

SOUND TRANSIT BOARD MEETING

Summary Minutes

July 25, 2013

CALL TO ORDER

The meeting was called to order at 1:40 p.m. by Chair Pat McCarthy, in the Ruth Fisher Boardroom, 401 South Jackson Street, Seattle, Washington.

ROLL CALL

Chair

(P) *Pat McCarthy, Pierce County Executive*

Vice Chairs

(P) *Julia Patterson, King County Councilmember*

(P) *Paul Roberts, Everett Councilmember*

Boardmembers

(A) *Claudia Balducci, Bellevue Councilmember*

(P) *Fred Butler, Issaquah Council President*

(P) *Richard Conlin, Seattle Councilmember*

(P) *Dow Constantine, King County Executive*

(P) *Dave Earling, City of Edmonds Mayor*

(P) *David Enslow, City of Sumner Mayor*

(A) *John Lovick, Snohomish County Executive*

(P) *John Marchione, City of Redmond Mayor*

(A) *Joe McDermott, King County Councilmember*

(P) *Mike McGinn, City of Seattle Mayor*

(P) *Mary Moss, Lakewood Councilmember*

(A) *Lynn Peterson, WSDOT Secretary*

(P) *Larry Phillips, King County Councilmember*

(A) *Marilyn Strickland, City of Tacoma Mayor*

(P) *Peter von Reichbauer, King County Councilmember*

Ms. Katie Flores, Board Coordinator announced that a quorum of the Board was present at roll call.

REPORT OF THE CHAIR

Chair McCarthy announced that the Snohomish County Council appointed Snohomish County Executive John Lovick to serve on the Sound Transit Board. Mr. Lovick previously served on the Mill Creek City Council and in the state House of Representatives. He was elected Sheriff of Snohomish County twice and appointed County Executive in June.

Chair McCarthy announced that she was appointing Mr. Lovick to the Executive Committee. Mr. Lovick attended the Excess Property Workshop and hopes to attend the next Board meeting.

Chair McCarthy also spoke about the Excess Property Workshop held on July 18, 2013. During the workshop, the Board discussed the current process to utilize and categorize excess property and reviewed what has been accomplished under the existing policy.

She reported that the Board had a robust discussion around what the Board wanted to achieve with its excess property program and disposition policy and how to go about achieving it. The Board found common ground in expressing values and goals, such as getting fair market value, increasing ridership, maintaining flexibility, and being proactive and engaging early with our partner jurisdictions. The Board will also continue to review the agency's role in providing public benefit and how that fits with other Sound Transit goals.

The Board will continue to discuss the Excess Property policy at the Board level rather than referring the policy to the Executive Committee.

Chair McCarthy asked staff to report back to the full Board on takeaways and a work plan. The goal is to establish a policy that is straight forward, clear to the Board and public, and that clearly articulates the excess property program.

CHIEF EXECUTIVE OFFICER'S REPORT

CEO Joni Earl announced that she received a letter yesterday from Traylor Frontier Kemper that they were not going to pursue a bid protest against the awarding of the Northgate Link tunneling contract.

Ms. Earl noted that the 10th anniversary of Tacoma Link is on August 22, 2013. The Tacoma Link light rail line runs from the Tacoma Dome to the Theater District and originally consisted of five stations. A sixth station was added in September 2011 through partnership with the City of Tacoma. Since the addition of the sixth station, ridership has reached one million riders a year. In 2014, Sound Transit anticipates meeting a ridership milestone of 10 million riders since the opening of Tacoma Link.

Sound Transit will be celebrating the 10-year anniversary of Tacoma Link by holding a Favorite Tacoma Link Destination contest to ask people to tell Sound Transit where they like to go on the line and why. On August 22, 2013, Sound Transit will also have agency ambassadors ride the trains to thank passengers and pass out commemorative items.

