

MOTION NO. M2011-72
North Link Supplement to the Memorandum of Agreement Between Sound Transit and the City of Seattle

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:
Capital Committee	10/13/11	Final Action	Ahmad Fazel, DECM Executive Director Ron Endlich, North Link Deputy Project Director

PROPOSED ACTION

Authorizes the chief executive officer to execute a North Link Supplement to the Memorandum of Agreement with the City of Seattle to reimburse the City for project-related services in support of North Link – UW station to Northgate project final design work in the amount of \$818,805 with a 10% contingency of \$81,880, for a total supplement amount not to exceed \$900,685.

KEY FEATURES

- This is the seventh supplement to the Memorandum of Agreement for Intergovernmental Cooperation dated April 20, 1998 (“MOA”) between Sound Transit and the City of Seattle (City). This supplement will be referred to as the “North Link Supplement.”
- Sound Transit will reimburse the City for certain project-related expenses associated with the North Link final design work. The City will provide services in four primary areas:
 - Program and Project Management
 - Design Review (including Seattle Fire Department)
 - Seattle City Light (SCL) Design Review and System Engineering Services
 - Seattle Public Utilities (SPU) Design Review and System Engineering Services
- Final design for North Link is expected to be completed by the end of 2013, with initial construction activities beginning in mid-2012.

PROJECT DESCRIPTION

The North Link – University of Washington (UW) station to Northgate project is 4.3 miles in length and will extend light rail from the UW station via twin-bored tunnels to an underground Brooklyn station in the University District, an underground Roosevelt station, and to an elevated Northgate station via retained cut/fill and elevated sections.

FISCAL INFORMATION

Project Budget

North Link - UW Station to Northgate	2011 TIP	Board Approvals	This Action	Board Approved Plus Action	Uncommitted/ (Shortfall)
Agency Administration	49,461	5,024		5,024	44,437
Preliminary Engineering	15,251	15,329		15,329	(78)
Final Design	85,941	74,790		74,790	11,151
Third Party Agreements	20,994	1,344	901	2,244	18,750
Right of Way	164,820	42,006		42,006	122,814
Construction	8,733	8,154		8,154	579
Construction Services	300	-		-	300
Vehicles	-	-		-	-
Systems Testing & Startup	-	-		-	-
Total Project Budget	345,500	146,645	901	147,546	197,954

Phase Detail

Third Party Agreements

City of Seattle	450	150	901	1,051	(601)
Other Third Party	2,054	1,018		1,018	1,036
Third Party Unallocated Contingency	18,491	176		176	18,315
Total Phase	20,994	1,344	901	2,244	18,750

Contract Detail

	Board Approvals to Date	Current Approved Contract Status	Proposed Action	Proposed Total for Board Approval
Contract	-	-	819	819
Contingency	-	-	82	82
Total Contract Amount	-	-	901	901
Percent Contingency	0%	0%	10%	10%

Budget Shortfall	601
Third Party Unallocated Contingency	601
Total Funding	601

Notes:

- Amounts are expressed in Year of Expenditure \$000s.
- Committed includes pending Board Actions.
- Board Approvals = Committed To-Date + Contingency.
- Project Budget is located on page 45 of the 2011 Transit Improvement Plan (TIP).

Funding for Third Party Agreements was not previously allocated among the Third Parties in the current adopted budget as agreements had not been scoped and negotiated. The budget for the Third Party Phase was therefore allocated to the Third Party Phase Unallocated Contingency with the intent to redistribute the funds upon execution of each Third Party Agreement.

SMALL BUSINESS PARTICIPATION

City staff will perform the tasks detailed under the MOA. Any procurement of services by the City will be done consistent with the City’s Minority/Women/Disadvantaged Business Enterprise – Small Business Participation Program.

EQUAL EMPLOYMENT WORKFORCE PROFILE

Not applicable to this action.

BACKGROUND

On April 20, 1998, the City of Seattle and Sound Transit entered into a Memorandum of Agreement for Intergovernmental Cooperation, which provided City services to guide the design and implementation of Link in the City of Seattle.

Since then, six supplements to the original agreement have been adopted by the Sound Transit Board and the City. These supplements primarily cover design and construction activities for the Initial Segment and University Link. The North Link Supplement covers services to be provided by the City in four primary areas including program and project management, design review, and utility engineering by SCL and SPU including:

- Program and Project Management
 - Seattle Department of Transportation (SDOT) will provide the City's core team management for North Link design review and will provide management, oversight, and coordination of project-related City activities to help ensure services are provided in an efficient and effective manner.
- Design Review
 - The City will provide project final design submittal review including pre-submittal reviews, identifying and resolving conflicting City comments, and preparing and delivering one set of internally consistent and coordinated City comments to Sound Transit for each submittal.
 - City design review activities support the issuance of the overarching Project Construction Permits and involve SDOT, Seattle Public Utilities (SPU), the Seattle Fire Department (SFD), Seattle City Light (SCL), and any consultants retained by the City.
- Seattle City Light (SCL) Design Review and System Engineering Services
 - SCL staff will manage the planning, design review, and cost estimating of electrical transmission and distribution system relocations along the project alignment; and coordinate services among SCL's three service centers, power stations, and systems planning office, various City departments, and Sound Transit to efficiently and safely design and construct necessary improvements in support of the Project.
- Seattle Public Utilities (SPU) Design Review and System Engineering Services
 - SPU staff will manage the planning, design review, and cost estimating of potential sewer and water line relocations and utility protect-in-place mitigation strategies along the project alignment; and coordinate activities among SPU work groups, various City departments, and Sound Transit to efficiently and safely design and construct necessary improvements in support of the Project.

