

MOTION NO. M2018-122

Amendment to the Expedited Permitting and Reimbursement Agreement with the City of Shoreline to add Construction Support Services

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:
Capital Committee	10/11/2018	Recommend to Board	Ron Lewis, Acting DECM Executive Director
Board	10/25/2018	Final Action	Rod Kempkes, Executive Project Director – Lynnwood Link Extension Taylor Carroll, Project Manager – Lynnwood Link Extension

PROPOSED ACTION

Authorizes the chief executive officer to execute an amendment to the Expedited Permitting and Reimbursement Agreement with the City of Shoreline to add construction support services for the Lynnwood Link Extension in the amount of \$3,700,669, with a 5% contingency of \$199,046 totaling \$3,899,715, for a new total authorized agreement amount not to exceed \$6,099,715.

KEY FEATURES SUMMARY

- The Expedited Permitting and Reimbursement Agreement with the City of Shoreline set forth the roles and responsibilities for the City’s review of Sound Transit’s design submittals and associated land use permit applications, schedule of submittals and reviews, and Sound Transit’s obligations and reimbursement to the City for its costs and expenses.
- This amendment establishes roles and responsibilities for the City’s expedited review of the project’s construction services including construction permits and eligible costs and expenses incurred by the City related to the construction of the project, fulfilling the intent of the original agreement.
- The scope of the agreement includes the following:
 - Provide necessary staff to complete all the work outlined in the agreement in a timely manner and according to Sound Transit’s project baseline schedule for the project.
 - Review and process land use and construction permits and associated design documentation.
 - Coordination of construction activities between Sound Transit, the contractor, the public, utility companies, emergency services, and the City or others as necessary.
 - Conduct construction inspections and review special inspection reports associated with the permits.
 - Process right-of-way transfers between Sound Transit and the City.
 - Provision of administrative services associated with this agreement.
 - Sound Transit’s payments for construction services will be in lieu of the permit fees the City would ordinarily charge for the permits listed in the amendment.
- This amendment increases Sound Transit’s previously-authorized funding commitment to the City under this agreement from \$2,200,000 to \$6,099,715.

- This agreement amendment was reviewed by and agreed to by consent of the City Council at the September 24, 2018, City of Shoreline City Council meeting.

BACKGROUND

The Lynnwood Link Extension is an 8.5 mile light rail extension from Northgate to Lynnwood with service to the cities of Shoreline, Mountlake Terrace, and Lynnwood. The extension will travel primarily along I-5 and include four stations: two in the City of Shoreline at NE 145th Street and NE 185th Street, one at the Mountlake Terrace Transit Center, and one at the Lynnwood Transit Center. The project began final design in 2016, is scheduled to start construction in early 2019, and is scheduled to open for service in mid-2024.

The LLE Final Environmental Impact Statement was issued in April 2015, in compliance with the State Environmental Policy Act (SEPA) and the National Environmental Policy Act (NEPA). The Sound Transit Board selected the project route, profile, and stations on April 23, 2015. The Federal Transit Administration issued a NEPA Record of Decision (ROD) for the project on July 10, 2015, and the Federal Highway Administration issued a ROD on August 31, 2015. Sound Transit issued a SEPA Addendum on May 3, 2018, which includes additional environmental information related to project refinements proposed since the Final EIS was issued.

The City of Shoreline Expedited Permitting and Reimbursement Agreement for the Lynnwood Link Extension was authorized by Board Motion No. M2016-68 on July 14, 2016. That agreement allowed for coordination between the City of Shoreline and Sound Transit to conduct over-the-shoulder review of design submittals, formal design submittal review, assistance with permit application and review, and Sound Transit reimbursement to the City for those activities.

The City of Shoreline will continue to provide design review in support of land use permitting and with the addition of this amendment the City will perform coordination between Sound Transit’s final design team and all involved City departments to assist Sound Transit to obtain the necessary documentation to construct and inspect the project.

PROJECT STATUS

Project Identification	Alternatives Identification	Conceptual Engineering	Preliminary Engineering	Final Design	Construction
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Projected Completion Date for Final Design Phase: Q2 2019
 Project scope, schedule, and budget summary located on page 31 of the July 2018, Link Light Rail Program Progress Report.

FISCAL INFORMATION

The authorized project allocation to date for the Lynnwood Link Extension project is \$2,771,622,000. Within that amount, \$8,344,000 has been allocated for Construction Assistance within the construction phase. The proposed action would commit \$3,899,715 to this phase, leaving an uncommitted budget balance of \$2,142,535.

This agreement is funded by both the construction phase and the third party phase. The Board-approved third-party phase contribution is \$2,200,000. This action seeks to increase the

agreement amount by \$3,899,715 from the construction phase, for a total agreement amount of \$6,099,715.

This action is within the authorized project allocation to date and sufficient monies remain after approval of this action to fund the remaining work in the construction phase.