REPORTS TO THE BOARD

East Link Project Update

Ron Lewis, Executive Project Director for East Link, provided a status update on the East Link project including final design work. East Link will have 10 stations serving the Seattle, Mercer Island, Bellevue and Redmond communities and is projected to carry 50,000 riders a day by 2030. Mr. Lewis reviewed the project budget and schedule. Key final design activities include station & guideway design, third party agreements, the International District Station turn back track, track attachments, tunnel design and tunnel ventilation, stray current, seismic analysis, community outreach, early property acquisitions, survey and geotechnical investigations, permit strategies and construction contract packaging.

Mr. Lewis noted that eight of the issues raised by the Independent Review Team for East Link have already been closed. Nine more items will be closed during 60% design and two items will be closed during 100% design. Only four items will remain following final design; these issues will be closed during or after construction.

Mr. Lewis also reviewed other activities related to the East Link design including testing of the track bridge to cross the I-90 bridge and an interagency workshop held in August to review investments to mitigate impacts to bus operations in downtown Seattle.

The draft contract packaging plan was reviewed, some pre-construction services will be procured starting in the fall of 2013. The final contract packaging plan will be confirmed when the East Link project is baselined. Design features include artwork, station look, landscaping, fences and railings, retaining walls, portals, screening and bicycle and pedestrian access elements that are unique to each station. Station lighting, signage and wayfinding elements, platform paving, windows, colors, ORCA vending machines, seating and bicycle storage will all be standardized to minimize maintenance and installation costs. While developing stations, Sound Transit works to be consistent with PSRC plans, to provide multi-modal access, support community TOD, work with local jurisdictions, access opportunities for agency TOD and apply lessons learned.

Don Billen, East Link Deputy Project Director, reviewed station elements and displayed 30% design drawings for each of the stations. The Overlake Transit Center will be rebuilt and used by Sound Transit, King County Metro and Microsoft. Structured parking will replace the current surface parking. Funding partnerships for pedestrian and bicycle bridges are being sought for both Overlake stations. In the Bel-Red area, there will be stations located at 120th and 130th Ave NE. The alignment was selected in order to support the Bel-Red land use plan. The station designs including planning for future developments and possible TOD market demand. A Spring District public-private partnership is also being pursued per Resolution No. R2011-10. The hospital station area supports the Wilburton land use plan and includes a pedestrian path to 116th Avenue. Sound Transit will coordinate with the Eastside Rail Corridor and ST3 planning. The downtown Bellevue station is adjacent to the Bellevue Transit center and supports the downtown Bellevue plan. The City of Bellevue will invest \$5 million for pedestrian access improvements. The south Bellevue station will include a parking structure with 1,500 stalls to nearly triple the existing capacity. The Mercer Island station has entrances on 77th and 80th Avenue NE and

connections to the I-90 bicycle trail. A partnership is also being pursued per M2010-44. The Rainier station will also have two entrances and connections to the I-90 bike trail.

During the design process, Sound Transit will begin the process of creating artwork for the stations and alignment to provide a visual identity, a sense of place and a connection to the surrounding area.

Mr. Lewis reviewed community outreach events that have taken place recently and provided dates for some upcoming events. So far around 380 community members have attended Sound Transit final design public meetings so far. The Community Outreach team has also interacted with almost 500 people at local fairs and festivals so far this summer.

Issues and challenges were reviewed including: maintaining design progress, fully addressing the independent review team issues, receiving timely decisions from third parties, maintaining competitiveness in the construction market when procuring contracts, and maintaining affordability.

Boardmember Butler asked for more information on the turnback tracks planned for the International District Station where East Link will connect with the existing Link line. Ahmad Fazel, DECM Executive Director responded that Sound Transit reviewed a center platform for the International District Station during the preliminary engineering phase. Because of the space limitations, the turnback tracks that are needed for operational flexibility negate the possibility of having a center platform at the International District Station. In addition, the construction of elevators, escalators and stairs to connect the center platform to the plaza would be difficult with the space limitations. Boardmembers asked that future planning and design look very carefully at future operating considerations and platform locations. Mr. Fazel noted that Sound Transit is looking at opportunities to connect to future extensions and other modes. Deborah Ashland, Director of Architecture and Art, explained that the South Bellevue station has a center platform and is designed to be extended east with only limited shutdowns. The hospital station on East Link is also a center platform to allow a future extension to Kirkland.

