO DATE amounts are from Link WBS Report and Agency E1 Reports as of November 2009 + approved and pending board actions not recorded as of 11/30/09, or submitted after that date.

### **SMALL BUSINESS PARTICIPATION**

Sound Transit determined that because of the specific nature of the services to be provided under this contract, joint venturing and/or subcontracting would be unlikely. Therefore, proposers were not required to submit a plan for small business participation.

Pacific Northwest Title will perform 100% of the assigned work.

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

In order to implement ST2 projects and remaining Sound Move projects it will be necessary for Sound Transit to continue to acquire real property. This contract will allow Sound Transit to complete future Link light rail, Sounder commuter rail, and ST Express bus service acquisitions for various projects. Current and future Link work includes completing Initial Segment property acquisitions work, Airport Link, University Link, as well as for other projects identified for ST2.

Pacific Northwest Title will provide initial title reports, title insurance, title research, and escrow services for real property acquisitions undertaken by Link light rail, Sounder commuter rail, and ST Express bus service.

### **PRIOR BOARD/COMMITTEE ACTIONS**

None

### **CONSEQUENCES of DELAY**

Sound Transit anticipates property acquisitions will begin in early 2010 for ST2 projects. Because of the aggressive schedule, a delay in approval could result in a delay in the completion of right of way acquisition potentially delaying contract awards.

### **PUBLIC INVOLVEMENT**

Not applicable to this action.

### **ENVIRONMENTAL COMPLIANCE**

JI, 12/23/09

### **LEGAL REVIEW**

JW 12/30/09

## SOUND TRANSIT

### MOTION NO. M2010-07

A motion of the Finance Committee of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a five-year contract with Pacific Northwest Title to provide on-call title and escrow services for real property acquisitions, support for property management, and transit oriented development for a total authorized contract amount not to exceed \$460,000.

#### Background:

In order to implement ST2 projects and remaining Sound Move projects it will be necessary for Sound Transit to continue to acquire real property. This contract will allow Sound Transit to complete future Link light rail, Sounder commuter rail, and ST Express bus service acquisitions for various projects. Current and future Link work includes completing Initial Segment property acquisitions work, Airport Link, University Link, as well as for other projects identified for ST2.

Pacific Northwest Title will provide initial title reports, title insurance, title research, and escrow services for real property acquisitions undertaken by Link light rail, Sounder commuter rail, and ST Express bus service.


#### 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 a five-year contract with Pacific Northwest Title to provide on-call title and escrow services for real property acquisitions, support for property management, and transit oriented development for a total authorized contract amount not to exceed \$460,000.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on January 7, 2010.

  
Aaron Reardon  
Board Chair

ATTEST:

  
Marcia Walker  
Board Administrator