



Motion No. M2019-23

Memorandum of Understanding with King County for the Downtown Redmond Link Extension

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee	03/14/2019	Recommend to Board	Ron Lewis, DECM Executive Director
Board	03/28/2019	Final action	Tony Raben, Executive Project Director - Downtown Redmond Link Extension Bernard van de Kamp, HCT East Corridor Development Director

Proposed action

Authorizes the chief executive officer to execute a Memorandum of Understanding with King County for the Downtown Redmond Link Extension in the amount of \$3,040,000 to provide schedule assurance and support from King County related to project interfaces and to satisfy conditions related to the acquisition of King County property.

Key features summary

- The Board approved refinements to the project to be built for the Downtown Redmond Link Extension in September of 2018. A portion of the selected route is in Marymoor Park and owned by King County.
- A term sheet between Sound Transit and King County was executed in November of 2018 outlining the structure and process of the project interfaces with King County.
- The MOU memorializes elements of the term sheet and includes the following:
 - A process and timeline for securing necessary permits and property acquisition to maintain the project schedule;
 - Defines King County staffing costs which are eligible for reimbursement in the amount of \$190,000;
 - Agreed upon mitigation approaches for trees and wetlands in Marymoor Park;
 - Establishes the scope and estimated costs for two betterments funded by King County that Sound Transit will construct on behalf of the county after execution of a future construction services agreement with King County;
 - Contributes \$2.1 million towards a King County project to improve park facilities as part of the project's sustainability allowance;
 - Contributes \$750,000 (50 percent of total estimated cost) to a King County project to construct a new trail between the Southeast Redmond Link Light Rail Station and the Marymoor Connector Trail as part of the project's non-motorized access improvements allowance.

- Under the MOU, Sound Transit will pay King County a total fixed amount of \$3,040,000.
- The MOU helps demonstrate that public interest in use and enjoyment of Marymoor Park will be protected which is a requirement under county ordinance that allows light rail as a permitted use in the park.

Background

The Downtown Redmond Link Extension (DRLE) is approximately 3.4 miles from the Redmond Technology Station (formerly Overlake Transit Center) at NE 40th Street in Redmond to the East Corridor terminus station at 166th Avenue NE in Downtown Redmond and includes two stations and parking garage of approximately 1,400-spaces. Funding for final design and construction was approved with the passage of ST3 in November 2016. Revenue service to Downtown Redmond is planned to begin in 2024.

In July 2011, the Board selected the project to be built for East Link, including the Downtown Redmond Segment (E). In June 2017, the Board identified proposed refinements to DRLE for further study, authorizing additional environmental review and preliminary engineering. Proposed refinements include the alignment and station profile in the downtown segment of Redmond from an at-grade profile from Bear Creek to Leary Way, to an elevated profile from Bear Creek to 164th Ave NE, including and elevated station and tail tracks. Additional environmental review was completed in August 2018, and the Board approved refinements to the project to be built in September 2018.

A portion of DRLE is located in King County's jurisdiction. This includes approximately 3,200 linear feet of light rail trackway facilities along the northern edge of the County's Marymoor Park. In 2018 the King County Council approved a new ordinance allowing light rail as a permitted use in the park. A general condition of ordinance 18671 is that public interest in use and enjoyment of the park be protected. This condition must be met in order for the council to convey the necessary property to Sound Transit for DRLE.

Third party agreements in support of the project are now being finalized. A Term Sheet between King County and Sound Transit was executed in November 2018 which established a common understanding of how the parties would work together to deliver the project and ensure that public interest in use and enjoyment of Marymoor Park is protected. This MOU adds detail to and memorializes that common understanding.

The MOU provides further detail on the following elements of the term sheet:

- Agreed upon mitigation approaches for trees and wetlands in Marymoor Park, and a Sound Transit commitment to measure noise levels during startup testing to confirm levels are consistent with FTA criteria.
- Establishes a plan and schedule for Sound Transit's acquisition of county park property that supports the overall project schedule. The transfer of property rights will be addressed in a future purchase and sale agreement in accordance with King County's real property disposition requirements.
- Scope and estimated costs for two betterments funded by King County that Sound Transit agrees to construct on behalf of the county – the East Lake Sammamish Trail north extension and a new water line in Marymoor Park (to be memorialized in a future construction services agreement).
- A contribution from the project's sustainability allowance of \$2.1 million (fixed cost) for King County to upgrade park facilities to meet current storm water requirements. The county will conduct the necessary environmental review, design, permit, and construct the project.