PUBLIC COMMENT (Comments on file with the Board Administrator)

Paul W. Locke
Mark Dublin
Will Knedlik
Elton Mason, Washington State Trucking
Eli Mason, National Association of Minority Contractors

CONSENT AGENDA

Minutes of the May 23, 2013 Board Meeting

Voucher Certification for June 1, 2013 through June 15, 2013

Voucher Certification for June 16, 2013 through June 30, 2013

Motion No. M2013-48: Authorizing the chief executive officer to execute a contract amendment with Parsons Brinckerhoff, Inc., to provide final design services for the East Link Extension civil design to include a turn-back track facility at the International District Station in the amount of \$755,879, for a total authorized contract amount not to exceed \$28,640,879

Motion No. M2013-49: Authorizing the chief executive officer to execute a contract amendment with LTK Engineering Services, to provide final design services for the East Link Extension systems design in support of a turn-back track at the International District Station in the amount of \$199,098, for a total authorized contract amount not to exceed \$17,906,805

Motion No. M2013-58: Approving the submittal of the Transit Development Plan 2013-2018 and 2012 Annual Report to the Washington State Department of Transportation

Motion No. M2013-60: Authorizing the chief executive officer to execute an agreement with the King County Sheriff's Office to provide sworn law enforcement services between January 1, 2014 and December 31, 2019

Motion No. M2013-61: Authorizing the chief executive officer to execute a contract with New Flyer Inc. to manufacture and deliver 22 sixty-foot buses in the amount of \$21,451,993, with a 5% contingency of \$1,072,600, for a total authorized contract amount not to exceed \$22,524,593

Motion No. M2013-62: Authorizing the chief executive officer to execute a contract with Gillig Corporation to manufacture and deliver eight forty-foot buses in the amount of \$5,300,356, with a 5% contingency of \$265,018, for a total authorized contract amount not to exceed \$5,565,374

It was moved by Vice Chair Patterson, seconded by Vice Chair Roberts, and carried by unanimous vote that the consent agenda be approved as presented.

BUSINESS ITEMS

Item referred by the Capital Committee

Motion No. M2013-50: Authorizing the chief executive officer to execute a contract with JCM Northlink LLC, a Joint Venture, to construct underground tunnels from the University of Washington Station to the Maple Leaf Portal for the Northgate Link Extension in the amount of \$440,321,000, with a 5% contingency of \$22,016,050, for a total authorized contract amount not to exceed \$462,337,050

Vice Chair Butler spoke in favor of the motion as recommended by the Capital Committee. He noted that the Capital Committee discussed about project contingencies. The Committee amended the action to reduce the contract contingency amount from 10% to 5% of the total contract value. The motion and staff report in Boardmember packets includes the amendment and the new total authorized contract amount. He asked Mr. Fazel to provide more information on how project contingencies are allocated.

Mr. Fazel and Don Davis, Executive Project Director for Northgate Link Extension, reviewed how contingency is determined. The \$2.1 billion baseline budget for the Northgate Link Extension includes budget for each phase of the project. The baseline budget includes unallocated contingency for each phase of the project. Each contract also includes allocated contingency. Contingency levels are based on the risk assessment for the project. Sound Transit assesses the confidence level to complete the project within the baseline budget. Sound Transit uses 80% confidence as the target confidence level. Sound Transit uses contract contingency to execute change orders that are negotiated with the contractor.

Ms. Earl noted that the Board authorized a contract to conduct a disparity study to update Sound Transit's Disadvantaged Business Enterprise (DBE) Program. A presentation on the disparity study will take place at the September Board meeting. The University Link Extension DBE goal was based on the previous disparity study and is a project wide goal. Sound Transit will set DBE goals for the Northgate Link Extension after the disparity study is completed. This construction contract has an individual DBE goal.

