

MOTION NO. M2018-152
Amendment to the Permitting and Reimbursement Agreement with the City of Mountlake Terrace for the Lynnwood Link Extension

| MEETING: | DATE: | TYPE OF ACTION: | STAFF CONTACT: |
|-------------------|--------------|------------------------|--|
| Capital Committee | 11/08/2018 | Recommend to Board | Ron Lewis, Acting DECM Executive Director |
| Board | 11/15/2018 | Final Action | Rod Kempkes, Executive Project Director – Lynnwood Link Extension Gwen McCullough, Project Manager – Lynnwood Link Extension |

PROPOSED ACTION

Authorizes the chief executive officer to execute an amendment to the Permitting and Reimbursement Agreement with the City of Mountlake Terrace to add continued design review and construction support services for the Lynnwood Link Extension in the amount of \$2,131,287, with a 7% contingency of \$139,400, for a new total authorized agreement amount not to exceed \$3,125,232.

KEY FEATURES SUMMARY

- This amendment identifies additional scope for construction related project activities including coordination, permits, approvals, and inspections.
- This amendment establishes the roles and responsibilities for the City and Sound Transit, including continued design review of the project through 100 percent design, review and approval of the project's land use determination, expedited review of the project's construction permit submittals, construction coordination, construction inspection, and associated project approvals, and Sound Transit's obligations to reimburse the City for eligible costs and expenses in performing this support.

BACKGROUND

The Lynnwood Link Extension (LLE) 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 at NE 145th Street, NE 185th Street, Mountlake Terrace Transit Center, and Lynnwood Transit Center. The project began final design in 2016 and is scheduled to open for service in 2023.

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 Mountlake Terrace Permit Project Review Reimbursement Agreement, authorized by Board Motion No. M2016-112, was executed on January 17, 2017. That agreement allowed for LLE project coordination between the City of Mountlake Terrace and Sound Transit, project

management, and City consultant coordination and facilitation of over the shoulder review of final design submittals and Sound Transit reimbursement to the City for those activities.

Under this amendment, the City of Mountlake Terrace will continue to provide design review in support of land use and construction permitting as well as perform coordination between Sound Transit’s final design team and construction contractor and all involved City departments. The focus of the proposed amendment is on City staff and consultant facilitation and coordination of the Conditional Use Permit review, completion of final design and facilitation of construction permit submittals, and construction inspection, along with ongoing agreement management for the project.

PROJECT STATUS

| | | | | | |
|------------------------|-----------------------------|------------------------------------|-------------------------------------|--------------|--------------|
| Project Identification | Alternatives Identification | Conceptual Engineering / Draft EIS | Preliminary Engineering / Final EIS | Final Design | Construction |
|------------------------|-----------------------------|------------------------------------|-------------------------------------|--------------|--------------|

Projected Completion Date for Final Design Phase: Q2 2019
 Project scope, schedule, and budget summary located on page 31 of the August 2018 Link Light Rail Program Progress Report.

FISCAL INFORMATION

The authorized budget 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 \$2,131,287 to this line, leaving an uncommitted budget balance of \$2,312,998.

This agreement is funded by the construction phase and also by the third party phase. The previously approved third party phase contribution is \$993,945. This action seeks to increase the agreement amount by \$2,131,287 from the construction phase, for a total agreement amount of \$3,125,232.

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 | \$25,677 | \$ | \$25,677 | \$72,487 |
| Preliminary Engineering | 39,054 | 39,054 | | 39,054 | |
| Final Design | 164,162 | 114,838 | | 114,838 | 49,324 |
| Right of Way | 235,660 | 115,364 | | 115,364 | 120,296 |
| Construction | 1,921,391 | 18,596 | 2,131 | 20,728 | 1,900,663 |
| Construction Services | 128,429 | 98,023 | | 98,023 | 30,406 |
| Third Party | 14,600 | 10,875 | | 10,875 | 3,725 |
| Vehicles | | | | | |
| Contingency | 170,162 | | | | 170,162 |
| Total Current Budget | \$2,771,622 | \$422,427 | \$2,131 | \$424,558 | \$2,347,064 |

Phase Detail
Construction

| | | | | | |
|------------------------------|--------------------|-----------------|----------------|-----------------|--------------------|
| Construction Assistance | \$8,344 | 3,900 | \$2,131 | \$6,031 | \$2,313 |
| Remaining Final Design Phase | 1,913,047 | 14,697 | | 14,697 | 1,898,350 |
| Total Phase | \$1,921,391 | \$18,596 | \$2,131 | \$20,728 | \$1,900,663 |

Agreement Detail
City of Mountlake Terrace

| | Board Approvals to Date | Current Approved Contract Status | Proposed Action | Proposed Total for Board Approval |
|--------------------------------------|-------------------------|----------------------------------|-----------------|-----------------------------------|
| Agreement Amount | \$904 | \$904 | \$1,992 | \$2,895 |
| Contingency | 90 | 90 | 139 | 230 |
| Total | \$994 | \$994 | \$2,131 | \$3,125 |
| Percent Contingency | 10% | 10% | 7% | 8% |
| Total Lynnwood Link Extension | \$994 | \$994 | \$2,131 | \$3,125 |

Notes:

Amounts are expressed in Year of Expenditure

Board Approvals = Committed To-Date + Contingency as of Sep 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, APPRENTICESHIP UTILIZATION, AND TITLE VI COMPLIANCE

Not applicable to this action.

PUBLIC INVOLVEMENT

Not applicable to this action.

TIME CONSTRAINTS

A one-month delay could impact the project schedule if adequate funding is not authorized to cover the City of Mountlake Terrace work efforts including review of LLE Early Work construction permit submittal packages.

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. M2016-112: Authorizing the chief executive officer to execute a Permit and Project Review Reimbursement Agreement with the City of Mountlake Terrace for the Lynnwood Link Extension in the amount of \$903,586, with a 10% contingency of \$90,359, for a total authorized agreement amount not to exceed \$993,945.

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) increased the 2015 Annual Budget by \$2,329,890 from \$16,324,776 to \$18,654,671 and (3) authorized 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 10/30/18

LEGAL REVIEW

SS 11/2/2018

MOTION NO. M2018-152

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute an amendment to the Permitting and Reimbursement Agreement with the City of Mountlake Terrace to add continued design review and construction support services for the Lynnwood Link Extension in the amount of \$2,131,287, with a 7% contingency of \$139,400, for a new total authorized agreement amount not to exceed \$3,125,232.

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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 is authorized to execute an amendment to the Permitting and Reimbursement Agreement with the City of Mountlake Terrace to add continued design review and construction support services for the Lynnwood Link Extension in the amount of \$2,131,287, with a 7% contingency of \$139,400, for a new total authorized agreement amount not to exceed \$3,125,232.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on November 15, 2018.



Dave Somers
Board Chair

ATTEST:



Kathryn Flores
Board Administrator