

**SOUND TRANSIT  
STAFF REPORT**

**MOTION NO. M2010-20**

**Agreement with Metro Parks Tacoma for McKinley Park Mitigation Project**

<b>Meeting:</b>	<b>Date:</b>	<b>Type of Action:</b>	<b>Staff Contact:</b>	<b>Phone:</b>
Finance Committee	2/4/10	Discussion/Possible Action to Recommend Board Approval	Ric Ilgenfritz, Director PEPD <b>Marti Louthier, Sr. Environmental Planner</b>	(206) 398-5239 (206) 398-5002

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

**PROJECT NAME**

D Street to M Street Track and Signal Project

**PROPOSED ACTION**

Authorizes the chief executive officer to execute an agreement with the Metropolitan Park District of Tacoma to allow Sound Transit to construct a wetland mitigation project at McKinley Park, which includes a not to exceed amount of \$5,000 for interpretive signage.

**KEY FEATURES of PROPOSED ACTION**

- The purpose of this action is to enter into an agreement with the Metropolitan Park District of Tacoma (Metro Parks Tacoma) to allow Sound Transit to access McKinley Park, to construct a wetland mitigation project, to monitor it, and to maintain the mitigation project for five years.
- Approval of the agreement is necessary so that construction of this mitigation project can occur concurrently with the D Street to M Street Track and Signal project (D-to-M project) slated for advertisement in March 2010.
- To construct the D-to-M project, wetland mitigation is required by the U.S. Army Corps of Engineers, Washington State Department of Ecology, and the City of Tacoma.
- The mitigation project includes constructing new wetlands, enhancing existing wetlands, enhancing buffers, constructing a boardwalk and access walkway, and removing contaminated soils within the project site.
- Metro Parks Tacoma will receive a direct contribution of \$5,000 from Sound Transit to design, fabricate, and install interpretive signage associated with this wetland project.

**BUDGET IMPACT SUMMARY**

Current Project Phase: Final Design  
Projected Completion Date: 2012

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 2010 Board-adopted budget for the D-to-M project is \$161,580,747 with a construction phase budget of \$71,128,693. The proposed action is to authorize the execution of an agreement with Metro Parks Tacoma which includes a payment of \$5,000 to be made by Sound Transit. \$184,000 is included in the construction line of the D-to-M project budget for project mitigation. This action will result in a construction phase balance of \$64,609,344 and will leave a project balance of \$93,888,199.

There are sufficient funds to complete this action within the project budget. 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: 135 - D Street - M Street Track and Signal**

	2010 Board Adopted Budget <sup>1</sup> (A)	Committed To Date <sup>2</sup> (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
Agency Administration	\$ 8,894	\$ 8,894	\$ -	\$ 8,894	\$ -
Preliminary Engineering	\$ 1,716	\$ 1,732	\$ -	\$ 1,732	\$ (16)
Final Design	\$ 14,364	\$ 11,511	\$ -	\$ 11,511	\$ 2,853
Right of Way	\$ 50,123	\$ 30,087	\$ -	\$ 30,087	\$ 20,037
Construction	\$ 71,129	\$ 6,514	\$ 5	\$ 6,519	\$ 64,609
Vehicles	\$ 8,953	\$ 8,953	\$ -	\$ 8,953	\$ -
Contingency	\$ 6,401	\$ -	\$ -	\$ -	\$ 6,401
<b>Total Current Budget</b>	<b>\$ 161,581</b>	<b>\$ 67,693</b>	<b>\$ 5</b>	<b>\$ 67,698</b>	<b>\$ 93,883</b>

**Phase Budget Detail**

Construction	\$ 56,100	\$ -	\$ -	\$ -	\$ 56,100
Misc. Activity	\$ 15,029	\$ 6,514	\$ 5	\$ 6,519	\$ 8,509
<b>Total Phase</b>	<b>\$ 71,129</b>	<b>\$ 6,514</b>	<b>\$ 5</b>	<b>\$ 6,519</b>	<b>\$ 64,609</b>

Contract Budget	Current Approved Contract Value (F)	Committed To Date <sup>2</sup> (G)	Proposed Action (H)	Proposed Total Contract Value (I)
Metro Parks Tacoma	\$ -	\$ -	\$ 5	\$ 5
Contingency	\$ -	\$ -	\$ -	\$ -
<b>Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 5</b>	<b>\$ 5</b>
<b>Percent Contingency</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>

**Notes:**

<sup>1</sup> Project budget is located on page 63 of the Proposed 2010 Transit Improvement Plan budget book. The 2010 Budget was adopted by the Board on December 10, 2009.

<sup>2</sup> Committed to date amount includes actual outlays and commitments through November 30, 2009.

**SMALL BUSINESS PARTICIPATION**

This section is not applicable.

**PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION**

Construction of the D-to-M project will fill 0.46 acre of low-quality wetlands and streams to accommodate a change in the railroad grade for commuter trains. Sound Transit identified using McKinley Park, a public park located within the City of Tacoma, as a site to implement a wetland mitigation project for these impacts. By teaming with Metro Parks Tacoma, Sound Transit did not have to purchase property and could implement elements of the McKinley Park Master Plan, which included constructing a new wetland area.

