

MOTION NO. M2013-64

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

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:	PHONE:
Board	8/22/2013	Final Action	Ahmad Fazel, DECM Executive Director Ron Endlich, Northgate Link Deputy Project Director	206-398-5389 206-398-5141

PROPOSED ACTION

Authorizes the chief executive officer to execute an amendment to the North Link Supplement to the Memorandum of Agreement with the City of Seattle to reimburse the City for additional project-related services in support of Northgate Link Extension final design work in the amount of \$356,405 with a 10% contingency of \$35,640 totaling \$392,045, for a new total supplement amount not to exceed \$1,292,730.

KEY FEATURES SUMMARY

- This action would amend the seventh supplement to the Memorandum of Agreement (MOA) for Intergovernmental Cooperation dated April 20, 1998 between Sound Transit and the City of Seattle. This supplement is referred to as the “North Link Supplement” and was approved by the Board in October 2011.
- Under this supplement, Sound Transit reimburses the City for certain project-related expenses associated with the Northgate Link final design work. The City provides services in four primary areas:
 - Program and Project Management
 - Design Review (including review by the 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 Northgate Link was originally expected to be completed by the end of 2013. However, Sound Transit delayed design work for the Roosevelt and U District Stations in order to procure GC/CM teams to assist Sound Transit staff and station design teams in completing the remaining design work. Sound Transit used a similar approach for the UW and Capitol Hill Stations, which has worked well to date. Northgate Link final design is scheduled to be complete in late 2015.
- Sound Transit also identified the need for two additional utility relocation contracts in the Northgate area after the original North Link Supplement agreement was negotiated. These new contracts require design review and design support services from the City of Seattle.
- This amendment, if approved, would extend the North Link Supplement completion date by two years to December 2015 and would reimburse the City of Seattle for additional staffing hours required to provide design review, guidance and coordination for this extended duration and to support completion of the Roosevelt and U District stations and the two new utility relocation contracts.

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 light rail in the City of Seattle.

Since then, seven 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) provides the City's core team management for North Link design review and provides 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 provides 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, SPU, the Seattle Fire Department (SFD), SCL, and any consultants retained by the City.
- Seattle City Light (SCL) Design Review and System Engineering Services
 - SCL staff manages the planning, design review, and cost estimating of electrical transmission and distribution system relocations along the project alignment; and coordinates 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 manages 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) assists Sound Transit with Master Use, Building, and other permit processing and assists with other elements of the Project. DPD provides 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, the North Link Supplement, when executed, superseded the interim letter agreement,

and all work performed by the City under the interim letter agreement not previously reimbursed was included in and reimbursed through the North Link Supplement.

FISCAL IMPACT

The 2013 TIP for the Northgate Link Extension is \$2.131 billion. Within that amount:

- \$1,120,000 has been set aside for City of Seattle Design Coordination in the Third Party phase. The proposed action would increase commitments for this line item by \$392,045 to \$1,468,723 and result in a budget shortfall of \$348,723, which will be funded from Third Party phase unallocated contingency.
- \$570,912 has been set aside for Unallocated Contingency in the Third Party phase. The proposed action would utilize \$348,723 of this amount and leave a remaining balance of \$222,189 for this budget line item.

The above changes are reflected in the Proposed 2014 TIP.

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

Northgate Link Extension

	2013 TIP	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Agency Administration	149,500	45,416		45,416	104,084
Preliminary Engineering	15,077	15,077		15,077	-
Final Design	113,123	105,963		105,963	7,160
Right of Way	148,050	93,061		93,061	54,989
Construction	1,323,500	483,297		483,297	840,203
Construction Services	112,050	83,030		83,030	29,020
Third Party Agreements	11,000	10,132	392	10,524	476
Vehicles	259,100	-		-	259,100
Total Current Budget	2,131,400	835,976	392	836,368	1,295,032

Phase Detail

Third Party Agreements

City of Seattle Design Coordination	1,120	1,077	392	1,469	(349)
Other Third Party Agreements	9,309	9,055		9,055	254
Third Party Unallocated Contingency	571	-		-	571
Total Phase	11,000	10,132	392	10,524	476

Contract Detail

City of Seattle Northgate Link Supplement to MOA

	Board Approvals to Date	Current Approved Contract Status	Proposed Action	Proposed Total for Board Approval
Contract	819	899	356	1,175
Contingency	82	2	36	118
Total Contract Amount	901	901	392	1,293
Percent Contingency	10%	0%	10%	10%

Budget Shortfall	349
Third Party Unallocated Contingency	349
Total Funding	349

Notes:

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

Board Approvals = Committed To-Date + Contingency, and includes pending Board actions.

Project Budget is located on page 27 of the 2013 Transit Improvement Plan (TIP).

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

A one-month delay would not create a significant impact to the schedule. A delay beyond one month could impact the final design schedule.

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. 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. M2003-89: Authorized the chief executive officer to execute the Fifth Supplement to the Memorandum of Agreement with the City of Seattle in the amount of \$1,224,204 with a 10% contingency of \$122,420 for a total estimated amount of \$1,346,624, and a revised total of the Memorandum of Agreement not to exceed \$15,099,309. The effective date of this action is September 1, 2003.

Motion No. 98-15: Authorized the Executive Director to enter into a Memorandum of Agreement with the City of Seattle.

ENVIRONMENTAL REVIEW

JI 8/1/2013

LEGAL REVIEW

BN 8/5/13

MOTION NO. M2013-64

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute an amendment to the North Link Supplement to the Memorandum of Agreement with the City of Seattle to reimburse the City for additional project-related services in support of Northgate Link Extension final design work in the amount of \$356,405 with a 10% contingency of \$35,640 totaling \$392,045, for a new total supplement amount not to exceed \$1,292,730.

BACKGROUND:

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and will facilitate resolution of permit issues with other City departments as needed. DPD permit fees are not funded through this agreement.

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MOTION:

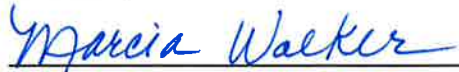
It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute an amendment to the North Link Supplement to the Memorandum of Agreement with the City of Seattle to reimburse the City for additional project-related services in support of Northgate Link Extension final design work in the amount of \$356,405 with a 10% contingency of \$35,640 totaling \$392,045, for a new total supplement amount not to exceed \$1,292,730.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on August 22, 2013.



Pat McCarthy
Board Chair

ATTEST:



Marcia Walker
Board Administrator