

MOTION NO. M2015-104

Operations and Maintenance Agreement with the Port of Seattle

| MEETING: | DATE: | TYPE OF ACTION: | STAFF CONTACT: |
|-----------------------------------------------|--------------------------|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Operations and Administration Committee Board | 11/05/2015 11/19/2015 | Recommend to Board Final Action | Ahmad Fazel, DECM Executive Director Miles Haupt, Project Director Michael Miller, Customer Facilities & Accessible Services Manager |

PROPOSED ACTION

Authorizes the chief executive officer to execute an Operations and Maintenance Agreement with the Port of Seattle for the SeaTac/Airport Station.

KEY FEATURES SUMMARY

- Sound Transit and the Port of Seattle (Port) entered into a Memorandum of Agreement (MOA) in both April 2006 for Airport Link and August 2012 for the S. 200th Link Extension. Each MOA provided the overall framework for design and construction for the project across Port properties.
- Sound Transit and the Port also entered into an Operations and Maintenance (O&M) Agreement at the commencement of Airport Link in December 2009. The O&M defined maintenance responsibilities for Sound Transit light rail facilities within Port properties.
- This Agreement clarifies and updates operations and maintenance responsibilities for the SeaTac/Airport Station footprint only. The light rail alignment/guideway operations and maintenance responsibilities are covered by the Guideway Easements that Sound Transit purchased as part of the Airport Link and S. 200th Link Extensions.
- This agreement defines ownership of assets, hours of operation for the station, access and work notification requirements, and maintenance responsibilities, various utilities, signage, landscape, and safety and security measures.
- This agreement supersedes the 2009 Airport Station Operations and Maintenance Agreement.
- Sound Transit’s share of costs under the agreement are part of the annual budget.

BACKGROUND

In April 2006, Sound Transit entered into a Memorandum of Agreement with the Port of Seattle for the Airport Link project. In August 2012, Sound Transit entered in to a second Memorandum of Agreement with the Port of Seattle for the S. 200th Link Extension. Each MOA provided the overall framework for the design and construction of the respective project across Port property.

In accordance with the Airport Link Memorandum of Agreement of, Sound Transit and the Port entered into an Operations and Maintenance Agreement for SeaTac/Airport Station in 2009. The scope of the 2009 agreement included miscellaneous light rail guideway responsibilities in addition to station operations and maintenance.

This new Operations and Maintenance Agreement clarifies maintenance responsibilities for the SeaTac/Airport Station and removes guideway responsibilities that are already covered under the guideway easements with the Port.

FISCAL INFORMATION

Sound Transit's share of maintenance cost under the proposed action is funded from the contract maintenance budget within the Link annual operating budget. Estimated costs for the next five years total \$75,000. The 2016 contract maintenance budget is \$7,930,198. Within that amount, \$60,847 is committed to SeaTac/Airport Station maintenance related services. Budget authority will be granted upon the Board's approval of the annual budget in December 2015.

Future spending plan will be included in annual budgeting process.

**Link's contract Maintenance budget can be found on page 33 of Proposed 2016 Budget.*

SMALL BUSINESS/DBE PARTICIPATION AND APPRENTICESHIP UTILIZATION

Sound Transit determined that there are no Small Business and DBE subcontracting opportunities under this agreement, and therefore no Small business goal has been set. However, Sound Transit does directly contract with the private sector to satisfy its maintenance responsibilities under this agreement.

PUBLIC INVOLVEMENT

Not applicable to this action.

TIME CONSTRAINTS

A one-month delay would not create a significant impact to the project schedule.

PRIOR BOARD/COMMITTEE ACTIONS

Motion No. M2012-29: Authorized the chief executive officer to execute a Memorandum of Agreement with the Port of Seattle for the development of the South Link – Airport to South 200th Project on Port property; and to execute all other subsequent agreements that may be necessary to implement this agreement in an amount not to exceed \$9,397,792.

Motion No. M2006-18: Authorized the Chief Executive Officer to execute a Memorandum of Agreement with the Port of Seattle (Port) specifying the terms and conditions for the development of the Airport Link Project on Port property, allowing the use of Port right-of-way, and defining the integrated delivery strategy for Airport Link light rail and related Port roadway projects; and to execute all other subsequent agreements as may be necessary to implement this Agreement in an amount not to exceed \$12,690,521.

ENVIRONMENTAL REVIEW

JI 10/30/2015

LEGAL REVIEW

JW 10/30/2015

MOTION NO. M2015-104

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute an Operations and Maintenance Agreement with the Port of Seattle for the SeaTac/Airport Station.

BACKGROUND:

In April 2006, Sound Transit entered into a Memorandum of Agreement with the Port of Seattle for the Airport Link project. In August 2012, Sound Transit entered in to a second Memorandum of Agreement with the Port of Seattle for the S. 200th Link Extension. Each MOA provided the overall framework for the design and construction of the respective project across Port property.

In accordance with the Airport Link Memorandum of Agreement of, Sound Transit and the Port entered into an Operations and Maintenance Agreement for SeaTac/Airport Station in 2009. The scope of the 2009 agreement included miscellaneous light rail guideway responsibilities in addition to station operations and maintenance.

This new Operations and Maintenance Agreement clarifies maintenance responsibilities for the SeaTac/Airport Station and removes guideway responsibilities that are already covered under the guideway easements with the Port.

This agreement supersedes the 2009 Airport Station Operations and Maintenance Agreement.

MOTION:

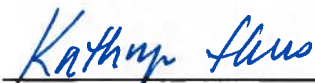
It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute an Operations and Maintenance Agreement with the Port of Seattle for the SeaTac/Airport Station.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on November 19, 2015.



Dow Constantine
Board Chair

ATTEST:



Kathryn Flores
Board Administrator