



Motion No. M2023-20

Amendment to the Reimbursement Agreement with City of Shoreline for the Lynnwood Link Extension Project

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee	03/09/2023	Recommend to Board	Ron Lewis, DECM Executive Director
Board	03/23/2023	Final action	Randy Harlow, Executive Project Director LLE Taylor Carroll, Light Rail Development Manager

Proposed action

Authorizes the chief executive officer to execute an amendment to the Expedited Permitting, Reimbursement, and Construction Services Agreement with the City of Shoreline to support the design review, permitting, and approval of permit conditions for the Lynnwood Link Extension, adding scope and increasing the agreement amount by \$1,775,321, with a 10 percent contingency of \$177,532, totaling \$1,952,853, for a total authorized agreement amount not to exceed \$8,052,568, all within the Board approved project budget.

Key features summary

- The original Expedited Permitting and Reimbursement Agreement (EPRA) with the City of Shoreline, executed in 2016, set forth the roles and responsibilities for the city's review of Sound Transit's design submittals and associated land use permit applications, schedule of submittals and reviews, and Sound Transit's obligations and reimbursement of city costs and expenses.
- A subsequent amendment executed in 2019 established roles and responsibilities for the city's support for construction services, including construction permits and eligible costs and expenses incurred by the city related to services provided during the construction phase of the project.
- This amendment (1) adds scope to the original agreement for city support to close out the project, and (2) increases Sound Transit's funding commitment to the city for both the close-out work as well as work within the agreement's existing scope due to increased levels of effort required by the city.
- This scope includes review and approval of permit conditions that will be closed after revenue service; maintenance and monitoring for trees, landscaping, street frontage, and wastewater utility improvements; and development of operations and maintenance (O&M) agreements to support project close out.
- Several conditions in the Special Use Permit (SUP) issued by the city in 2019 require review and approval services from the city that were not scoped in the original EPRA and subsequent amendment, including:
 - Plant and critical area monitoring and maintenance between two and ten years beyond the start of revenue service
 - Parking and traffic impact studies to be conducted after revenue service begins, and approval and permitting of mitigation for impacts those studies identify

- Review and approval of O&M agreements
- Review and closeout of SUP conditions and associated land dispositions
- This action is scheduled for review and approval by the City of Shoreline Council on March 20, 2023.

Background

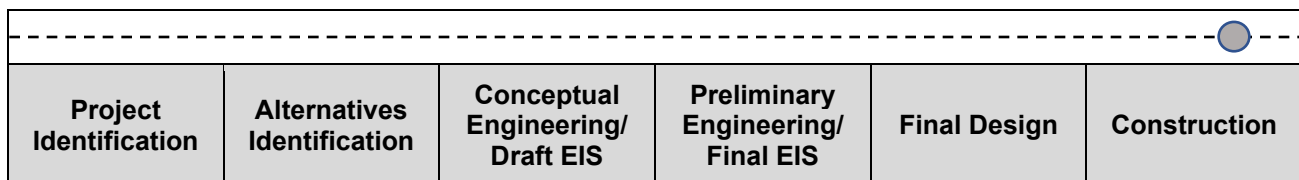
The Lynnwood Link Extension is an 8.5-mile light rail extension from Northgate to Lynnwood with service to the Cities of Shoreline, Mountlake Terrace, and Lynnwood. The extension travels primarily along I-5 and includes four stations: Shoreline South/NE 148th Street, Shoreline North/NE 185th Street, Mountlake Terrace Transit Center, and Lynnwood City Center. Revenue service is anticipated to begin in mid-2024.

The LLE Final Environmental Impact Statement was issued in April 2015, in compliance with the State Environmental Policy Act (SEPA) and the National Environmental Policy Act (NEPA). The Sound Transit Board selected the project route, profile, and stations on April 23, 2015. The Federal Transit Administration issued a NEPA Record of Decision (ROD) for the project on July 10, 2015, and the Federal Highway Administration issued a ROD on August 31, 2015. Sound Transit issued a SEPA Addendum on May 3, 2018, which includes additional environmental information related to project refinements proposed since the Final EIS was issued.

The City of Shoreline Expedited Permitting and Reimbursement Agreement for the Lynnwood Link Extension was authorized by Board Motion No. M2016-68 on July 14, 2016. That agreement allowed for coordination between the City of Shoreline and Sound Transit to conduct over-the-shoulder review of design submittals, formal design submittal review, assistance with permit application and review, and Sound Transit reimbursement to the City for those activities.

