



## Summary Minutes

### System Expansion Committee Meeting July 09, 2020

#### Call to order

The meeting was called to order at 1:31 p.m. by Committee Chair, Claudia Balducci virtually on WebEx.

Due to the Governor’s Stay Home – Stay Healthy Order issued on March 23, 2020, public viewing of the meeting was only available via WebEx. The meeting was streamed on

<https://soundtransit.webex.com/soundtransit/onstage/g.php?MTID=e2791690e0b457ba1cfba970cbe57af69>.

#### Roll call of members

Chair	Vice Chair
(P) Claudia Balducci, King County Councilmember	(A) Victoria Woodards, Tacoma Mayor

Board Members	
(P) Nancy Backus, Auburn Mayor	(P) Kent Keel, University Place Mayor
(P) David Baker, Kenmore Mayor	(P) Nicola Smith, Lynnwood Mayor
(A) Jenny Durkan, Seattle Mayor	(P) Dave Upthegrove, King County Councilmember

Katie Flores, Board Administrator, announced that a quorum of the System Expansion Committee was present at roll call.

#### Report of the Chair

Monthly Contract Report – Chair Balducci announced that the Monthly Contract Report is available for review. The report includes contracts within the CEO’s authority including competitive, proprietary or sole source contracts.

#### CEO Report

Chief Executive Officer Peter M. Rogoff provided the CEO Report.

Federal Update - The House of Representatives passed the Moving Forward Act that includes provisions that could potentially increase the federal share for the Lynnwood Link and Federal Way Link Full Funding Grant Agreements (FFGA). The House transportation appropriations subcommittee also proposed significantly higher funding levels for the Capital Investment Grant program to accommodate these potential grant amendments. These provisions have a long way to go in the legislative process so Sound Transit will keep the Washington State delegation well-informed and engaged. CEO Rogoff thanked all of the Board members for signing a letter to the delegation thanking them and urging their continued support to see if it’s possible to enact these provisions into law.

Federal Way Link Extension Visit - CEO Rogoff reported that he was able to visit several sites along the Federal Way Link Extension alignment, including the future Kent/Des Moines Station, the Midway Landfill, and the Federal Way Transit Center. He spoke with contractors on site and viewed progress along the alignment. While at the Federal Way Transit Center, he filmed his remarks for the project’s virtual groundbreaking video while holding a golden groundbreaking shovel and wearing a mask. He

thanked Boardmembers Millar, von Reichbauer, Upthegrove and Mr. Riker who also contributed to the groundbreaking video. Committee Chair Balducci requested that CEO Rogoff forward the groundbreaking video and a separate video of the East Link alignment to the full Board.

## **Public comment**

Committee Chair Balducci noted that due to the Governor's order we are only accepting public comment via email. Board members received comments submitted by the following individuals before the meeting by email.

Jacquelyn Crumpler

Randy Litzenberger

Bob Ortblad

M Miller.

Martin Westerman

Dennis Noland

Committee Chair Balducci requested that Board Administrator, Katie Flores, forward the Public Comments regarding the WSBLE project be sent to the Sound Transit Environmental Review team receives these.

## **Business items**

### **For Committee Final Action**

Minutes: June 11, 2020 System Expansion Committee meeting

**It was moved by Boardmember Smith, seconded by Boardmember Backus and carried by unanimous vote that the minutes of the June 11, 2020 System Expansion Committee meeting be approved as presented.**

### **For Recommendation to the Board**

Motion No. M2020-42: Authorizing the chief executive officer to execute a contract modification with Mass Electric Construction Company to provide Heavy Civil General Contractor / Construction Manager services for the Lynnwood Link Extension systems construction in the amount of \$148,000,000 with a 7 percent contingency of \$10,360,000 totaling \$158,360,000, for a new total authorized contract amount not to exceed \$536,810,000.

- Lynnwood Link Extension Project Update

Randy Harlow, Executive Project Director-Lynnwood Link, provided the Lynnwood Link Extension Project Update assisted by Ben Neely, Principal Construction Manager-Systems. Also providing a staff presentation on the following actions, Motion No. M2020-43.

Committee Chair Balducci voiced her concerns with the utilization percentage for women and asked for assurances that low utilization wouldn't continue in the future. CEO Rogoff advised that the agency was facing a similar issue with the contractor on the Tacoma Link Extension project, and that the performance was improving following discussions with them. He introduced Leslie Jones, Chief Business & Labor Compliance Officer to provide more information.

Ms. Jones, explained that significant improvement in apprentice utilization was observed, with an increase from 12.4 percent utilization in January to 15.4 percent as of July 9, 2020. The agency was actively working with Mass Electric on methods to hold their subcontractors accountable to the utilization commitment. In respect to utilization of women in the workforce, it was determined that three crafts focused upon are linemen, inside wiremen, and low voltage electricians. Staff was working collaboratively with Mass Electric and the International Brotherhood of Electrical Workers union to determine whether there were enough women currently being trained to add to the workforce in those

three professions. Ms. Jones advised that nationally, women in the workforce in these fields represented around 2.5 to three percent, which was much lower than Sound Transit's goal of 12 percent. Sound Transit's aggregate total was approximately seven percent.

