



## Motion No. M2022-85

### Amendment to the Link Operations and Maintenance Agreement with King County

Meeting:	Date:	Type of action:	Staff contact:
Rider Experience and Operations Committee	10/19/2022	Recommend to Board	<b>Kimberly Farley, Chief System Officer</b>
Board	10/27/2022	Final action	

### Proposed action

Authorizes the chief executive officer to execute an amendment to the Link Operations and Maintenance Agreement with King County for services related to the transfer of the Downtown Seattle Transit Tunnel.

### Key features summary

- This amendment to the Link Operations and Maintenance Agreement with King County (Link O&M Agreement) is necessary to reflect the transfer of ownership of the Downtown Seattle Transit Tunnel (DSTT) and transfer of remaining responsibilities under the 2002 Downtown Seattle Transit Tunnel Agreement between King County, the City of Seattle, and Sound Transit (DSTT Agreement) to the Link O&M Agreement
- Responsibilities reflected in this amendment include:
  - The Rail Traction Power group in King County’s Rail Division will be responsible for the operations and maintenance of the 26kV electric power distribution system in the DSTT that powers Sound Transit’s light rail, King County’s bus substations, and DSTT emergency lights and fans. This amendment supersedes an interim agreement.
  - Consolidation of claims processing within Sound Transit for claims made after the transfer of the DSTT and eliminates the King County-managed Link Risk Fund in three years.
- This amendment is intended to be executed concurrently with the agreement to transfer ownership of the DSTT from King County to Sound Transit as outlined in Motion No. M2022-84.
- This action does not have a direct financial impact on Sound Transit.

### Background

King County has operated Link trains since the beginning of Link service in 2009. The Board most recently approved the current Link O&M Agreement in 2019. The Link O&M Agreement covers the operations and maintenance of Link by King County Rail Division, except certain responsibilities in the DSTT. Operations and maintenance functions in the DSTT were performed by King County, but not by its Rail Division employees, under the terms of the 2002 Downtown Seattle Transit Tunnel Agreement between King County, the city of Seattle, and Sound Transit (DSTT Agreement) rather than the Link O&M Agreement. Some DSTT maintenance functions were transferred under previous amendments. This amendment removes language relating to King County’s ownership of the tunnel and transfers remaining DSTT operations and maintenance functions to either Sound Transit (for insurance and claims) or the King County Rail Division (26kV distribution) under the terms of the Link O&M Agreement.

## **Fiscal information**

Although there is no direct fiscal action associated with the action, funding for O&M activities required under this agreement will be included in the Purchase Transportation Services category within the Operation's department annual budget. Purchased transportation costs for O&M activities required under this agreement are included in the long-range financial plan. This action has no long-range fiscal impact.

## **Disadvantaged and small business participation**

Not applicable to this action.

## **Public involvement**

Not applicable to this action.

## **Time constraints**

This amendment must be executed concurrently with the documents transferring the DSTT.

## **Prior Board/Committee actions**

Motion No. M2019-58: Authorized the chief executive officer to execute an agreement with King County to provide Link light rail operations and maintenance services through December 31, 2023, with three additional two-year options to extend, and ratified extensions to the 2009 revision of the 2003 agreement with King County for Link light rail operations and maintenance services that were signed by the parties.

Resolution No. R2003-06: Authorized the Executive Director to execute an intergovernmental agreement with King County for (1) the operation and maintenance of Central Link Light Rail (including the Downtown Seattle Transit Tunnel) and the provision of complementary paratransit services for a term commencing with passenger service and running for five years (or until December 31, 2015, whichever is earlier) for an estimated amount of \$124.1 million (YOES\$); and (2) the performance of start-up activities for an estimated amount of \$17.36 million (YOES\$) in capital funds.

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**Environmental review** – KH 10/13/22

**Legal review** – JW 10/03/22



## Motion No. M2022-85

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute an amendment to the Link Operations and Maintenance Agreement with King County for services related to the transfer of the Downtown Seattle Transit Tunnel.

### Background

King County has operated Link trains since the beginning of Link service in 2009. The Board most recently approved the current Link O&M Agreement in 2019. The Link O&M Agreement covers the operations and maintenance of Link by King County Rail Division, except certain responsibilities in the DSTT. Operations and maintenance functions in the DSTT were performed by King County, but not by its Rail Division employees, under the terms of the 2002 Downtown Seattle Transit Tunnel Agreement between King County, the city of Seattle, and Sound Transit (DSTT Agreement) rather than the Link O&M Agreement. Some DSTT maintenance functions were transferred under previous amendments. This amendment removes language relating to King County's ownership of the tunnel and transfers remaining DSTT operations and maintenance functions to either Sound Transit (for insurance and claims) or the King County Rail Division (26kV distribution) under the terms of the Link O&M Agreement.

This amendment is intended to be executed concurrently with the agreement to transfer ownership of the DSTT from King County to Sound Transit as outlined in Motion No. M2022-84. This action does not have a direct financial impact on Sound Transit.

### 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 Link Operations and Maintenance Agreement with King County for services related to the transfer of the Downtown Seattle Transit Tunnel.

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

  
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Kent Keel  
Board Chair

### Attest:

  
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Kathryn Flores  
Board Administrator