System Expansion Project Scope and Betterments Policy

System Expansion Committee

04/11/2024

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Why we are here

- Follow-up on TAG recommendation regarding strengthening and enforcing an agency betterments policy.

- Review policy content and hear Board member feedback and input.

- Informational briefing only, no action.

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TAG recommendation #5

Strengthen and enforce an agency betterments policy

From the TAG's report: *"The TAG recommends **creating a comprehensive betterment policy that outlines what the agency is responsible for providing as part of a capital project, including required mitigation measures, and how to address betterments requested by partner jurisdictions**. The policy should also address how to proceed when partner jurisdictions fail to work in good faith or break previously agreed-to agreements. This policy will provide staff and partner agencies with clarity on how ST will scope projects in the future."*

Maximize regional transit – policy goals

Sound Transit will:

- Implement state/regional land use and transportation policies/plans with voter-approved projects and service.

- Maximize regional transit benefits as efficiently and affordably as possible.

- Partner with jurisdictions and other parties to develop and deliver projects that maximize transit benefits and control project costs.
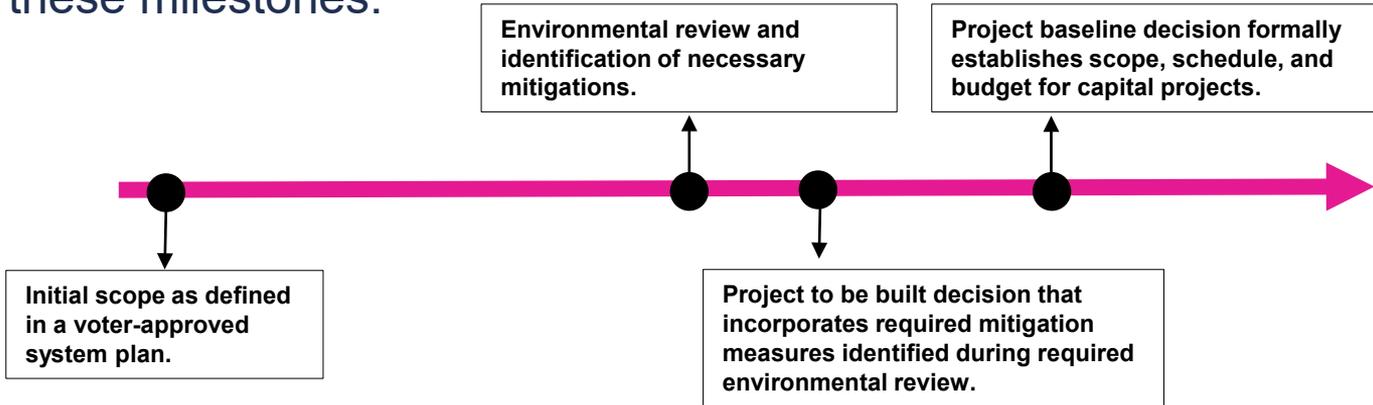
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Consistent and equitable application

Defining the project scope

- Developed in accordance with voter-approved plans.

- Employ standards and guidelines to define project scope consistently and equitably across the system so that projects meet operational needs and support passenger success.

- Documented consistently using Sound Transit's procedures and standards for project development and delivery and are reflected in the annual Transit Improvement Plan.

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Clear definitions throughout the project life cycle

Project scope during project development

- Defined formally at various milestones to provide a basis for staff to assess features and elements necessary to deliver scope.

- Scope will be defined with increasing specificity to eliminate uncertainty at these milestones.

Environmental review and identification of necessary mitigations.

Project baseline decision formally establishes scope, schedule, and budget for capital projects.

Initial scope as defined in a voter-approved system plan.

Project to be built decision that incorporates required mitigation measures identified during required environmental review.

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Early collaboration for durable decision making

Interacting with local regulations

- Sound Transit needs regulatory approval from authorities having jurisdiction (AHJs) to deliver the baseline scope approved by the Board.

- Sound Transit will work collaboratively with AHJs to advance projects consistent with their associated schedules, including by regularly informing AHJs of scope assumptions and opportunities for coordination.

- Sound Transit may employ various strategies to proactively reach early and durable decisions and to resolve disputes.

- Project teams must engage AHJs to determine if a process to develop streamlined permit review is appropriate.

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Betterments
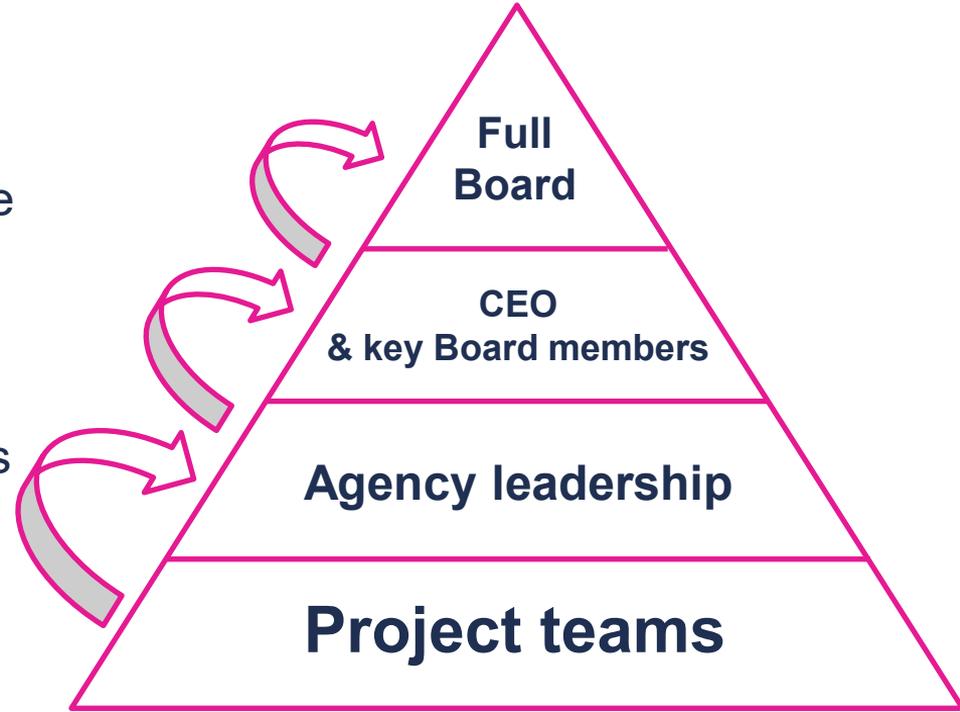
Addressing elements beyond scope and mitigation

- A project betterment is an element beyond the initial or baseline scope required to plan, build, and operate the regional transit system.

- Sound Transit requires a requesting party to pay for a project betterment.

- Sound Transit will make every effort to incorporate a project betterment but may decline to do so if it jeopardizes delivery of the baseline scope.

- When a requesting party attempts to impose scope beyond the baseline scope through permit conditions or other mechanisms, project staff must initiate a dispute resolution process.

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Dispute resolution

Timely actions to resolve conflicts with partners

- The CEO is authorized to determine what disputes require Board involvement.

- The CEO must create internal process guidance and requirements regarding dispute resolution to ensure disputes are promptly and clearly resolved so projects can stay on schedule.

Full Board

CEO & key Board members

Agency leadership

Project teams

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Next steps

Schedule for completing a policy update

- Brief full Board on April 25.

- Engage regularly with the TAG.

- Potentially present a policy update for action as soon as the Executive Committee meeting on May 2.

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Thank you.

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