



Motion No. M2022-80

Amend a Betterment Task Order with City of Shoreline for Sanitary Sewer Main Revisions within the Lynnwood Link Extension

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee Board	10/13/2022 10/27/2022	Recommend to Board Final action	Ron Lewis, DECM Executive Director Randy Harlow, Executive Project Director – Lynnwood Link Extension Mattelyn Tharpe, Legal Counsel

Proposed action

(1) Ratifies a previously executed betterment task order under the umbrella utility relocation agreement with the City of Shoreline for Sound Transit to construct a sanitary sewer line as part of the Lynnwood Link Extension project in the amount of \$414,773 and (2) authorizes the chief executive officer to execute an amendment to the betterment task order in the amount of \$186,030, bringing the total betterment task order to an amount of \$600,803 to be reimbursed by the City of Shoreline.

Key features summary

- This action would ratify a previously executed betterment task order under an existing utility relocation agreement with the City of Shoreline to reimburse Sound Transit for work associated with relocating and upsizing an existing sanitary sewer main adjacent to the Lynnwood Link Extension.
- This action also authorizes an amendment to the existing betterment task order associated with rerouting and upsizing an existing City sanitary sewer main, adding casing to the line to protect the main, and modifying the associated existing sanitary sewer manholes. The scope is being amended to a subsequent request from the City of Shoreline. The amended betterment task order will include \$481,022 in construction costs and \$119,781 in agency design, permit, administration, and construction management costs.
- The existing utility relocation agreement outlines the terms of the betterment work, including the provision that the City of Shoreline is responsible for all costs associated with this betterment task order.
- As part of the task order approval, Sound Transit will incorporate the updated plans and specifications prepared by the City of Shoreline into the construction package for the Lynnwood Link Extension Northgate Station to NE 200th Street construction contract.
- The City of Shoreline will reimburse Sound Transit for its actual costs for the task order as amended, including construction, construction management, design coordination, permitting and Sound Transit administration, which is consistent with the agency's scope control policy for the inclusion of betterments.

- Although authority has been delegated to the CEO to execute change orders to construction contracts incorporating betterments of this dollar amount, the authority to enter into the underlying betterment agreement with Shoreline has not been delegated and must be approved by the Board.

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 will include four stations: Shoreline South/NE 148th Street, Shoreline North/NE 185th Street, Mountlake Terrace Transit Center, and Lynnwood City Center. Revenue service is anticipated to begin in 2024.

In January 2017, Sound Transit and Ronald Wastewater District entered into a Utility Relocation Agreement (GA 0508-17) that, in part, "...provides for the Parties to execute task orders prior to the commencement of the design of plans, engineering, applicable permitting, coordination of work, procurement of easements, construction and other necessary tasks related to the modification, removal and/or relocation of Utility's facilities to be performed by each Party."

This umbrella agreement between Sound Transit and Ronald Wastewater District allows for "Betterment Work Performed By Sound Transit for Utility" and sets for the process for scope development, negotiation, and invoicing on a task order basis. As of 2021, the City of Shoreline has absorbed the ownership, operations, and maintenance of the Ronald Wastewater District, inclusive of assumption of the terms and conditions of the utility relocation agreement.

In late 2019, the City of Shoreline approached Lynnwood Link Extension staff requesting modifications to the Ronald Wastewater District sanitary sewer transmission main in advance of Lynnwood Link's Northgate Station to NE 200th Street (L200) project's modifications to the intersection of I-5 and NE 145th Street.

The City of Shoreline has commenced re-design of the intersection to a roundabout. This betterment scope includes work associated with rerouting and upsizing the existing sanitary sewer main, adding casing, and modifying existing sewer manholes to integrate with the proposed City design.

The work under this betterment is captured in a task order according to the terms of the Utility Relocation Agreement. The City of Shoreline is responsible for all costs associated with this betterment. Agreement on the betterment costs was reached on June 21, 2022, and includes compensation for Sound Transit staff, consultants, and contractors for design modifications, construction, and construction management of the revisions. The City of Shoreline is the SEPA Lead Agency status for the work and has confirmed no additional environmental review under SEPA is needed for the work (SEPA exempt).