Mitigation design was developed and included input from the U.S. Army Corps of Engineers, City of Tacoma, Metro Parks Tacoma, and Friends of McKinley Park. The mitigation project includes constructing 0.45 acre of new wetland, enhancing 0.38 acre of wetland, enhancing 1.75 acres of wetland buffer, creating a new stream channel, constructing a boardwalk and pedestrian walkway and removing contaminated soil only within the mitigation project area. Sound Transit will also provide direct funding in the amount of \$5,000 for an interpretive sign to be developed and installed by Metro Parks Tacoma. The mitigation project-related work will be included in the D-to-M project construction contract.

During final design activities contaminated soils were identified within the proposed project area; contaminants include carcinogenic polynuclear aromatic hydrocarbons (cPAHs). Information obtained from several soil investigations revealed the contaminates are located near the upper two feet of the project area, therefore Sound Transit will remove only those contaminants located directly within the mitigation project area. An access route with clean soils will be provided to the mitigation area; future clean up actions outside of the limits of the Sound Transit mitigation project area will be the responsibility of Metro Parks Tacoma.

This action will satisfy wetland mitigation requirements for wetland impacts occurring within the D-to-M project corridor as imposed by the U.S. Army Corps of Engineers, Washington State Department of Ecology, and the City of Tacoma. Approving this action will allow Sound Transit to enter into an agreement with Metro Parks Tacoma, the park operator, to access the park to construct the wetland mitigation project, monitor it, and maintain the wetland, stream, and buffer mitigation for five years. Maintenance of the boardwalk and access walkway will be the responsibility of Metro Parks Tacoma after those features have been constructed and accepted.

This mitigation project is compliant with Sound Transit’s Board-adopted Scope Control Policy, Resolution No. R2009-24. The project was described in the SEPA Addendum for the D-to-M project, issued December 4, 2007, and it is considered reasonable mitigation efforts for project-related environmental impacts.

Metro Parks Tacoma board approved implementation of the project in November and authorized the executive director to sign this agreement.

**Prior Board/Committee Actions**

<b>Motion/Resolution Number and Date</b>	<b>Summary of Action</b>
M2009-50 6/25/09	Authorizing the chief executive officer to execute an agreement with the Washington State Department of Transportation to receive FRA funding in the amount of \$5,940,000 which will be used to assist with the D Street to M Street Connection project associated with the Point Defiance Bypass Project.
M2008-63 7/10/08	Authorizing the chief executive officer to execute a contract with Parsons Brinckerhoff Incorporated to provide final design services for the D-to-M Streets Track & Signal Project in the amount of \$9,903,882, with a 10% contingency of \$990,388, for a total authorized contract amount not to exceed \$10,894,270
M2007-126 12/13/07	A motion of the Board of the Central Puget Sound Regional Transit Authority selecting the Alternative 3 Modified – Grade-Separated option as the project to be built for the D Street-to-M Street rail connector.
M2007-94 8/23/07	Identifying an alternative alignment for the D Street-to-M Street rail connector for purposes of completing environmental documentation under NEPA and SEPA.

**CONSEQUENCES of DELAY**

While it is important to move this agreement forward, a delay of two weeks would not affect going to bid for this project, which is scheduled for March 2010.

**PUBLIC INVOLVEMENT**

During construction the public relations staff will be involved to ensure the construction area is properly signed for safe and continued access to the park.

**ENVIRONMENTAL COMPLIANCE**

SSK 1/29/10

**LEGAL REVIEW**

JB 2/1/10

## SOUND TRANSIT

### MOTION NO. M2010-20

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 Metropolitan Park District of Tacoma to allow Sound Transit to construct a wetland mitigation project at McKinley Park, which includes a not to exceed amount of \$5,000 for interpretive signage.

#### **Background:**

Construction of the D-to-M project will fill 0.46 acre of low-quality wetlands and streams to accommodate a change in the railroad grade for commuter trains. Sound Transit identified using McKinley Park, a public park located within the City of Tacoma, as a site to implement a wetland mitigation project for these impacts. By teaming with Metro Parks Tacoma, Sound Transit did not have to purchase property and could implement elements of the McKinley Park Master Plan, which included constructing a new wetland area.

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This mitigation project is compliant with Sound Transit's Board-adopted Scope Control Policy, Resolution No. R2009-24. The project was described in the SEPA Addendum for the D-to-M project, issued December 4, 2007, and it is considered reasonable mitigation efforts for project-related environmental impacts.

Metro Parks Tacoma board approved implementation of the project in November and authorized the executive director to sign this agreement.

#### **Motion:**

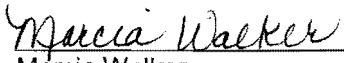
It is hereby moved by the Finance Committee of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute an agreement with the Metropolitan Park District of Tacoma to allow Sound Transit to construct a wetland mitigation project at McKinley Park, which includes a not to exceed amount of \$5,000 for interpretive signage.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on February 4, 2010.



Fred Butler  
Finance Committee Chair

ATTEST:



Marcia Walker  
Board Administrator