The agreement was amended in January 2019, as authorized in Board Motion No. M2018-122, to include construction services for the start of construction in mid-2019. The project was officially authorized by the City of Shoreline with approval of the Special Use Permit on May 31, 2019, including permit conditions. Several permit conditions resulted in additional work that was not originally contemplated in the amended EPRA. The additional post-revenue services needed from the City to support these permit conditions, combined with schedule delays, resulting in an increased level of effort required by the city, are the main reasons for the amendment.

Project status



Projected completion date for Lynnwood Link Extension: 3Q 2024

Project scope, schedule and budget summary are located on page 80 of the December 2022 Agency 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 construction phase. This action does not impact the affordability of any other system expansion project.

The baseline budget for the Lynnwood Link Extension project is \$2,771,622,000. Within that amount, \$11,400,000 has been allocated for Construction Assistance within the construction phase. The proposed action would commit an additional \$1,952,853 to this phase, leaving an uncommitted budget balance of \$480,419.

Lynnwood Link Extension

(in thousands)

	Baseline Budget	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Administration	\$98,164	\$56,454	\$	\$56,454	\$41,710
Preliminary Engineering	39,054	39,053		39,053	1
Final Design	164,162	158,892		158,892	5,270
Third Party Agreements	17,600	13,431		13,431	4,169
Right of Way	219,053	180,381		180,381	38,672
Construction	2,094,553	1,979,718	1,953	1,981,671	112,882
Construction Services	139,036	136,986		136,986	2,049
Total Current Budget	\$2,771,622	\$2,564,915	\$1,953	\$2,566,868	\$204,754
Phase Detail					
Construction					
Construction Assistance	\$11,400	\$8,967	\$1,953	\$10,920	\$480
Other Construction	2,083,153	1,970,752		1,970,752	112,401
Total Phase	\$2,094,553	\$1,979,718	\$1,953	\$1,981,671	\$112,882

Contract Detail	Board Approvals to Date	Current Approved Contract Status	Proposed Action	Revised Total for Board Approval
City of Shoreline				
Contract Amount	\$5,701	\$6,100	\$1,775	\$7,875
Contract Contingency	399		178	178
Total Contract	6,100	6,100	1,953	8,053
Contract Percent Contingency	7%	0%	10%	2%

Notes:

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

* Board Approvals = Commitment and PO Contingency Remaining as of 2/26/23.

For detailed project information, see page 69 of the 2023 Financial Plan & Proposed Book.

Disadvantaged and small business participation

Not applicable to this action.

Public involvement

The Lynnwood Link Extension project staff has been actively engaged with stakeholders at all levels throughout the project area. Through public open houses and public permitting meetings, the neighboring communities have had numerous opportunities to meet with staff, learn about the project, and provide Sound Transit with comments and questions. The construction phase of the project continues to be a collaborative effort between Sound Transit and project stakeholders, including the local community, the Cities of Seattle, Shoreline, Mountlake Terrace, and Lynnwood; the Washington State Department of Transportation, King County Transit providers, and emergency service providers.

Time constraints

A one-month delay may result in a reduction in services for the Shoreline portion of the Lynnwood Link Extension. These services may include permitting, inspections, and review.

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. M2016-68: Authorized the chief executive officer to execute an Expedited Permitting and Reimbursement Agreement with the City of Shoreline for the Lynnwood Link Extension in the amount of \$2,000,000, with a 10% contingency of \$200,000, for a total authorized agreement amount not to exceed \$2,200,000.

Environmental review – KH 2/27/23

Legal review – NM 3/3/23



Motion No. M2023-20

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute an amendment to the Expedited Permitting, Reimbursement, and Construction Services Agreement with the City of Shoreline to support the design review, permitting, and approval of permit conditions for the Lynnwood Link Extension, adding scope and increasing the agreement amount by \$1,775,321, with a 10 percent contingency of \$177,532, totaling \$1,952,853, for a total authorized agreement amount not to exceed \$8,052,568, all within the Board approved project budget.

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This action is scheduled for review and approval by the City of Shoreline Council on March 20, 2023.

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 Expedited Permitting, Reimbursement, and Construction Services Agreement with the City of Shoreline to support the design review, permitting, and approval of permit conditions for the Lynnwood Link Extension, adding scope and increasing the agreement amount by \$1,775,321, with a 10 percent contingency of \$177,532, totaling \$1,952,853, for a total authorized agreement amount not to exceed \$8,052,568, all within the Board approved project budget.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on March 23, 2023.



Dow Constantine
Board Chair

Attest:



Kathryn Flores
Board Administrator