Lynnwood Link Extension

(in thousands)

	Authorized Project Allocation to Date	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Agency Administration	\$98,164	\$25,100	\$	\$25,100	\$73,064
Preliminary Engineering	39,054	39,054		39,054	
Final Design	164,162	114,838		114,838	49,324
Right of Way	235,660	112,693		112,693	122,967
Construction	1,921,391	14,446	3,900	18,345	1,903,046
Construction Services	128,429	22,596		22,596	105,833
Third Party	14,600	10,875		10,875	3,725
Vehicles					
Contingency	170,162				170,162
Total Current Budget	\$2,771,622	\$339,602	\$3,900	\$343,502	\$2,428,120

Phase Detail Construction

Construction Assistance	\$8,344	\$2,302	\$3,900	\$6,201	\$2,143
Remaining Construction Phase	1,913,047	12,144		12,144	1,900,903
Total Phase	\$1,921,391	\$14,446	\$3,900	\$18,345	\$1,903,046

Phase Detail Third Party

City of Shoreline	\$2,200	\$2,200	\$	\$2,200	\$
Remaining Construction Phase	12,400	8,675		8,675	3,725
Total Phase	\$14,600	\$10,875	\$	\$10,875	\$3,725

Agreement Detail

Construction Services Amendment - Permitting and Reimbursement Agreement	Board Approvals to Date	Current Approved Contract Status	Proposed Action	Proposed Total for Board Approval
Agreement Amount	\$2,000	\$2,000	\$3,701	\$5,701
Contingency	\$200	200	199	399
Total	\$2,200	\$2,200	\$3,900	\$6,100
Percent Contingency	10%	10%	5%	7%
Total Lynnwood Link Extension	\$2,200	\$2,200	\$3,900	\$6,100

Notes:

Amounts are expressed in Year of Expenditure

Board Approvals = Committed To-Date + Contingency as of Aug 2018 and includes pending Board actions.

For detailed project information, see page 22 of the Adopted 2018 Transit Improvement Plan, as amended by resolution of the ST Board in May 2018 (R2018-16, adopted 05/24/18).

SMALL BUSINESS/DBE PARTICIPATION

Not applicable to this action.

PUBLIC INVOLVEMENT

The Lynnwood Link Extension project staff has been actively engaged with stakeholders at all levels throughout the project area. Through public open houses and public permitting meetings the neighboring communities have had numerous opportunities to meet with staff, learn about the project, and provide Sound Transit with comments and questions. The final design has been a collaborative effort between Sound Transit and project stakeholders, including the local community, the Cities of Seattle, Shoreline, Mountlake Terrace, and Lynnwood; the Washington State Department of Transportation, King County Transit providers, and emergency service providers.

TIME CONSTRAINTS

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

PRIOR BOARD/COMMITTEE ACTIONS

Resolution No. R2018-16: (1) Adopted the Lynnwood Link Extension baseline schedule and budget by (a) increasing the authorized project allocation to date from \$667,337,500 to \$2,771,622,000, which includes a project contingency of \$170,162,000 requiring board approval for use of this contingency; (b) lowering the 2018 annual budget from \$251,679,968 to \$229,256,177; and (c) establishing a project revenue service date of July 17, 2024; and (2) changed the location of the 185th Station parking garage from the west side of I-5 to Sound Transit-owned property on the east side of I-5 adjacent to the station, eliminating the requirement to improve pedestrian connections on or adjacent to the existing NE 185th Street bridge over I-5.

Motion No. M2016-68: Authorized the chief executive officer to execute an Expedited Permitting and Reimbursement Agreement with the City of Shoreline for the Lynnwood Link Extension in the amount of \$2,000,000, with a 10% contingency of \$200,000, for a total authorized agreement amount not to exceed \$2,200,000.

Resolution No. R2015-30: Amended the 2015 Adopted Budget by (1) increasing the lifetime capital budget for the Lynnwood Link Extension project by \$423,742,313 from \$64,118,687 to \$487,861,000, (2) increasing the 2015 Annual Budget by \$2,329,890 from \$16,324,776 to \$18,654,671 and (3) authorizing the project to advance through Gate 4 within Sound Transit's Phase Gate Process.

Resolution No. R2015-05: Selected the route, profile, and stations for the Lynnwood Link Extension.

Motion No. M2013-96: Identified the preferred light rail routes and station locations for the Lynnwood Link Extension Final Environmental Impact Statement.

ENVIRONMENTAL REVIEW

KH 10/3/18

LEGAL REVIEW

NM 10/5/18

MOTION NO. M2018-122

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute an amendment to the Expedited Permitting and Reimbursement Agreement with the City of Shoreline to add construction support services for the Lynnwood Link Extension in the amount of \$3,700,669, with a 5% contingency of \$199,046 totaling \$3,899,715, for a new total authorized agreement amount not to exceed \$6,099,715.

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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 to execute an amendment to the Expedited Permitting and Reimbursement Agreement with the City of Shoreline to add construction support services for the Lynnwood Link Extension in the amount of \$3,700,669, with a 5% contingency of \$199,046 totaling \$3,899,715, for a new total authorized agreement amount not to exceed \$6,099,715.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on October 25, 2018.



Ron Lucas
Board Vice Chair

ATTEST:



Kathryn Flores
Board Administrator