- A non-motorized access contribution of \$750,000 (50 percent of total estimated cost and fixed cost) for a new trail between the Southeast Redmond Link light rail Station and the Marymoor Connector Trail in the park, directly connecting these two regional transportation facilities, improving access and mobility. The county will conduct the necessary environmental review, design, permit, and construct the project.

Project status

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

Preliminary engineering was completed in November 2018 with the issuance of the Design Build Request for Proposal. Notice to Proceed is anticipated in Q3 2019, and revenue service in 2024.

Project scope, schedule, and budget summary located on page 75 of the December 2018 Link Light Rail Progress Report.

Fiscal information

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

The baseline budget for Downtown Redmond Link Extension project is \$1,530,000,000.

- Within the third party phase, \$611,000 has been allocated to the budget line item for King County Coordination. The proposed action would commit \$190,000 to this line item and leave a remaining budget balance of \$421,000.
- Within the construction phase,
 - \$4,717,000 has been allocated to the budget line item for ST3 Sustainability Allowance. The proposed action would commit \$2,100,000 to the ST3 Sustainability Allowance line item leaving a remaining uncommitted balance of \$2,617,000.
 - \$1,523,000 has been allocated to the budget line item for Non-motorized access. The proposed action would commit \$750,000 to the Non-motorized Access line item leaving a remaining uncommitted balance of \$773,000.

Downtown Redmond Link Extension Project

(in thousands)

Project Phase	Baseline Budget	Board Approvals	This Action	Approved Plus Action	Uncommitted / (Shortfall)
Administration	\$77,000	\$5,018	\$	\$5,018	\$71,982
Preliminary Engineering	23,000	19,951		19,951	3,049
Final Design	4,500	0		0	4,500
Third Party	17,000	6,244	190	6,434	10,566
Right of Way	199,000	8,947		8,947	190,053
Construction	1,151,500	3,900	2,850	6,750	1,144,750
Construction Services	58,000	1,830		1,830	56,170
Vehicles					
Project Contingency					
Total Current Budget	\$1,530,000	\$45,890	\$3,040	\$48,930	\$1,481,070

Phase Detail - Third Party

King County Coordination	\$611	\$	\$190	\$190	\$421
Other Third Party Phase	16,389	6,244	0	6,244	10,145
Total Phase	\$17,000	\$6,244	\$190	\$6,434	\$10,566

Phase Detail - Construction

ST3 Sustainability Allowance	\$4,717	\$	\$2,100	\$2,100	\$2,617
Non-motorized access	1,523	0	750	750	773
Other Construction Phase	1,145,260	3,900	0	3,900	1,141,360
Total Phase	\$1,151,500	\$3,900	\$2,850	\$6,750	\$1,144,750

Agreement Detail	Board Approvals to Date	Current Approved Contract Status	Proposed Action	Proposed Total for Board
Agreement Amount	\$	\$	\$3,040	3,040
Contingency Amount	0	0		0
Total Agreement Amount	\$	\$	\$3,040	\$3,040
Percent Contingency	0%	0%	0%	0%

Notes:

Amounts are expressed in Year of Expenditure.

Board Approvals = Committed To-Date + Contingency as of Jan 2019, and includes pending Board actions.

For detailed project information, see page 114 of the 2019 Financial Plan & Proposed Budget.

Public involvement

Sound Transit will actively seek public feedback at all project stages with the goal of fostering public trust through transparent communication, meaningful involvement, and being responsive to concerns and issues. King County and Sound Transit are developing a coordinated approach for reaching out to and connecting with the public, especially Marymoor Park users and nearby residents of the park.

Time constraints

A one-month delay would be inconsistent with the timeline outlined in the Term Sheet but would not create a significant impact to the project schedule.

Prior Board/Committee actions

Motion M2018-154: Executed an agreement with the City of Redmond for project administration services to provide expedited permitting, design review, and construction support services for the Downtown Redmond Link Extension in the amount of \$5,711,933

Resolution R2018-37: Adopted the Downtown Redmond Link Extension baseline schedule and budget by increasing the authorized project allocation to date by \$1,351,974,000 from \$178,026,000 to \$1,530,000,000; and established a project revenue service date of December 31, 2024.