In addition, the Department of Planning and Development (DPD) will assist Sound Transit with Master Use, Building, and other permit processing and assist with other elements of the Project. DPD will provide timely review of permit submittals for compliance with all applicable current City codes and will facilitate resolution of permit issues with other City departments as needed. DPD permit fees are not funded through this agreement.

The Board authorized staff to proceed with North Link final design, third party coordination and property acquisition by adopting Resolution No. R2010-02 on February 25, 2010.

On April 1, 2011, Sound Transit and the City signed an interim letter agreement providing for City early guidance and design review services for the project while the North Link Supplement was being negotiated, in an amount not to exceed \$150,000. Per the terms of the interim letter agreement and recent amendments, the North Link Supplement, when executed, will supersede

this letter agreement, and all work performed by the City under the letter agreement not previously reimbursed will be included in and reimbursed through the North Link Supplement.

ENVIRONMENTAL COMPLIANCE

JI 8/15/2011

PRIOR BOARD/COMMITTEE ACTIONS

Motion No. 2007-37: Authorized the chief executive officer to execute the University Link Supplement to the Memorandum of Agreement with the City of Seattle to reimburse the city for project-related services in support of University Link final design work in the amount of \$1,979,401 with a 10% contingency of \$197,940, for a total authorized agreement amount not to exceed \$2,177,341.

Resolution No. R2006-07: (1) Selected the final route, profile, and station locations for the North Link Light Rail Project; (2) selected the University Link portion of North Link to be constructed and operated as part of the Central Link Light Rail Project, including authorizing the steps necessary to complete final design and implementation of the University Link Project including securing a federal Full Funding Grant Agreement; (3) increased the University Link lifetime Adopted 2006 Budget and revising the annual Adopted 2006 Budget; and (4) for planning purposes reduced the minimum debt service coverage for the North King County subarea to 1.15x for the University Link Finance Plan.

Motion No. 2004-101: Authorized the chief executive officer to execute an amendment to the Fifth Supplement to the Memorandum of Agreement with the City of Seattle reimbursing the City for project-related services in support of North Link preliminary engineering and Final Supplemental Environmental Impact Statement work in the amount of \$238,400, with a 10% contingency of \$23,840, for an amount of \$262,240, and a revised total amount of the Fifth Supplement not to exceed \$1,608,864.

Motion No. 99-33: Authorized the Executive Director to execute the First Supplement to the Memorandum of Agreement for Intergovernmental Cooperation between Central Puget Sound Regional Transit Authority and the City of Seattle for the Central Link Light Rail Project, providing compensation for certain design and design review activities by City Departments in connection with preliminary engineering, final design and construction permitting of the light rail project during calendar years 1999 and 2000, for an estimated amount of \$4,919,821..

Motion No. 98-15: Executive Director is authorized to sign the attached Memorandum of Agreement with the City of Seattle.

TIME CONSTRAINTS

Final design is scheduled for completion in the end of 2013. A delay of several weeks in approval would impact the final design schedule.

PUBLIC INVOLVEMENT

Not applicable to this action.

LEGAL REVIEW

BN 10/7/11

MOTION NO. M2011-72

A motion of the Capital Committee of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a North Link Supplement to the Memorandum of Agreement with the City of Seattle to reimburse the City for project-related services in support of North Link – UW station to Northgate project final design work in the amount of \$818,805 with a 10% contingency of \$81,880, for a total supplement amount not to exceed \$900,685.

BACKGROUND:

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Since then, six supplements to the original agreement have been adopted by the Sound Transit Board and the City. These supplements primarily cover design and construction activities for the Initial Segment and University Link. The North Link Supplement covers services to be provided by the City in four primary areas including program and project management, design review, and utility engineering by SCL and SPU including:

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 - The City will provide project final design submittal review including pre-submittal reviews, identifying and resolving conflicting City comments, and preparing and delivering one set of internally consistent and coordinated City comments to Sound Transit for each submittal.
 - City design review activities support the issuance of the overarching Project Construction Permits and involve SDOT, Seattle Public Utilities (SPU), the Seattle Fire Department (SFD), Seattle City Light (SCL), and any consultants retained by the City.
- Seattle City Light (SCL) Design Review and System Engineering Services
 - SCL staff will manage the planning, design review, and cost estimating of electrical transmission and distribution system relocations along the project alignment; and coordinate services among SCL's three service centers, power stations, and systems planning office, various City departments, and Sound Transit to efficiently and safely design and construct necessary improvements in support of the Project.
- Seattle Public Utilities (SPU) Design Review and System Engineering Services
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In addition, the Department of Planning and Development (DPD) will assist Sound Transit with Master Use, Building, and other permit processing and assist with other elements of the Project.



DPD will provide timely review of permit submittals for compliance with all applicable current City codes and will facilitate resolution of permit issues with other City departments as needed. DPD permit fees are not funded through this agreement.

The Board authorized staff to proceed with North Link final design, third party coordination and property acquisition by adopting Resolution No. R2010-02 on February 25, 2010.

On April 1, 2011, Sound Transit and the City signed an interim letter agreement providing for City early guidance and design review services for the project while the North Link Supplement was being negotiated, in an amount not to exceed \$150,000. Per the terms of the interim letter agreement and recent amendments, the North Link Supplement, when executed, will supersede this letter agreement, and all work performed by the City under the letter agreement not previously reimbursed will be included in and reimbursed through the North Link Supplement.

MOTION:

It is hereby moved by the Capital Committee of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute a North Link Supplement to the Memorandum of Agreement with the City of Seattle to reimburse the City for project-related services in support of North Link – UW station to Northgate project final design work in the amount of \$818,805 with a 10% contingency of \$81,880, for a total supplement amount not to exceed \$900,685.

APPROVED by the Capital Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on October 13, 2011.


Fred Butler
Capital Committee Chair

ATTEST:


Marcia Walker
Board Administrator