

MOTION NO. M2015-119

Agreement with Washington State Department of Transportation for Mitigation of the SR520 Maintenance Spoil Processing Site for Construction of the East Link Extension

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:
Capital Committee	12/10/2015	Final Action	Ahmad Fazel, DECM Executive Director Ron Lewis, Executive Project Director – East Link Eza Agoes, Construction Manager

PROPOSED ACTION

Authorizes the chief executive officer to execute an agreement with the Washington State Department of Transportation to pay WSDOT to mitigate East Link Extension construction impacts to the SR520 Maintenance Spoil Processing Site in the amount of \$1,381,105.

KEY FEATURES SUMMARY

- Sound Transit’s selected alignment for the light rail system includes construction of a guideway and associated light rail facilities within the southern portion of SR520 from milepost (MP) 8.5 to 10.1. The Washington State Department of Transportation (WSDOT) operates a maintenance spoil processing site (MSPS) within the southern portion of SR520 at MP 8.7.
- An airspace lease and a temporary construction airspace lease for East Link SR520 will authorize Sound Transit’s use of WSDOT’s MSPS for the construction and operation of light rail guideway columns, a detention vault, and maintenance access road.
- WSDOT’s ability to process maintenance spoils at the MSPS will be affected during the three year construction period, and WSDOT will incur additional cost as a result of necessary operational changes. The proposed agreement provides a plan developed by the parties to mitigate the displacement of the WSDOT operation at the MSPS site and provides for payment of the cost of the mitigation plan.
- The mitigation plan will provide for WSDOT to haul and dispose of the maintenance spoils at permitted disposal facilities.
- Sound Transit will pay a fixed, lump sum amount to reimburse WSDOT for the costs of implementing the mitigation plan.

BACKGROUND

East Link extends light rail 14 miles from downtown Seattle to downtown Bellevue and the Overlake area of Redmond via I-90, 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. In April 2015, the Sound Transit Board established the baseline budget and schedule for the project. Light rail service between Seattle and the Overlake Transit Center is forecasted to begin in 2023.

Sound Transit’s selected alignment for the East Link Extension includes construction of a light rail guideway where WSDOT operates a maintenance spoils processing site. The SR520 Maintenance Spoil Processing Site Agreement with WSDOT is negotiated in connection with the execution of the SR520 TCAL and SR520 Airspace lease for Sound Transit construction and operation of light rail facilities in the WSDOT right of way.

To facilitate construction of the guideway and its associated drainage facility and maintenance road, WSDOT will have to temporarily cease their maintenance spoils processing at this site for approximately three years. During this time, WSDOT will transport their maintenance spoils directly to permitted waste receiving facilities and pay associated fees. These additional costs incurred by WSDOT will be mitigated by a fixed lump sum payment by Sound Transit under the SR520 Maintenance Spoil Processing Site Agreement.

The mitigation plan under the agreement will also address the restoration of useable fill capacity at the MSPS when Sound Transit returns the site to WSDOT. The agreement further provides for access to the elevated guideway and its associated drainage facility and maintenance road that will be located permanently within the site, altering the current configuration of the site. Sound Transit will require periodic access to the site for long-term inspection and maintenance of the guideway, drainage facility, and maintenance road.

FISCAL INFORMATION

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

East Link Extension	2015 TIP*	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Agency Administration	186,200	39,512	0	39,512	146,688
Preliminary Engineering	55,900	54,783	0	54,783	1,117
Final Design	283,000	231,876	0	231,876	51,124
Third Parties	52,150	10,614	1,381	11,995	40,155
Right of Way	298,150	131,350	0	131,350	166,800
Construction	2,544,300	158,390	0	158,390	2,385,910
Construction Services	257,450	126,432	0	126,432	131,018
Vehicles	0	0	0	0	0
Total Current Budget	3,677,150	752,958	1,381	754,339	2,922,811

Phase Detail - Third Parties

WSDOT FD-Constr Coordination	13,850	2,734	1,381	4,115	9,735
Other Third Parties	38,300	7,880	0	7,880	30,420
Total Phase	52,150	10,614	1,381	11,995	40,155

Washington State Department of Transportation (WSDOT) Contract Detail	Board Approvals to Date	Current Approved Contract Status	Proposed Action	Proposed Total for Board Approval
Contract Amount	0	0	1,381	1,381
Contingency	0	0	0	0
Total Contract Amount	0	0	1,381	1,381
Percent Contingency	0%	0%	0%	0%

Notes:

* East Link Extension baseline project budget was approved by Board on April 23, 2015, Resolution No R2015-04.

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

Board Approvals to Date includes amounts through October 30, 2015 plus any pending Board Actions.

Board Approvals = Committed to-date + Contingency.

The 2015 Lifetime Adopted Budget for East Link Extension project is \$3,677,150,000. Within that amount, \$52,150,000 has been set aside for the Third Parties Phase of which \$10,614,060 has been committed for the Third Parties Phase.

The proposed action would commit \$1,381,015 to the Maintenance Spoils Processing Site Mitigation Agreement with WSDOT to provide a fixed, lump sum compensation due to impact from

East Link construction at WSDOT's maintenance spoils processing site, leaving the remaining uncommitted budget of \$40,154,835 in the Third Parties Phase.

SMALL BUSINESS/DBE PARTICIPATION AND APPRENTICESHIP UTILIZATION

Sound Transit promotes and encourages small business participation, which also includes Disadvantaged Business Enterprises (DBEs). Small Business and DBE goals are based upon an examination of subcontracting opportunities contained in the work of this contract and the number of Small Businesses/DBEs available to perform such subcontracting work.

Sound Transit determined that Small Business/DBE goals would not be established or required, as this work will be performed by WSDOT.

PUBLIC INVOLVEMENT

Not applicable to this action.

TIME CONSTRAINTS

A one-month delay could be accommodated. However, timely approval of this agreement is needed prior to issuance of the Temporary Construction Airspace Lease required for construction of the SR520 to Overlake Transit Center (E360) contract.

ENVIRONMENTAL REVIEW

JI 11/16/2015

LEGAL REVIEW

BN 12-02-15

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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 an agreement with the Washington State Department of Transportation to pay WSDOT to mitigate East Link Extension construction impacts to the SR520 Maintenance Spoil Processing Site in the amount of \$1,381,105.

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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 an agreement with the Washington State Department of Transportation to pay WSDOT to mitigate East Link Extension construction impacts to the SR520 Maintenance Spoil Processing Site in the amount of \$1,381,105.

APPROVED by the Capital Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on December 10, 2015.



Fred Butler
Capital Committee Chair

ATTEST:



Kathryn Flores
Board Administrator