Resolution R2018-32: Refined the route, profiles, and station locations for the Downtown Redmond Link Extension and superseding a portion of the project selected under Resolution No. R2013-09 for the East Link Extension.

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

Resolution No. R2016-05: (1) Restored funding for the preliminary engineering on light rail from Overlake to Redmond in the Sound Transit 2 Finance Plan, (2) amended the Adopted 2016 Budget to create the Downtown Redmond Link Extension Project by (a) establishing the Project Lifetime Budget through the completion of the Preliminary Engineering Phase in the amount of \$28,617,000 and (b) establishing the 2016 Annual Budget as \$4,120,000, and (3) approving Gates 1-3 within Sound Transit's Phase Gate Process.

Resolution No. R2013-09: Selected the route, profiles, and station locations for the East Link Light Rail Project, and superseded Resolution No. R2011-10.

Environmental review – KH 3/1/19

Legal review – MT 3/8/19

Motion No. M2019-23

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a Memorandum of Understanding with King County for the Downtown Redmond Link Extension in the amount of \$3,040,000 to provide schedule assurance and support from King County related to project interfaces and to satisfy conditions related to the acquisition of King County property.

Background

The Downtown Redmond Link Extension (DRLE) is approximately 3.4 miles from the Redmond Technology Station (formerly Overlake Transit Center) at NE 40th Street in Redmond to the East Corridor terminus station at 166th Avenue NE in Downtown Redmond and includes two stations and parking garage of approximately 1,400-spaces. Funding for final design and construction was approved with the passage of ST3 in November 2016. Revenue service to Downtown Redmond is planned to begin in 2024.

In July 2011, the Board selected the project to be built for East Link, including the Downtown Redmond Segment (E). In June 2017, the Board identified proposed refinements to DRLE for further study, authorizing additional environmental review and preliminary engineering. Proposed refinements include the alignment and station profile in the downtown segment of Redmond from an at-grade profile from Bear Creek to Leary Way, to an elevated profile from Bear Creek to 164th Ave NE, including an elevated station and tail tracks. Additional environmental review was completed in August 2018, and the Board approved refinements to the project to be built in September 2018.

A portion of DRLE is located in King County's jurisdiction. This includes approximately 3,200 linear feet of light rail trackway facilities along the northern edge of the County's Marymoor Park. In 2018 the King County Council approved a new ordinance allowing light rail as a permitted use in the park. A general condition of ordinance 18671 is that public interest in use and enjoyment of the park be protected. This condition must be met in order for the council to convey the necessary property to Sound Transit for DRLE.

Third party agreements in support of the project are now being finalized. A Term Sheet between King County and Sound Transit was executed in November 2018 which established a common understanding of how the parties would work together to deliver the project and ensure that public interest in use and enjoyment of Marymoor Park is protected. This MOU adds detail to and memorializes that common understanding.

The MOU provides further detail on the following elements of the term sheet:


- Agreed upon mitigation approaches for trees and wetlands in Marymoor Park, and a Sound Transit commitment to measure noise levels during startup testing to confirm levels are consistent with FTA criteria.
- Establishes a plan and schedule for Sound Transit's acquisition of county park property that supports the overall project schedule. The transfer of property rights will be addressed in a future purchase and sale agreement in accordance with King County's real property disposition requirements.
- Scope and estimated costs for two betterments funded by King County that Sound Transit agrees to construct on behalf of the county – the East Lake Sammamish Trail north extension and a new water line in Marymoor Park (to be memorialized in a future construction services agreement).

- A contribution from the project's sustainability allowance of \$2.1 million (fixed cost) for King County to upgrade park facilities to meet current storm water requirements. The county will conduct the necessary environmental review, design, permit, and construct the project.
- A non-motorized access contribution of \$750,000 (50 percent of total estimated cost and fixed cost) for a new trail between the Southeast Redmond Link light rail Station and the Marymoor Connector Trail in the park, directly connecting these two regional transportation facilities, improving access and mobility. The county will conduct the necessary environmental review, design, permit, and construct the project.

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 Memorandum of Understanding with King County for the Downtown Redmond Link Extension in the amount of \$3,040,000 to provide schedule assurance and support from King County related to project interfaces and to satisfy conditions related to the acquisition of King County property.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on March 28, 2019.



John Marchione
Board Chair

Attest:



Kathryn Flores
Board Administrator