

MOTION NO. M2013-46

East Link Supplement to the Memorandum of Agreement between Sound Transit and the City of Seattle

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:	PHONE:
Capital Committee	7/11/13	Final Action	Ahmad Fazel, DECM Executive Director Don Billen, East Link Deputy Project Director Paul Cornish, Business Services Project Manager	(206) 398-5389 (206) 398-5052 (206) 398-5342

PROPOSED ACTION

Authorizes the chief executive officer to execute an East Link Supplement to the Memorandum of Agreement with the City of Seattle to reimburse the City for project-related services in support of the East Link project final design work in the amount of \$912,747, with a 10% contingency of \$91,275, for a total supplement amount not to exceed \$1,004,022.

KEY FEATURES SUMMARY

- This is the ninth supplement to the Memorandum of Agreement (MOA) between Sound Transit and the City of Seattle, known as the East Link Supplement.
- The MOA requires Sound Transit to reimburse the City for certain project-related expenses associated with public works, public safety and program management services which directly support the Link project as defined in the MOA.
- Sound Transit will reimburse the City for East Link final design work 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 the portion of East Link within Seattle is expected to be completed by the end of 2015, with initial construction activities beginning in early 2016.

BACKGROUND

East Link extends light rail to east King County via I-90 from downtown Seattle to downtown Bellevue and the Overlake area of Redmond, with stations serving Rainier Avenue/I-90, Mercer Island, South Bellevue, Downtown Bellevue, Overlake Hospital, the Bel-Red Corridor, Overlake Village, and the Overlake Transit Center. The East Link project route, profiles, and station locations, including the tunnel route in downtown Bellevue, were selected by the Sound Transit Board on July 28, 2011, and amended on April 25, 2013. Revenue service between Seattle and the Overlake Transit is forecast for 2023.

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, eight 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, University Link and North Link. The East Link Supplement covers services to be provided by the City in four primary areas:

- Program and Project Management
 - Seattle Department of Transportation (SDOT) will provide the City's core team management for East 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.
 - SFD at the request of the City of Mercer Island will also use their experience with light rail stations to review the proposed Mercer Island station for fire and life safety code compliance.
- Seattle City Light (SCL) Design Review and System Engineering Services
 - SCL staff will manage the planning, design 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, under a future task order, construct necessary improvements in support of the Project.
 - SCL will provide a 100% design of their systems required to support East Link.
- 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 under a future task order construct necessary improvements in support of the Project.

In addition, the Department of Planning and Development (DPD) will assist Sound Transit with 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 East Link final design, third party coordination and property acquisition by adopting Motion No. M2011-81 on November 17, 2011.

FISCAL IMPACT

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

East Link	2013 TIP	Commitment to Date	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Agency Administration	66,539	17,493	0	17,493	49,046
Preliminary Engineering	61,123	55,195	0	55,195	5,928
Final Design	223,685	147,216	0	147,216	76,469
Right of Way	365,408	17,406	0	17,406	348,002
Construction	0	0	0	0	0
Construction Services	0	0	0	0	0
Third Party Agreements	40,064	4,101	1,004	5,105	34,959
Vehicles	0	0	0	0	0
Total Current Budget	756,819	241,412	1,004	242,416	514,403

Phase Detail - Third Party					
City of Seattle (COS)	2,049	0	1,004	1,004	1,044
Other Third Party Phase Activities	38,016	4,101	0	4,101	33,914
Total Phase	40,064	4,101	1,004	5,105	34,959

City of Seattle Memorandum of Agreement Detail	Board Approvals to Date	Current Approved Contract Status	Proposed Action	Proposed Total for Board Approval
Contract Amount	0	0	913	913
Contingency	0	0	91	91
Total	0	0	1,004	1,004
Percent Contingency	0%	0%	10%	10%

Notes:

Amounts are expressed in Year of Expenditure \$000s.

Board Approvals to Date includes amounts through May 31st 2013, plus any pending Board Actions.

Project Budget is located on page 38 of the 2013 Transit Improvement Plan (TIP).

Board Approvals = Committed to-date + Contingency.

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.

PUBLIC INVOLVEMENT

Not applicable to this action.

TIME CONSTRAINTS

Final design of East Link within the City of Seattle is underway. Delay of this task order may affect the City's ability to provide timely design guidance.

PRIOR BOARD/COMMITTEE ACTIONS

Motion No. M2011-72: Authorized 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.

Motion No. M2007-37: 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. M2004-101: 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. M99-33: 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. M98-15: Executive Director is authorized to sign the attached Memorandum of Agreement with the City of Seattle.

Resolution No: R2011-10: Selected the route, profiles, and station locations for the East Link Light Rail Project

ENVIRONMENTAL REVIEW

JI 6/18/2013

LEGAL REVIEW

BN 07-01-13

MOTION NO. M2013-46

A motion of the Capital Committee of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute an East Link Supplement to the Memorandum of Agreement with the City of Seattle to reimburse the City for project-related services in support of the East Link project final design work in the amount of \$912,747, with a 10% contingency of \$91,275, for a total supplement amount not to exceed \$1,004,022.

BACKGROUND:

East Link extends light rail to east King County via I-90 from downtown Seattle to downtown Bellevue and the Overlake area of Redmond, with stations serving Rainier Avenue/I-90, Mercer Island, South Bellevue, Downtown Bellevue, Overlake Hospital, the Bel-Red Corridor, Overlake Village, and the Overlake Transit Center. The East Link project route, profiles, and station locations, including the tunnel route in downtown Bellevue, were selected by the Sound Transit Board on July 28, 2011, and amended on April 25, 2013. Revenue service between Seattle and the Overlake Transit is forecast for 2023.

On April 20, 1998, the City of Seattle and Sound Transit entered into a Memorandum of Agreement for Intergovernmental Cooperation (MOA), which provided City services to guide the design and implementation of Link in the City of Seattle. The MOA requires Sound Transit to reimburse the City for certain project-related expenses associated with public works, public safety and program management services which directly support the Link project as defined in the MOA.

Since then, eight 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, University Link and North Link. The East Link Supplement covers services to be provided by the City in four primary areas:

- Program and Project Management
 - Seattle Department of Transportation (SDOT) will provide the City's core team management for East 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.
 - SFD at the request of the City of Mercer Island will also use their experience with light rail stations to review the proposed Mercer Island station for fire and life safety code compliance.
- Seattle City Light (SCL) Design Review and System Engineering Services
 - SCL staff will manage the planning, design 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, under a future task order, construct necessary improvements in support of the Project.

- SCL will provide a 100% design of their systems required to support East Link.
- 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 under a future task order construct necessary improvements in support of the Project.

In addition, the Department of Planning and Development (DPD) will assist Sound Transit with 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.

Final design for the portion of East Link within Seattle is expected to be completed by the end of 2015, with initial construction activities beginning in early 2016.

The Board authorized staff to proceed with East Link final design, third party coordination and property acquisition by adopting Motion No. M2011-81 on November 17, 2011.

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 an East Link Supplement to the Memorandum of Agreement with the City of Seattle to reimburse the City for project-related services in support of the East Link project final design work in the amount of \$912,747, with a 10% contingency of \$91,275, for a total supplement amount not to exceed \$1,004,022.

APPROVED by the Capital Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on July 11, 2013.



Fred Butler
Capital Committee Chair

ATTEST:



Marcia Walker
Board Administrator