Boardmember Keel asked if there were tools in the contract which could be utilized to encourage greater compliance with the workforce utilization goals. Mr. Rogoff advised that the commitments were discussed and determined as part of the contracting phase. Some case law restricted the lengths to which the agency could enforce compliance, which is why explicitly stated and agreed upon goals were set in the first place, and why the agency actively monitored and communicated with the contractors in respect to those goals. The record of contractors meeting their goals was good, with some exceptions. The supply of apprentices preparing for future work was key to ensuring that these goals are met and the agency worked with labor to strengthen that supply chain. He requested additional information on the topic at a future meeting.

Boardmember Smith informed the Committee that the City of Lynnwood had an active relationship with Edmonds Community College through a program which focused on fostering a workforce to fulfill these needs in that specific area. She asked that Sound Transit find a way to partner with this group. Chair Balducci agreed with this suggestion, adding that Sound Transit could leverage its large project portfolio to encourage greater workforce trends. Mr. Rogoff advised that the agency was already working with many training entities and welcomed opportunities to create more partnerships.

Boardmember Backus noted that there were similar partnerships elsewhere in the region, and suggested that the agency should find ways to better support them in their efforts to promote women and people of color in the trades. She asked if there were penalizing steps the agency could take against contractors who were not meeting their workforce utilization goals. Mr. Rogoff advised that such penalizations were legally tenuous, but that their performance was a factor for consideration in future contracts.

Ron Lewis, Executive Director of Design, Engineering, and Construction Management, advised that, as displayed by the increase in apprenticeship utilization from January through July 9, the contractor was entering a phase of work in which they intended to use labor which met the targets they set. The committee could have some confidence that this work would begin to increase those statistics.

**Motion No. M2020-42 was moved by Boardmember Baker and seconded by Boardmember Backus. Chair Balducci called for a roll call vote.**

**Ayes**

Nancy Backus  
David Baker  
Kent Keel  
Nicola Smith  
Dave Upthegrove  
Claudia Balducci

**Nays**

**It was carried by unanimous vote of the six Boardmembers present that Motion No. M2020-42 be forwarded to the Board without a do pass recommendation.**

Motion No. M2020-43: Authorizing the chief executive officer to execute a contract modification with joint venture Northwest Transit Systems Partners, Mott MacDonald, LLC, and STV Incorporated to exercise an option to provide systems construction management services for the Lynnwood Link Extension in the amount of \$18,462,307 with a 7 percent contingency of \$1,292,362 totaling \$19,754,669, for a new total authorized contract amount not to exceed \$63,861,124.

Ben Neely, Systems Principal Construction Manage, provided the staff presentation. Committee Chair Balducci asked that this action be treated the same as the previous action Motion No. M2020-42. She and Boardmember Smith noted that the Committee's action to forward the motions without a

recommendation is not a comment on the project, but a push for diversification of the workforce. Committee Chair Balducci thanked the project team for the detailed presentation and thanked the Committee for the discussion.

**Motion No. M2020-43 was moved by Boardmember Smith and seconded by Boardmember Baker. Chair Balducci called for a roll call vote.**

**Ayes**

Nancy Backus  
David Baker  
Kent Keel  
Nicola Smith  
Dave Upthegrove  
Claudia Balducci

**Nays**

**It was carried by unanimous vote of the six Boardmembers present that Motion No. M2020-43 be forwarded to the Board without a do pass recommendation.**

Motion No. M2020-44: Authorizing the chief executive officer to execute a Partnering Agreement with the Port of Seattle and Northwest Seaport Alliance for the West Seattle and Ballard Link Extensions project.

Jason Hampton, HCT Project Manager and Sandra Fann, PEPD Project Director, provided the staff presentation. Committee Chair Balducci thanked the project team for the thorough report.

**Motion No. M2020-44 was moved by Boardmember Keel and seconded by Boardmember Baker. Chair Balducci called for a roll call vote.**

**Ayes**

Nancy Backus  
David Baker  
Kent Keel  
Nicola Smith  
Dave Upthegrove  
Claudia Balducci

**Nays**

**It was carried by unanimous vote of the six Boardmembers present that Motion No. M2020-44 be approved as presented.**

## **Reports to the committee**

### Realignment and capital program next steps

Committee Chair Balducci, stated that at the Board meeting in June the Board discussed the realignment path forward and the adopted Motions No. M2020-37 and Motion No. M2020-38 establishing criteria and revenue scenarios to use in our work ahead. Committee Chair Balducci asked staff to provide a review of the status of the capital program and preview the types of actions the Committee will take up through the remainder of the year. She also asked staff to develop a tool that the Board can use to stay apprised of the overall capital program status. She felt the context of the entire program was important during these difficult revenue times as the Board considers individual actions.

