

SOUND TRANSIT CAPITAL COMMITTEE MEETING

Summary Minutes**June 8, 2017**

CALL TO ORDER

The meeting was called to order at 1:32 p.m. by Committee Chair Fred Butler, in the Ruth Fisher Boardroom, 401 South Jackson Street, Seattle, Washington.

ROLL CALL

Chair

(P) Fred Butler, Issaquah Mayor

Vice Chair

(P) Claudia Balducci, King County Councilmember

Board Members

(A) Nancy Backus, Auburn Mayor

(P) Dave Earling, Edmonds Mayor

(P) Rob Johnson, Seattle Councilmember

(P) Kent Keel, University Place Mayor Pro Tem

(A) Mary Moss, Lakewood Councilmember

(P) Dave Upthegrove, King County Councilmember

Jane Emerson, Board Coordinator, announced that there was a quorum of the committee present at roll call.

REPORT OF THE CHAIR

Chair Butler announced a change to the public comment procedure to match the change made by Board Chair Somers at the May Board meeting. Rather than individual sign-up sheets, there will be one sign-up sheet available in the Boardroom. Speakers will be called in the order they signed up.

The Capital Committee will continue to accept public comment on items that are within the Committee's authority for final action on the agenda.

CEO REPORT

New I-90 HOV Lanes

Peter Rogoff, CEO, reported that the past Sunday the new I-90 HOV lanes opened and the reversible express lanes in the center roadway closed permanently. The I-90 express lanes were closed to allow construction of the I-90 portion of the East Link light rail extension from Seattle to Redmond.

Carpools and vanpools traveling on I-90 can use the new mainline HOV lanes both eastbound and westbound. The previous center roadway lanes operated in a single-direction depending on the time of day. There continues to be three general-purpose lanes for single occupant vehicles traveling on I-90 in either direction, along with the bike and pedestrian trail on the north side of the westbound lanes. Sound Transit and WSDOT are working together to monitor the new traffic patterns and WSDOT will make necessary adjustments to keep the traveling public moving as drivers adjust to their new mobility options.

Mercer Island Agreement

Mr. Rogoff gave an update on discussions with Mercer Island in the face of ongoing litigation regarding East Link and the closure of the center roadway to begin construction. He stated that the Mercer Island City Council adopted a tentative agreement to settle all legal disputes arising from any alleged mobility

impacts that the City asserts will result from Sound Transit's East Link Extension project. The settlement agreement will be coming to the full Board for consideration at the June 22, 2017, Board meeting.

The agreement, if adopted, will achieve many objectives. The City of Mercer Island agrees that any obligations arising from the 1976 or 2004 agreements to address mobility impacts and provide mitigation on Mercer Island resulting from the changes to the Center Roadway will be satisfied, thus eliminating any legal challenges by the City to prevent Sound Transit from building the East Link project on time and on budget. The City cancelled its motion for preliminary injunction; the court did not hear the motion. The City also stayed their appeals to the King County Superior Court.

A capped fund will be established to enable the City of Mercer Island to be reimbursed for traffic mitigation investments to address any traffic pattern changes that could occur in the months ahead. Additional short-term parking stalls will be secured on Mercer Island similar to the additional parking Sound Transit has obtained in Redmond and Bellevue during the construction phase of East Link. Sound Transit will make a minority contribution toward a fixed number of additional commuter parking stalls included in the City's Transit-Oriented Development projects that may be built in proximity to the future Mercer Island light rail station.

The location of the planned bus-rail intercept at the Mercer Island light rail station will be moved to a site that is more conducive to the City's long-range vision for its town center.

South Bellevue Park-and-Ride Closure

On May 30, 2017, Sound Transit closed the South Bellevue Park-and-Ride so that contractors can begin building the new South Bellevue station and a 1,500 space parking garage. The site will also serve as a construction hub for staging equipment and materials for building this segment of the East Link Extension.

Last fall, Sound Transit opened six new lots and expanded two lots for a total of 367 leased spaces to provide some replacement parking for the closure. There are also 27 existing and new park-and-rides serving Eastside communities with available parking. Sound Transit will continue to monitor travel patterns at its park-and-ride lots, bus routes, permit parking facilities, and alternative travel options to assess rider needs.

PUBLIC COMMENT

Marguerite Richard
A.J. Honoré
Josh Benaloh

REPORT TO THE COMMITTEE

None

BUSINESS ITEMS

Items for Committee Final Action

Minutes of the April 13, 2017, Capital Committee Meeting

It was moved by Board Member Johnson, seconded by Board Member Earling, and carried by unanimous vote that the April 13, 2017, Capital Committee minutes be approved as presented.