Leslie Jones, Director of Diversity Program, gave a presentation on DBE goals for the Northgate Link Extension and this contract. Ms. Jones noted that Sound Transit received Elton Mason's informal protest, sent a confirmation that it was received and is working on a response. Sound Transit analyzed his concerns and consulted Sound Transit's legal department and confirmed that there were no problems with the way that Sound Transit set DBE goals for this contract.

According to Federal regulations, Sound Transit contract goals must provide for the participation of all certified DBE firms, and cannot be subdivided into any specific groups. On the Northgate Link Extension tunneling contract, Sound Transit set at 8% small business goal, of which 4% must be performed by DBE companies. In order to set a DBE goal, Sound Transit looks at all of the elements of work included in the contract. Subcontracting opportunities are then evaluated and Sound Transit identifies the amount of work that can be subcontracted out. Of the subcontracting opportunities, Sound Transit determines the amount of work that small businesses or DBE firms can perform. For the Northgate Link Extension tunneling contract, Sound Transit determined that \$42 million dollars could be given to small businesses, including \$21 million for DBE firms. The University Link tunneling contract had a goal of 6% small business and 3% DBE participation. JCM Northlink, LLC committed to a DBE goal of 4.77% under this contract. Sound Transit will monitor to ensure that commitment is met.

In addition, Sound Transit established long range remedial plans after issues with the University Link Tunneling contract. New procedures will be used for this contract including disclosure of any complaints files related to Small business, Equal Employment Opportunities, DBE or Title VI policies. An on-site compliance monitoring

position was established. Sound Transit has also enhanced tracking of employment data. Contractors must also submit a civil rights compliance plan within 60 days of the notice of intent to proceed.

Mr. Fazel thanked all the bidders for putting proposals together for the tunneling contract.

It was moved by Boardmember Butler, seconded by Vice Chair Roberts, and carried by unanimous vote that Motion No. M2013-50 be approved as presented.

Item referred by the Operations and Administration Committee

Motion No. M2013-59: (1) Authorizing a parking management pilot to test the use of parking permits, rideshare collaboration, and real-time parking availability monitoring at selected Sound Transit parking facilities, and (2) Establishing an administrative fee of \$5 per quarter for high-occupancy vehicle parking permits and an administrative fee of \$33 per quarter for single-occupancy vehicle parking permits during the pilot period

Vice Chair Roberts spoke in favor of the motion that was recommended by the Operations and Administration Committee. Boardmember Conlin thanked staff for bringing this action forward.

It was moved by Vice Chair Roberts, seconded by Boardmember Butler, and carried by unanimous vote that Motion No. M2013-59 be approved as presented.

Item not referred by Committee

Motion No. M2013-57: Authorizing the chief executive officer to execute a two-year agreement with three one-year options to extend with Intercity Transit to extend ST Express Route 592 from DuPont Station to the Olympia Transit Center

Mike Bergman, Service Planning Manager, gave the staff presentation. Boardmember McCarthy and Patterson spoke in favor of the motion.

It was moved by Vice Chair Patterson, seconded by Vice Chair Roberts, and carried by unanimous vote that Motion No. M2013-57 be approved as presented.

EXECUTIVE SESSION

None.

OTHER BUSINESS

None.

NEXT MEETING

Thursday, August 22, 2013
1:30 to 4:00 p.m.
Ruth Fisher Boardroom

ADJOURN

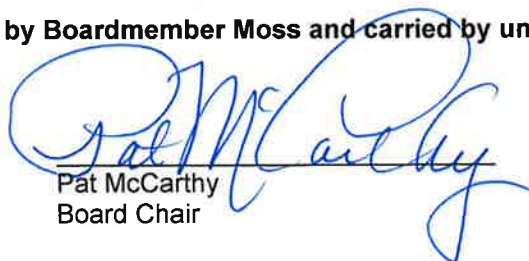
It was moved by Vice Chair Patterson, seconded by Boardmember Moss and carried by unanimous vote to adjourn the meeting.

The meeting was adjourned at 3:32 p.m.

ATTEST:



Marcia Walker
Board Administrator



Pat McCarthy
Board Chair