

MOTION NO. M2016-129
Northgate Property Settlement Agreement with King County Metro

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:
Capital Committee	12/08/2016	Recommend to Board	Ahmad Fazel, DECM Executive Director Don Davis, Executive Project Director – Northgate Link Extension
Board	12/15/2016	Final Action	Ron Endlich, Deputy Project Director - Northgate Link Extension

PROPOSED ACTION

Authorizes the chief executive officer to execute a property settlement agreement with King County to acquire property and temporary construction easements from King County to construct the Northgate Station and to provide design and construction services for bus transit facilities to be constructed at or near the station on behalf of King County for a net payment amount of \$6,380,000.

KEY FEATURES SUMMARY

- This property settlement agreement incorporates several related actions needed to allow Sound Transit to begin construction of the Northgate Station and elevated guideway on property currently owned by King County and to undertake completion of bus facility improvements on behalf of King County Metro (KCM).
- Main elements of this settlement agreement include:
 - acquisition of property and temporary construction easements from King County;
 - construction of transit facility improvements for KCM including bus passenger shelters, communication system improvements, bus roadway and signal improvements, van service facilities, and bus layover facilities;
 - design and construction management services needed to complete KCM facilities;
 - parking replacement for displaced park and ride lot stalls during station construction; and
 - transfer of parking garage lease (J. C. Penney’s garage) from King County to Sound Transit in 2021.
- Sound Transit awarded a construction contract to build the Northgate Station and related improvements in September 2016. King County has granted temporary property access to Sound Transit’s contractor via issuance of a Special Use Permit in October 2016. Approval of this property settlement agreement is needed for Sound Transit to acquire the permanent rights necessary for Sound Transit’s contractor to complete station work including related KCM improvements.

BACKGROUND

The Northgate Link Extension extends light rail approximately 4.3 miles from the University of Washington Station north to Northgate and includes two underground stations serving the U-District and Roosevelt neighborhoods and an elevated station at Northgate. The Northgate Link Extension project was baselined in June 2012 and light rail service is expected to begin in September 2021. The Northgate Station will be an interim terminus for Link light rail service until the Lynnwood Link Extension is operational, currently anticipated in 2023.

Sound Transit is acquiring property and temporary construction easements from King County in order to build the Northgate Station and elevated guideway. The Northgate Station includes an

elevated station platform that will span NE 103rd Street just east of 1st Avenue NE adjacent to KCM's existing Northgate Transit Center. Property needed for station construction is currently used as a bus commuter park and ride lot.

As part of the integrated Northgate Station design, a transit "island" will be constructed below the south end of the rail platform to accommodate seamless passenger transfers between buses and Link trains. Bus passenger shelters, a busway roadway and other improvements will be built for KCM on or adjacent to the transit island. In addition, Sound Transit will design and build a bus layover facility for KCM on the south WSDOT park and ride lot located west of 1st Avenue NE and south of NE 100th Street, subject to KCM gaining necessary WSDOT approvals for the bus layover facility. Once light rail service begins in 2021, Metro bus operations will move to the new transit island and new bus layover facility. KCM will then close the existing Transit Center facility and intends to redevelop the remaining site as a future transit oriented development (TOD) project.

Sound Transit is providing replacement parking for all park and ride stalls displaced by Sound Transit construction consistent with FTA Record of Decision mitigation requirements. In addition, once Northgate Link service begins in 2021, KCM's current lease of 270 stalls in the Northgate Mall's J. C. Penney parking garage will be transferred to Sound Transit for long term management.

Sound Transit will pay fair market value for the property and easements. The combined cost for the improvements being designed and constructed on behalf of KCM will partially offset the cost of the property leaving the net cash payment to King County of \$6,380,000. In addition, King County will reimburse Sound Transit \$2,229,365 for costs expected to be incurred for the design and construction of the bus layover facility (a KCM betterment) through the use of a separate development agreement, referenced as an exhibit in this property settlement agreement.

Environmental compliance pursuant to the National Environmental Policy Act (NEPA) and State Environmental Policy Act (SEPA) was completed with the North Link Final Supplemental Environmental Impact Statement (SEIS) issued on April 7, 2006. The Federal Transit Administration issued a Record of Decision for North Link in June 2006. Project refinements were addressed in the Northgate Link Extension SEPA Addendum to the North Link Final SEIS issued in July 2015.

PROJECT STATUS

Project Identification	Alternatives Identification	Conceptual Engineering	Preliminary Engineering	Final Design	Construction
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Projected Completion Date for Northgate Station construction: 1Q 2020
 Project scope, schedule and budget summary located on page 15 of the September 2016 Agency Progress Report.

FISCAL INFORMATION

The proposed action to execute a property settlement agreement with King County would authorize Sound Transit to acquire property and temporary construction easements valued at \$10,120,000 from King County to construct the Northgate Station. The agreement provides for ST to make a net cash payment to King County in the amount of \$6,380,000 as the costs for the property acquisitions will be partially offset by work totaling \$3,740,000 that ST is performing on behalf of KCM. This work includes: \$370,000 for Transit Center design, \$3,000,000 for construction of

Transit Center improvements and Parking Garage entrance improvements, and \$370,000 for construction management (CM) for the Transit Center.