(Board Member Upthegrove arrived at this time.)

Motion No. M2017-83: Authorizing the chief executive officer to execute a contract with Acoustic Strategies, Inc. (dba ATS Consulting) to collect data and develop mathematical functions necessary to monitor groundborne vibrations attributable to light rail operations under the University of Washington campus as part of the Northgate Link Extension project in the amount of \$1,547,538, with a 10% contingency of \$154,754, for a total authorized contract amount not to exceed \$1,702,292

Don Davis, Executive Project Director Northgate Link Extension, and Shankar Rajaram, Senior Noise and Vibration Engineer, presented the staff report. The 2007 Master Implementation Agreement (MIA) between Sound Transit and the University of Washington (UW) requires installation of equipment that will monitor train vibrations that could impact UW facilities.

This action will allow for the development of the Northgate Link Extension vibration monitoring system to comply with the MIA. Data collection will be performed along the new transit tunnel alignment under the UW campus and at potential vibration receptor points on the campus. The consultant will use the data to develop formulas to calibrate the monitoring equipment that will be procured and installed under a separate contract. Sound Transit installed nine permanent vibration monitors during construction of the University Link Extension; an additional 28 permanent vibration monitors will be installed during Northgate Link construction.

Committee Vice Chair Balducci asked whether it would be more accurate and potentially less expensive to install a few monitors in specific offsite sensitive locations as opposed to doing a study to guess what the differential is between the source of the vibration and the receiving site. Mr. Rajaram responded that staff considered this approach, but it was determined that the best location is where the train vibration is at its maximum.

It was moved by Board Member Johnson, seconded by Committee Vice Chair Balducci, and carried by unanimous vote that Motion No. M2017-83 be approved as presented.

Motion No. M2017-84: Authorizing the chief executive officer to execute a contract with Hatch Associates Consultants, Inc. to provide public private partnership advisory services for a total authorized contract amount not to exceed \$400,000.

Brian McCartan, Executive Director Finance and IT, presented the staff report for Motion Nos. M2017-84, M2017-85, and M2017-86. The motions authorize contracts for advisory services for public private partnerships. Public private partnerships (P3) are arrangements where Sound Transit would partner with a private party to build a capital project who would then subsequently operate and maintain the project. This is a common mechanism for project delivery in Canada and Europe and has been used in the United States on toll roads and transit.

These actions would authorize contracts with three firms to provide on-call advisory services to evaluate Sound Transit's full suite of capital programs to identify potential P3 candidates. Projects that are determined to benefit from the P3 process will be brought back to the Board for guidance. The P3 firms would be available in an advisory capacity to help execute the transactions, and staff would return to the Board to authorize a supplement to the contract to execute an individual transaction.

It was moved by Board Member Keel, seconded by Committee Vice Chair Balducci, and carried by unanimous vote that Motion No. M2017-84 be approved as presented.

Motion No. M2017-85: Authorizing the chief executive officer to execute a contract with KPMG Corporate Finance LLC to provide public private partnership advisory services for a total authorized contract amount not to exceed \$750,000.

Committee Vice Chair Balducci mentioned that all of three public private partnership actions look the same. She asked to have description of what the difference is between the three actions.

Mr. McCartan replied that all three scopes are the same. Based on the competitive process, KPMG was identified as the lead and will do the initial review of 45-50 projects, set up a framework, work with agency staff, and run each of the projects through the screening process. That will conclude phase 1 of the work.

In phase 2, the three firms will bid for individual tasks through a competitive process to provide further evaluation, refinement, and industry feedback.

It was moved by Committee Vice Chair Balducci, seconded by Board Member Keel,, and carried by unanimous vote that Motion No. M2017-85 be approved as presented.

Motion No. M2017-86: Authorizing the chief executive officer to execute a contract with Ernst & Young Infrastructure Advisors, LLC to provide public private partnership advisory services for a total authorized contract amount not to exceed \$400,000.

It was moved by Committee Vice Chair Balducci, seconded by Board Member Johnson,, and carried by unanimous vote that Motion No. M2017-86 be approved as presented.

Items for Recommendation to the Board

Motion No. M2017-92: Identifying proposed refinements to the Downtown Redmond Link Extension project for further study.

