

MOTION NO. M2018-109
Construction and Funding Agreement with WSDOT for the Federal Way Link Extension

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:
Capital Committee	10/11/2018	Recommend to Board	Ron Lewis, Acting DECM Executive Director
Board	10/25/2018	Final Action	Dan Abernathy, Executive Project Director - Federal Way Link Extension

PROPOSED ACTION

Authorizes the chief executive officer to execute a construction and funding agreement with Washington State Department of Transportation for Sound Transit to design and construct certain elements related to the SR 509 project, as part of the Sound Transit Federal Way Link Extension design-build contract.

KEY FEATURES SUMMARY

- The agreement outlines the terms and conditions related to the design and construction of Washington State Department of Transportation (WSDOT) State Route (SR) 509 Completion Project elements.
- Under the agreement, Sound Transit will design and construct needed structures of the SR 509 Completion Project as part of the FWLE design-build construction contract including:
 - the SR 99 Bridge over SR 509 between S 204th Street and South 208th Street in the City of SeaTac;
 - two retaining walls over 1000 feet in length along I-5 between South 208th Street and SR 516; and related earthwork.
- WSDOT will reimburse costs incurred by Sound Transit related to design and construction of the SR 99 Bridge. WSDOT and Sound Transit have agreed to a lump sum price representing the WSDOT share of the retaining walls, that will serve both projects. The agreement identifies the funding methodology, establishes an estimated value of the improvements, and provides mechanisms to address change orders, liquidated damages, payment, and invoicing. The estimated value of the work to be completed by Sound Transit is \$41,000,000.
- The close proximity of the two projects and the FWLE alignment crossing over the WSDOT SR 509 Completion Project alignment at one point could result in congested construction areas.

BACKGROUND

The Federal Way Link Extension adds approximately 7.8 miles of light rail from the Angle Lake light rail station at South 200th Street in the City of SeaTac to the Federal Way City Center area in Federal Way. The extension generally parallels State Route 99 and Interstate 5, with stations at Kent/Des Moines, South 272nd/ Star Lake Park and Ride, and the Federal Way Transit Center. New parking structures will be constructed at each of the three stations.

The delivery of the FWLE will be by means of a design-build contract and the extension is scheduled to open for revenue service in 2024.

Sound Transit anticipates issuing notice to proceed for the design and construction of the FWLE in August 2019. This is one year prior to WSDOT's anticipated award of Phase 1 of the SR 509 Completion Project. Because the construction of these two facilities are mostly parallel and adjacent and will cross each other in one location, Sound Transit and WSDOT need to coordinate their design solutions, construction areas, and construction schedules.

The SR 509 alignment crosses SR 99 in a cut condition resulting in the need for WSDOT to provide a new bridge for SR 99. The FWLE alignment crosses the SR 509 alignment at this location as an aerial guideway. The preliminary design of the two projects has been coordinated, however the construction of the FWLE aerial guideway over the construction of the SR 99 Bridge poses construction challenges. WSDOT and Sound Transit agree that it would be beneficial if a single entity performs the final design and construction of both structures. WSDOT will reimburse the costs incurred by Sound Transit related to the design and construction of the SR 99 Bridge.

Along the alignment, because of the adjacencies of the two projects (FWLE and SR 509), retaining walls are required resolve grade differences between the light rail and motor vehicle alignments. These retaining walls will be constructed during the construction of the FWLE to minimize impacts to the FWLE by the follow-on SR 509 construction. The project teams have developed optimal wall heights that provide efficiency across the two projects. To serve both projects, the height of these walls will be greater than otherwise required solely for the needs of Sound Transit. The agencies have agreed that cost sharing is appropriate and the agreement will provide for this.

The Final Environmental Impact Statement (EIS) was published on November 18, 2016 in compliance with the State Environmental Policy Act (SEPA) and the National Environmental Policy Act (NEPA). On January 26, 2017, the Sound Transit Board selected the route, profile, station and associated infrastructure to be built for the Federal Way Link Extension. In early March 2017, Sound Transit received the signed Federal Way Link Extension Record of Decision from the Federal Transit Administration and Federal Highway Administration.

The environmental review for the SR 509 project was completed by WSDOT and FHWA in January 2003. FHWA's Record of Decision was issued in March 2003 and the NEPA Re-evaluation for Phase 1 of the SR 509 Completion Project was completed in January 2018.

Sound Transit and WSDOT entered into a Letter of Understanding, dated April 11, 2018, committing the agencies to develop and execute an agreement to provide these improvements.

The procurement of the design-build contract for the FWLE is underway. The RFQ was advertised on April 12, 2018. Short listed teams were identified on July 17, 2018 and the RFP was issued on September 14, 2018. The selection of the highest ranked firm is scheduled for 2Q 2019 and award is scheduled for 3Q 2019. Notice to proceed (NTP) to the design-build contractor is scheduled for 3Q 2019.

PROJECT STATUS

Project Identification	Alternatives Identification	Conceptual Engineering/ Draft EIS	Preliminary Engineering/ Final EIS	Final Design	Construction
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Projected Completion Date for Design and Construction: 2024
 Project scope, schedule, and budget summary located on page 83 of the July 2018 Link Light Rail Program Progress Report.

FISCAL INFORMATION

This proposed action establishes a funding agreement with WSDOT to reimburse Sound Transit for the design and construction of certain elements related to WSDOT's SR 509 project, as part of the Federal Way Link Extension project. The estimated value of the work identified in the agreement is \$41,000,000.

Neither the cost 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 will not impact either the agency's long-term financial plan or subarea financial capacity and is independent of any grant applications.

SMALL BUSINESS/DBE PARTICIPATION

Not applicable to this action.

PUBLIC INVOLVEMENT

Extensive public outreach efforts have taken place on behalf of the Federal Way Link Extension over the last several years. Concurrent with Sound Transit's outreach efforts regarding the FWLE alignment, WSDOT conducted similar efforts to educate the community on the SR 509 Completion Project.

TIME CONSTRAINTS

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

PRIOR BOARD/COMMITTEE ACTIONS

Not applicable to this action.

ENVIRONMENTAL REVIEW

KH 9/5/18

LEGAL REVIEW

JSA 10/8/18

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A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a construction and funding agreement with Washington State Department of Transportation for Sound Transit to design and construct certain elements related to the SR 509 project, as part of the Sound Transit Federal Way Link Extension design-build contract.

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MOTION:

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer to execute a construction and funding agreement with Washington State Department of Transportation for Sound Transit to design and construct certain elements related to the SR 509 project, as part of the Sound Transit Federal Way Link Extension design-build contract.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on October 25, 2018.


Ron Lucas
Board Vice Chair

ATTEST:


Kathryn Flores
Board Administrator