Project status

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Project Identification	Project Refinements	Conceptual Engineering/ Environmental Review	Preliminary Engineering	Final Design	Construction

Projected completion date for revenue service: 3Q 2024

Project scope, schedule and budget summary are located on page 47 of the July 2022 Agency Progress Report.

Fiscal information

The proposed action would authorize a betterment with the City of Shoreline to reimburse Sound Transit for work associated with rerouting and upsizing the existing sanitary sewer main, adding casing, and modifying existing sewer manholes within the City of Shoreline as part of the Lynnwood Link Extension project. The agreement costs include Sound Transit's markups for compensation for Sound Transit staff, consultants, and contractors for design modifications, construction, and construction management of the revisions for a total agreement amount of \$600,803 which will be reimbursed by the City of Shoreline.

The scope and cost of the initial betterment task order was included in the amended contract with the General Contractor / Construction Manager (GC/CM) contractor for the L200 contract Northgate to NE 200th Street, approved by the Board on August 8, 2019. The betterment costs were isolated and not recorded as a project cost.

This action would amend the previous betterment task order scope to incorporate additional casing and manhole revisions to accommodate revisions related to the City of Shoreline's interchange project design at NE 145th Street.

Neither the costs nor the funding for this scope of work has been included in the agency's long term financial plan. Since the costs will be reimbursed to Sound Transit, this action does not have an impact on the affordability of the Agency's Finance Plan. If the total cost to perform this work exceeds the estimated reimbursement amount, the agreement will be amended by a future action.

Disadvantaged and small business participation

Not applicable to this action.

Public involvement

Not applicable to this action.

Time constraints

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

Prior Board/Committee actions

Motion No. M2018-122: Authorized 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.

Motion No. M2018-11: Authorized the chief executive officer to execute a Funding and Cooperative Agreement with the City of Shoreline for (1) certain station area access enhancements for a total amount not to exceed \$4,000,000; and (2) provides terms that address permitting for early project work, certain street vacation petitions and future projects for station access that will be separately presented for approval if additional funding is required.

Environmental review – KH 10/7/22

Legal review – MT 10/7/22



Motion No. M2022-80

A motion of the Board of the Central Puget Sound Regional Transit Authority (1) Ratifying a previously executed betterment task order under the umbrella utility relocation agreement with the City of Shoreline for Sound Transit to construct a sanitary sewer line as part of the Lynnwood Link Extension project in the amount of \$414,773; and (2) authorizing the chief executive officer to execute an amendment to the betterment task order in the amount of \$186,030, bringing the total betterment task order to an amount of \$600,803 to be reimbursed by the City of Shoreline.

Background

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Although authority has been delegated to the CEO to execute change orders to construction contracts incorporating betterments of this dollar amount, the authority to enter into the underlying betterment agreement with Shoreline has not been delegated and must be approved by the Board.

The work under this betterment is captured in a task order according to the terms of the Utility Relocation Agreement. The City of Shoreline is responsible for all costs associated with this betterment. Agreement on the betterment costs was reached on June 21, 2022, and includes compensation for Sound Transit staff, consultants, and contractors for design modifications, construction, and construction management of the revisions. The City of Shoreline is the SEPA Lead Agency status for the work and has confirmed no additional environmental review under SEPA is needed for the work (SEPA exempt).

Motion

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that (1) a previously executed betterment task order under the umbrella utility relocation agreement with the City of Shoreline for Sound Transit to construct a sanitary sewer line as part of the Lynnwood Link Extension project in the amount of \$414,773 is ratified; and (2) the chief executive officer is authorized to execute an amendment to the betterment task order in the amount of \$186,030, bringing the total betterment task order to an amount of \$600,803 to be reimbursed by the City of Shoreline.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on October 27, 2022.



Kent Keel
Board Chair

Attest:



Kathryn Flores
Board Administrator