Bernard van de Kamp, East Corridor Development Manager; Leonard McGhee, Redmond Project Manager; and DeWitt Jensen, Corridor Design Manager, presented the staff report. The Downtown Redmond Link Extension project was delayed as a result of the recession in 2008. The project is being reviewed to identify what has changed since the Record of Decision was issued and to revisit station locations and configurations in Redmond.

In 2011, the Board selected the route to be built for the Downtown Redmond Link Extension. That route continued the East Link Extension from NE 40th to Downtown Redmond, continued to run along the east side of SR 520, and then on the south side of SR 520 as it goes along Marymoor Park to an at-grade station in Southeast Redmond. The alignment then turns west going underneath SR 520/SR 202 interchange area, then elevated over Bear Creek, and then down to at-grade with a terminal station west of Leary Way.

The proposed refinements to the Downtown Redmond Link Extension would have an elevated guideway in the downtown segment and would shift the downtown station approximately 500 feet easterly from the Leary Way location to the Redmond town center location. Considerations included transit integration, rearrangement of streets and blocks consistent with the City's plan, and trails in the area with potential connections to the light rail station. Sound Transit is recognizes the City's concerns around elevated structures in the downtown area and will work with the City on urban design and aesthetic design to ensure to incorporate the design of the facilities in with the design of that portion of the downtown area.

Don Billen, Deputy Director-Capital Project Development, spoke to the public comment from Mr. Josh Benaloh. He stated that there were several factors that lead to the selection of the adopted project alignment over the Leary Way alignment. The City had concerns about the Leary Way alignment because that is viewed as the gateway to the City of Redmond, it is the location of the sole historic structure in the City, and it would alter the character of the treed boulevard. It also would have required the alignment to cross SR 520 twice, which would have added additional construction risk and complications with WSDOT.

Board Member Keel asked about the difference in the cost estimates between the original alignment and the refinement. Mr. van de Kamp stated that there was a cost estimate for the ROD with different assumptions due to the unknowns that occurred over the five-year period. The ST3 vote was in the neighborhood of a \$100 million increase in the budget. The cost differential between going at grade and going elevated is in the neighborhood of a \$35-40 million cost increase, which is well within the ST3 budget for this project. Board Member Keel stated that because of the increase to the project budget, he would not be supporting the action.

It was moved by Committee Vice Chair Balducci, seconded by Board Member Johnson, and carried by majority vote that Motion No. M2017-92 be forwarded to the Board with a do pass recommendation with Board Member Keel voting in the minority.

Resolution No. R2017-22: Amending the adopted 2017 annual budget to create the I-405 Bus Rapid Transit project by (a) establishing the authorized project allocation to date in the amount of \$650,000 and (b) establishing the 2017 Annual Budget in the amount of \$650,000.

Don Billen, Deputy Executive Director Capital Project Development, and Bernard van de Kamp, East Corridor Development Manager, presented the staff report.

Mr. Billen noted that after passage of ST3 in November 2016 and presenting the System Expansion Implementation Plan to the Board in April 2017, this is the first of a series of capital project budget amendments for the new capital projects that were approved by the voters.

Mr. van de Kamp stated that there are a few factors currently occurring that could have consequences on the project. For this reason, staff is bringing this action to the Board prior to Gate 1, Enter Project Development, of the Phase Gate process. This action would secure funding for the development of the consultant procurement that would include administrative costs for staff to develop the request for qualifications and have this completed for Board consideration the end of 2017.

In the Burien area, specifically in the Des Moines Memorial Drive area, the state of Washington is planning to construct an eastbound off ramp. Part of the project will include the alignment Sound Transit will be studying next year for bus-only lanes to be added to SR 518 between Burien and the Tukwila International Blvd. station. The state's off ramp provides enough right-of-way to include a bus-only lane through the interchange that is being created; however, there could be some complications with the drainage and design. The WSDOT project was designed prior to ST3 passing, so bus rapid transit (BRT) was not anticipated as part of their project. Sound Transit would like to secure funds to enable the agency to enter into a task order agreement with WSDOT to modify the design slightly to preserve the right-of-way to ensure it would be useable for a bus-only lane without expensive and more extensive reconstruction later. This action is coming to the Board at this time because WSDOT awarded the project earlier this week and anticipates completing construction in mid-2018.

Two potential sites could be candidates for critical pieces of the project. Staff would like to secure funding to investigate the properties further. One property is in the Canyon Park area and would be used for a BRT maintenance base, the other is for the south Renton Transit Center and parking garage location. Both properties are currently on the market.