CEO Rogoff kicked off the presentation. In March, staff brought forward system expansion actions to move a project from one phase to another. The Board struggled with whether to advance a Sounder fleet purchase and the Auburn parking and access project given the developing recession. As a result, CEO Rogoff reported to the Board that staff would pause on bringing forward project advancement actions. With the realignment path forward, staff is now in a position to bring such actions to the Board

this fall. He introduced Don Billen, Executive Director of Planning, Environment and Project Development to provide the staff presentation.

Mr. Billen began by reviewing the realignment timeline to that point. He then outlined the near-term approach which was discussed in April. The focus was to keep construction on the various projects operating safely. Projects which had authorized planning or design work also continued in order to maintain flexibility and readiness for a variety of potential revenue outcomes. However, projects that needed Board authorization to enter into project development, final design or construction were paused to avoid over-commitment until the Board's priorities became clearer.

Mr. Billen reviewed the current capital projects, highlighting those under construction, and reminded the committee that all others were subject to the Board's discretion. He then outlined projects with development phase actions paused until further discussion with the Board would take place. Notable projects in this category included the Sounder platform extensions, which were a tool planned to address increasing Sounder Capacity demand. The Everett Link Extension was scheduled to begin work in late 2020, and a consultant procurement and contract negotiation began, but the contract was on hold for Board consideration. A group of Sounder access projects, the North Sammamish Park and Ride, and Bus on Shoulder projects were all also paused.

Projects with final design phase actions paused included the Kent and Auburn parking and Access project, which had completed environmental review but was put on hold, I-405 and SR 522 BRT work, which was advancing environmental work but paused advancement of further preliminary engineering contracts. The same applied to the BRT bus base in Bothell.

Projects with construction actions paused were separated into two categories. The first was those which were ready for baseline budget and schedule establishment. The Sounder maintenance base and Sumner parking and access project both fell into this category. A series of potential third-party funding agreements was the second category, which included Everett Station parking improvements, Madison Street BRT improvements and Rapid Ride C and D improvements in Seattle, and 85th station and direct access project for the I-405 BRT project in Kirkland.

Mr. Billen then reviewed the path forward, beginning in quarters three and four with discussion of advancing development and design of certain projects to a state of shovel-readiness so that they are eligible for construction grants. By December, the Board could provide guidance regarding which projects to baseline and take into construction moving into 2021. Discussions in 2021 would focus on longer-term program realignment.

Mr. Billen proposed a continuation of the realignment discussion at the August Executive Committee and Board of Directors meetings which would review the paused actions in order to prepare for potential fall actions and their readiness for the next phase of their respective processes. The schedule impacts of COVID-19 on environmental review and project pauses, and project readiness with respect to public and private partners' resources would also be discussed. Equity data would be presented related to potential impacts of realignment decisions. Finally, the briefings would discuss opportunities to engage consultants, contractors, and stakeholders in methods to save costs through scope review, contract packaging, and program phasing.

Boardmember Uptegrove advised that as these discussions progress, it is important to do so with a priority on delivering the system and aggressively pursuing state and federal funding opportunities. He advised that the South King County delegation had identified short term projects which they prioritized for continued work, as well as longer term projects which could be considered for realignment, and asked for staff suggestions for balancing those decisions in an uncertain environment.

Mr. Rogoff reiterated the potential risk for over-commitment, and referenced the scope of future projects in respect to their impact on the agency's future debt capacity as a guide for decisions to be made.

Chair Balducci acknowledged Board members' personal interests in specific projects and the need to have a broader understanding of the projects they may not be as personally connected to and the long-term ramifications of decisions on those projects as well.

Mr. Billen advised that the actions which the Committee and Board may see between September and November, which would be to advance certain projects to environmental review or design, would have a relatively small financial impact. Later decisions to advance into construction would have a more significant impact on future discussions.

### **Executive session**

None.

### **Other business**

None.

### **Next meeting**

Thursday, August 13, 2020

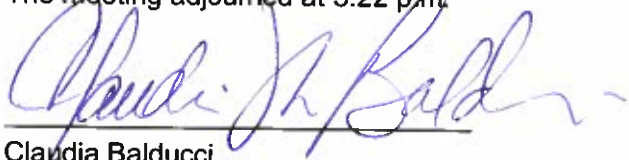
1:30 to 4:00 p.m.

WebEx Event

Committee Chair Balducci noted that if the committee is not able to have an in-person meeting, a virtual meeting will be held. Information will be provided on the Sound Transit website.

### **Adjourn**

The meeting adjourned at 3:22 p.m.



Claudia Balducci

System Expansion Committee Chair

ATTEST:



Kathryn Flores

Board Administrator

APPROVED on August 13, 2020, TW