

MOTION NO. M2012-27
Environmental Mitigation for Christofferson Fill Pad for Seattle-Everett Sounder Project

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:	PHONE:
Capital Committee	5/10/12	Final Action	Ahmad Fazel, Executive Director DECM Eric Beckman, Project Director, Everett-Nisqually Jerry Dahl, Construction Manager	206-398-5389 206-398-5251 206-398-5284

PROPOSED ACTION

Authorizes the chief executive officer to execute a contract with Northwest Construction, Inc. for the Christofferson Fill Pad project in the amount of \$853,732, with a 10% contingency of \$85,373, for a total authorized contract amount not to exceed \$939,105.

KEY FEATURES

- This project is part of Sound Transit's partnership with the trustees of the Qwuloolt Estuary Restoration Project (QERP) in Snohomish County to mitigate environmental impacts resulting from the Sounder Seattle to Everett track and signal improvements.
- The proposed action provides for construction of the Christofferson Fill Pad project in accordance with the agreement executed between Sound Transit and Mr. Dan Christofferson in December 2008.
- The project will create a level upland area, place materials to protect the slope face, install an earth retaining wall, and extend an existing well casing on Mr. Dan Christofferson's property in Marysville, Washington.
- After the construction of the fill pad is complete, Sound Transit will have met all mitigation obligations of the Seattle to Everett Commuter Rail project.

PROJECT DESCRIPTION

Sound Transit has partnered with QERP to mitigate environmental impacts resulting from the Sounder Seattle to Everett track and signal improvements. This project will construct a one-acre fill pad on the property of Mr. Dan Christofferson. In exchange, Mr. Christofferson will sell four acres of property to the QERP Trustees. This property is critical to the Snohomish River estuary restoration project.

FISCAL INFORMATION

This action is within the adopted budget and sufficient monies remain after approval of this action to fund the remaining work in this phase as contained in the current cost estimates.

Budget Table

Permitting/Environmental Mitigation	2012 TIP	Board Approvals	This Action	Board Approved Plus Action	(Shortfall)
Agency Administration	571	475	-	475	96
Preliminary Engineering	1,071	1,007	-	1,007	64
Final Design	419	110	-	110	309
3rd Party	-	-	-	-	-
Right of Way	1,461	1,315	-	1,315	146
Construction	3,156	768	939	1,707	1,449
Construction Management	-	-	-	-	-
Vehicles	-	-	-	-	-
Contingency	-	-	-	-	-
Total Project Budget	\$ 6,679	\$ 3,676	\$ 939	\$ 4,615	\$ 2,064

Phase Detail

Construction	2012 TIP	Board Approvals	This Action	Board Approved Plus Action	(Shortfall)
Northwest Construction, Inc.	940	-	939	939	1
Other Phase Activity	2,216	768	-	768	1,448
Total Phase	\$ 3,156	\$ 768	\$ 939	\$ 1,707	\$ 1,449

Contract Detail

Northwest Construction, Inc.	Board Approvals to Date	Current Approved Contract Status	Proposed Action	Proposed Total for Board Approval
Contract	-	-	854	854
Contingency	-	-	85	85
Total Contract Amount	\$ -	\$ -	\$ 939	\$ 939
Percent Contingency	0%	0%	10%	10%

Notes:

Amounts are expressed in Year of Expenditure \$000.

Board Approvals = Committed to-date + Contingency, and pending Board Actions.

Project budget is located on page 69 of the Proposed 2012 Transit Improvement Plan.

SMALL BUSINESS PARTICIPATION

Sound Transit Goal: 0%
 Commitment: 1.34%

There are no subcontracting opportunities anticipated for this contract.

EQUAL EMPLOYMENT WORKFORCE PROFILE

60 employees; 25% women; 8% minorities.

BACKGROUND

To fulfill the Sounder Seattle to Everett track and signal project mitigation requirements, Sound Transit partnered with the trustees of the Qwuloolt Estuary Restoration Project (QERP) in Snohomish County. The estuarine restoration project, which involves over 300 acres in the Snohomish River estuary includes purchasing private property in the floodplain and restoring estuarine habitat by removing dikes, relocating streams, and planting native vegetation.

Sound Transit's role in the restoration project includes assisting the trustees in purchasing property from Mr. Christofferson. Without the property, a large and expensive system of levees would be required to protect the property from flooding expected to result from the restoration activities. Sound Transit's participation in the purchase of the Christofferson property includes designing and building a one-acre fill pad in exchange for four acres of the floodplain portion of his property to be incorporated into the QERP.

The project has been through multiple environmental permit reviews. During permitting of the QERP project, an adjacent property owner appealed the shoreline permits for the project. Those appeals have been dismissed by the Shorelines Hearings Board, and the City of Marysville is issuing the final permit for this project. While the potential remains for further appeal to Superior Court, staff believes it is appropriate to move forward with this action.

In August 2011, Sound Transit received four bids. Northwest Construction was determined to be the lowest responsive responsible bidder. The engineer's estimate is \$944,103.

ENVIRONMENTAL COMPLIANCE

Jl 4/10/12

PRIOR BOARD/COMMITTEE ACTIONS

Motion No. M2009-69: Authorized the chief executive officer to amend an agreement with Mr. Dan Christofferson to allow him to sell his property to the City of Marysville or to one of the Trustees of the Qwuloolt restoration project.

Motion No. M2008-103: Authorized the chief executive officer to execute an agreement with Mr. Dan Christofferson to build a fill pad on his property in exchange for his agreement to sell his remaining property located in the floodplain of the Snohomish River to the City of Marysville as part of the wetland mitigation package for the Sounder Commuter Rail Everett to Seattle Project.

TIME CONSTRAINTS

Construction would begin late in the second quarter of 2012, with pre-construction activities taking place earlier in the second quarter. Delay of approval of this action could have a significant impact on the ability of the other stakeholders in the QERP program to complete other projects in the program in 2012.

PUBLIC INVOLVEMENT

Not applicable to this action.

LEGAL REVIEW

JW 5/3/12

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A motion of the Capital Committee of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a contract with Northwest Construction, Inc. for the Christofferson Fill Pad project in the amount of \$853,732, with a 10% contingency of \$85,373, for a total authorized contract amount not to exceed \$939,105.

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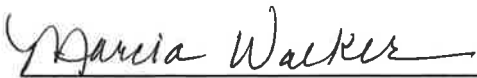
MOTION:

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 contract with Northwest Construction, Inc. for the Christofferson Fill Pad project in the amount of \$853,732, with a 10% contingency of \$85,373, for a total authorized contract amount not to exceed \$939,105.

APPROVED by the Capital Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on May 10, 2012.


Fred Butler
Capital Committee Chair

ATTEST:


Marcia Walker
Board Administrator