Board Member Upthegrove stated his support of the work being done near SR 518. The BRT connection into Burien will be very important to the community. Anything that can be done to enhance opportunities in the corridor is important.

It was moved by Board Member Upthegrove, seconded by Board Member Keel, and carried by unanimous vote that Resolution No. R2017-22 be forwarded to the Board with a do pass recommendation.

Motion No. M2017-88: Authorizing the chief executive officer to execute a Transit Way Agreement with the City of Mountlake Terrace to grant Sound Transit non-exclusive use of a light rail transit way within city right-of-way to construct, operate, maintain, and own a light rail transit system for the Lynnwood Link Extension.

Rod Kempkes, Executive Project Director Lynnwood Link Extension, and Fred Wilhelm, Deputy Project Director Lynnwood Link Extension, presented the staff report. The transit way agreement with the City of Mountlake Terrace will grant Sound Transit non-exclusive use of portion so the City's right-of-way for the

Lynnwood Link Extension light rail system. The terms of the agreement remains in effect as long as the light rail transit way is used for public transit purposes. The agreement needs to be executed prior to the submission of the full funding grant agreement application for the project. The Mountlake Terrace City Council is scheduled to take action to approve executive of the transit way agreement at its June 19, 2017, meeting.

It was moved by Board Member Johnson, seconded by Board Member Earling, and carried by unanimous vote that Motion No. M2017-88 be forwarded to the Board with a do pass recommendation.

Resolution No. R2017-21: Authorizing the chief executive officer to acquire certain real property interests, including acquisition by condemnation to the extent authorized by law, and to reimburse eligible relocation and reestablishment expenses incurred by affected owners and tenants as necessary for the Lynnwood Link Extension.

Kevin Workman, Director of Real Property, stated that the action would authorize acquiring 15 properties needed for the Lynnwood Link Extension. The owners were notified via certified mail on June 1, 2017, and notices of the acquisition will be in the Seattle Times and the Everett Herald on June 9, 2017, and June 16, 2017.

It was moved by Board Member Earling, seconded by Board Member Johnson, and carried by unanimous vote that Resolution No. R2017-21 be forwarded to the Board with a do pass recommendation.

Motion No. M2017-89: Authorizing the chief executive officer to execute a five-year contract with two one-year options to extend with HDR Engineering, Inc. to provide on-call right-of-way consulting services for a total authorized contract amount not to exceed \$25,000,000.

Eric Beckman, Deputy Executive Director Business & Construction Services, and Kevin Workman, Director Real Property, presented the staff report for Motion Nos. M2017-89, M2017-90, and M2017-91. All three of the actions are task order contracts. Motions Nos. M2017-89 and M2017-90 with HDR Engineering, Inc. and Universal Field Services, Inc., respectively, are actions to replace existing on-call contracts that are nearly exhausted of time and money. The focus of these two contracts will be on projects primarily in the final design phase. The third action, Motion No. M2017-91 with Contract Land Staff, LLC is intended to address ST3 work during the development phase. The right-of-way services consultants will provide a wide spectrum of right-of-way services to assist Sound Transit in acquiring real property. The services include acquisition, relocation, property management, appraisal, and administration.

It was moved by Board Member Johnson, seconded by Board Member Keel, and carried by unanimous vote that Motion No. M2017-89 be forwarded to the Board with a do pass recommendation.

Motion No. M2017-90: Authorizing the chief executive officer to execute a five-year contract with two one-year options to extend with Universal Field Services, Inc. to provide on-call right-of-way consulting services for a total authorized contract amount not to exceed \$25,000,000.

It was moved by Board Member Johnson, seconded by Board Member Earling, and carried by unanimous vote that Motion No. M2017-90 be forwarded to the Board with a do pass recommendation.

Motion No. M2017-91: Authorizing the chief executive officer to execute a five-year contract with two one-year options to extend with Contract Land Staff, LLC to provide on-call right-of-way consulting services for a total authorized contract amount not to exceed \$20,000,000.

It was moved by Board Member Johnson, seconded by Board Member Earling, and carried by unanimous vote that Motion No. M2017-91 be forwarded to the Board with a do pass recommendation.

EXECUTIVE SESSION

None

OTHER BUSINESS

None

NEXT MEETING

Thursday, July 13, 2017
1:30 to 4:00 p.m.
Ruth Fisher Boardroom

ADJOURN

The meeting adjourned at 3:05 p.m.



Fred Butler
Capital Committee Chair

ATTEST:



Kathryn Flores
Board Administrator

APPROVED on July 13, 2017, JE