Proposed Action: \$1000s		
Right of Way:	Property Acquisition from KCM	10,120
Final Design:	Transit Center Design credit	(370)
Construction:	Transit Center and Parking Garage	
	Entrance Improvements credits	(3,000)
Constr Services:	Transit Center CM credit	(370)
Net ST Payment to KCM		6,380

The proposed agreement also includes design and construction of a bus layover facility for KCM in the amount of \$2,229,365, which is a betterment that will be reimbursed by KCM. Since this work is not part of the Northgate Link Extension project, these costs are not reflected in the net payment amount or project tables as shown in the proposed action.

This action is within the adopted budget and sufficient monies remain after approval of the action to fund the remaining work in the Final Design, ROW, Construction and Construction Services phases as contained in the current cost estimates for the Northgate Link Extension project.

The project budget in the 2016 Transportation Improvement Plan (TIP) for the Northgate Link Extension is \$1,899,755,500. The proposed action would increase total project commitments by \$6,380,000 to a revised total commitment of \$1,298,035,563 and leave a remaining project budget balance of \$404,763,985.

Northgate Link Extension	2016 TIP	Board Approvals	This Action	Board	Uncommitted /
				Approved Plus Action	(Shortfall)
Agency Administration	147,879	64,961		64,961	82,918
Preliminary Engineering	15,077	15,077		15,077	0
Final Design	129,167	121,494	(370)	121,124	8,043
Right of Way	127,300	93,423	10,120	103,543	23,757
Construction	1,328,023	985,608	(3,000)	982,608	345,415
Construction Services	118,310	91,131	(370)	90,761	27,549
Third Party Agreements	11,800	9,930		9,930	1,870
Vehicles	-	-		-	-
Contingency	22,200	-		-	22,200
Total Current Budget	1,899,756	1,381,624	6,380	1,388,004	511,752

Phase Detail					
Final Design Phase	129,167	121,494	(370)	121,124	8,043
Right of Way	127,300	93,423	10,120	103,543	23,757
Construction Phase	1,328,023	985,608	(3,000)	982,608	345,415
Construction Services Phase	118,310	91,131	(370)	90,761	27,549
Total Phases	1,702,800	1,291,656	6,380	1,298,036	404,764

Contract Detail King County Metro	Board Approvals to Date	Current Approved Contract Status	Proposed Action	Proposed Total for Board Approval
Contract Amount	-	-	6,380	6,380
Contingency	-	-	-	-
Total	-	-	6,380	6,380
Percent Contingency	0%	0%	0%	0%

Notes:
 Amounts are expressed in Year of Expenditure \$000s.
 Board Approvals = Committed To-Date + Contingency, and includes pending Board actions.
 2016 TIP = Northgate Link Extension project budget located on page 20 of the Adopted 2016 Transit Improvement Plan (TIP).

SMALL BUSINESS/DBE PARTICIPATION, APPRENTICESHIP UTILIZATION, AND TITLE VI COMPLIANCE

Not applicable to this action.

PUBLIC INVOLVEMENT

Sound Transit staff has held a number of station design workshops, project open houses, and other meetings since the beginning of environmental and preliminary engineering work, and during the final design work completed to date. Staff meets regularly with Northgate area communities, other interested parties and affected stakeholders throughout the project area.

Sound Transit also has an active community outreach program during construction, which includes a 24-hours/7-days-a-week construction hotline, a variety of written materials, and public meetings.

Sound Transit staff has been notifying potentially affected stakeholders and the public about the construction work related to this project. Staff will continue to work closely with King County and local jurisdictions to coordinate public notification efforts and other outreach activities during construction.

TIME CONSTRAINTS

A one-month delay could create a significant impact to the project schedule.

PRIOR BOARD/COMMITTEE ACTIONS

Motion No. M2016-88: Authorized the chief executive officer to execute a contract with Absher Construction Company to construct the Northgate Station, Elevated Guideway & Parking Garage within the Northgate Link Extension in the amount of \$174,000,000, with a 10% contingency of \$17,400,000, for a total authorized contract amount not to exceed \$191,400,000, subject to resolution of any timely protests and appeals.

Resolution No. R2015-25: Amended the Northgate Link Extension baseline budget by \$5,255,500 for design and construction of U District Station to accommodate the revised transit-oriented development concept requested by the University of Washington by (a) amending the project Lifetime Budget from \$1,894,500,000 to \$1,899,755,500, and (b) amending the project 2015 Annual Budget from \$207,765,302 to \$208,389,032.

Resolution No. R2012-18: Authorized the chief executive officer to acquire, dispose, or lease certain real property interests, including acquisition by condemnation to the extent permitted by law, and pay eligible relocation and re-establishment benefits to affected owners and tenants as necessary for the Northgate Link Extension located along Interstate 5 near NE 94th Street and Northgate in the City of Seattle.

ENVIRONMENTAL REVIEW

JI 12/2/2016

LEGAL REVIEW

JB 12/1/2016

MOTION NO. M2016-129

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer execute a property settlement agreement with King County to acquire property and temporary construction easements from King County to construct the Northgate Station and to provide design and construction services for bus transit facilities to be constructed at or near the station on behalf of King County for a net payment amount of \$6,380,000.

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addressed in the Northgate Link Extension SEPA Addendum to the North Link Final SEIS issued in July 2015.

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 a property settlement agreement with King County to acquire property and temporary construction easements from King County to construct the Northgate Station and to provide design and construction services for bus transit facilities to be constructed at or near the station on behalf of King County for a net payment amount of \$6,380,000.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on December 15, 2016.



Dow Constantine
Board Chair

ATTEST:



Kathryn Flores
Board Administrator