

MOTION NO. M2018-124
Development Agreement with the City of Des Moines for the Federal Way Link Extension

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:
Capital Committee	10/11/2018	Recommend to Board	Ron Lewis, Acting DECM Executive Director Dan Abernathy, Executive Project Director – Federal Way Link Extension Soraya Lowry, HCT Development Manager
Board Meeting	10/25/2018	Final Action	

PROPOSED ACTION

Authorizes the chief executive officer to execute a Development Agreement with the City of Des Moines for the Federal Way Link Extension.

KEY FEATURES SUMMARY

- The City of Des Moines (City) and Sound Transit are entering into a Development Agreement to provide certainty and predictability to the Federal Way Link Extension as follows.
 - Confirming the policy framework by identifying, interpreting and vesting applicable codes and standards.
 - Confirming key design elements, including required local roadway improvements, restoration of haul routes, and parking/traffic mitigation that is consistent with the Record of Decision; and
 - Streamlining permitting, including the City’s grant of land use approval through the Development Agreement and clarification of which project elements the City will be involved in reviewing and permitting.
- The agreement also includes two partnership projects.
 - Subject to Board approval of a Funding Agreement, Sound Transit will deliver the College Way Connection Project as part of the FWLE, to be funded by the City of Des Moines.
 - To satisfy the City’s code required street end improvement on S. 224th Street, Sound Transit will provide a fee-in-lieu payment of \$153,766.
- The agreement is included in the Design-Build Request for Proposals and will help guide and inform contractor proposals.
- This action was approved by the Des Moines City Council on October 4, 2018.

BACKGROUND

The Federal Way Link Extension adds approximately 7.8 miles of light rail from the Angle Lake light rail station at South 200th Street in the City of SeaTac to the Federal Way City Center area in Federal Way. The extension generally parallels State Route 99 and Interstate 5, with stations at Kent/Des Moines, South 272nd/Star Lake Park-and-Ride, and the Federal Way Transit Center. New parking structures will be constructed at each of the three stations.

The Federal Way Link Final Environmental Impact Statement was issued on November 18, 2016, pursuant to the State Environmental Policy Act (SEPA) and National Environmental Policy Act (NEPA) and completing the SEPA process. The Sound Transit Board selected the project route, profile, and stations on January 26, 2017. The Federal Transit Administration issued a Record of Decision on March 6, 2017 and the Federal Highway Administration issued a Record of Decision on March 9, 2017, completing the NEPA process.

On January 26, 2017, the Sound Transit Board defined and selected the Federal Way Link Extension alignment, profile, stations, and associated infrastructure to be built between Angle Lake Station at S. 200th Street and the Federal Way Transit Center in Resolution No. R2017-02.

PROJECT STATUS

Project Identification	Alternatives Identification	Conceptual Engineering	Preliminary Engineering	Final Design	Construction
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Projected Completion Date for Preliminary Engineering Phase: 3Q 2019
 Project scope, schedule, and budget summary located on page 83 of the July 2018 Light Rail Program Progress Report.

FISCAL INFORMATION

This action is within the baseline budget and sufficient monies remain after approval of this action to fund the remaining work in the third party phase as contained in the current cost estimates.

The baseline budget for the Federal Way Link Extension project is \$2,451,535,000. Within that the third party phase, \$3,881,000 has been allocated to the budget line item for City of Des Moines. The proposed action would commit \$153,766 to this line item and leave a remaining budget of \$3,160,364.

Federal Way Link Extension

(in thousands)

Project Phase	Baseline Budget	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Agency Administration	\$96,520	\$12,689		\$12,689	\$83,831
Preliminary Engineering	43,669	43,402		43,402	267
Final Design	3,085	911		911	2,174
Third Party	27,741	3,875	154	4,029	23,712
Right of Way	341,565	38,229		38,229	303,336
Construction	1,831,949	4,500		4,500	1,827,449
Construction Services	107,006	5,065		5,065	101,941
Vehicles					
Total Current Budget	\$2,451,535	\$108,671	\$154	\$108,825	\$2,342,710
Phase Detail - Third Party					
City of Des Moines	\$3,881	\$567	\$154	\$721	\$3,160
Other Third Party	23,860	3,933		3,933	19,927
Total Phase	\$27,741	\$4,500	\$154	\$4,654	\$23,087

City of Des Moines Agreement Detail	Board Approvals to Date	Current Approved Agreement Status	Proposed Action	Proposed Total for Board Approval
Agreement Amount	\$515	\$515	\$154	\$669
Contingency	52	52		52
Total Agreement Amount	\$567	\$567	\$154	\$721
Percent Contingency	10%	10%	0%	8%

Notes:

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

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

For detailed project information, see page 27 of the Adopted 2018 Transit Improvement Plan (TIP).

SMALL BUSINESS/DBE PARTICIPATION AND APPRENTICESHIP UTILIZATION

Not applicable for this action.

PUBLIC INVOLVEMENT

Throughout the development of the Federal Way Link Extension, Sound Transit has conducted extensive public involvement including mailings, community open houses, presentations and meetings with individuals and neighborhood groups.

TIME CONSTRAINTS

A one-month delay could impact Sound Transit's overall timeline for securing key third party agreements.

ENVIRONMENTAL REVIEW

KH 10/4/18

LEGAL REVIEW

AJP 10/5/18

MOTION NO. M2018-124

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a Development Agreement with the City of Des Moines for the Federal Way Link Extension.

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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 a Development Agreement with the City of Des Moines for the Federal Way Link Extension.

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