



MOTION NO. M2018-145

Construction Funding Agreement with King County for the Sounder South Expanded Service 55th Avenue South Fish Passage Culvert Replacement Project

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:
Capital Committee	11/08/2018	Final Action	Ron Lewis, Acting DECM Executive Director Jodi Mitchell, Sr. Project Manager

PROPOSED ACTION

Authorizes the chief executive officer to execute an agreement with King County for the county to administer construction and construction management services for the 55th Avenue South Fish Passage Culvert Replacement project on behalf of Sound Transit as part of the Sounder South Expanded Service project in the estimated amount of \$1,707,494, with a 15% contingency of \$256,124, for a total of \$1,963,618.

KEY FEATURES SUMMARY

- Sound Transit is required under the US Army Corps of Engineers permit to compensate for the perpetuation of a fish passage barrier under the BNSF rail line by constructing, correcting, or funding the construction of another fish passage culvert.
- King County owns a culvert requiring correction under 55th Avenue South that is within the County’s right-of-way. Correction of this culvert fulfills the requirement of the permit condition.
- Sound Transit will provide King County Roads Division the design plans and specifications, and the necessary environmental permits.
- Sound Transit will reimburse the County for the costs it incurs in constructing the project, including contractor and County staff time expenses estimated to be \$1,963,618. The final reimbursement amount will be based on actual expenditures.
- King County Roads Division will construct the Project as designed by Sound Transit and approved by the County.
- The County will acquire all temporary construction easements needed to construct the Project.

BACKGROUND

The Sounder South Expanded Service project included purchase of four additional commuter rail easements from BNSF to increase Sounder service along the BNSF corridor between Seattle and Tacoma. One of the four easements required environmental mitigation of a fish passage improvement as a condition of BNSF’s Corps of Engineers permit.

After an exhaustive search, it was determined that there was not a suitable location under the BNSF tracks to make these improvements and an alternative location would need to be identified. An existing culvert owned by King County located on Bingamon Creek in the Auburn area was identified as a suitable site, and has received concurrence from King County, the Muckleshoot Tribe, and environmental agencies.

In 2017, Sound Transit, through its consultant, ESA and Associates completed a feasibility study that recommended replacing the existing culvert with a larger box culvert structure.

FISCAL INFORMATION

The authorized project allocation to date for Sounder South Expanded Service is \$205,567,592. Within that amount, \$12,053,925 has been allocated to the construction phase. This proposed action will commit an additional \$1,963,618 to this line, leaving a budget shortfall of -\$749,648 in the construction phase.

While this action executes this agreement, no funds will be spent until the construction of the culvert is completed during 2019. The 2019 Proposed Budget reflects a change in the phase project allocation from third party phase to the construction phase of \$790,000 resulting in an uncommitted budget balance of \$40,352 in the construction phase.

Upon approval of the 2019 Proposed Budget, this action is within the authorized project allocation and sufficient monies remain after the approval of this action to fund the remaining work in the construction phase as contained in the current cost estimate.

Sounder South Expanded Service

(in thousands)

Project Phase	Authorized Project Allocation to Date	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Agency Administration	\$1,700	\$1,375		\$1,375	\$325
Preliminary Engineering	479	479		479	
Final Design	900	617		617	283
Third Party Agreements	3,800	120		120	3,680
Right of Way	186,485	185,192		185,192	1,293
Construction	12,054	10,840	1,964	12,804	(750)
Construction Services	150				150
Vehicles					
Total Current Budget	\$205,568	\$198,623	\$1,964	\$200,587	\$4,981
Phase Detail - Construction					
Construction	\$12,054	\$10,840	\$1,964	\$12,804	(\$750)
Total Phase	\$12,054	\$10,840	\$1,964	\$12,804	(\$750)

Agreement Detail King County	Board Approvals to Date	Current Approved Agreement Status	Proposed Action	Proposed Total for Board Approval
Agreement Amount	\$	\$	\$1,707	\$1,707
Contingency Amount			256	256
Total Agreement	\$	\$	\$1,964	\$1,964
Percent Contingency	0%	0%	15%	15%

Budget Shortfall Funding	(\$750)
2019 phase adjustment: third party to construction phase	790
Adjusted Phase Budget	\$40

Notes:

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

Board Approvals = Committed To-Date + Contingency as of Sep 2018, and includes pending Board actions.

For detailed project information, see page 46 of the Adopted 2018 Transit Improvement Plan (TIP).

SMALL BUSINESS/DBE PARTICIPATION, APPRENTICESHIP UTILIZATION, AND TITLE VI COMPLIANCE

Not applicable to this action.

PUBLIC INVOLVEMENT

Not applicable to this action.

TIME CONSTRAINTS

King County Roads Division would like to advertise the project for construction in December 2018 to allow sufficient time for the procurement process; including the contractor's procurement of the necessary box culvert.

ENVIRONMENTAL REVIEW

KH 11/1/18

LEGAL REVIEW

JW 11/2/18

MOTION NO. M2018-145

A motion of the Capital Committee of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute an agreement with King County for the county to administer construction and construction management services for the 55th Avenue South Fish Passage Culvert Replacement project on behalf of Sound Transit as part of the Sounder South Expanded Service project in the estimated amount of \$1,707,494, with a 15% contingency of \$256,124, for a total of \$1,963,618.

BACKGROUND:

Sound Transit is required under the US Army Corps of Engineers permit to compensate for the perpetuation of a fish passage barrier under the BNSF rail line by constructing, correcting, or funding the construction of another fish passage culvert. King County owns a culvert requiring correction under 55th Avenue South that is within the County's right-of-way. Correction of this culvert fulfills the requirement of the permit condition.

Sound Transit will provide King County Roads Division the design plans and specifications, and the necessary environmental permits. Sound Transit will reimburse the County for the costs it incurs in constructing the project, including contractor and County staff time expenses estimated to be \$1,963,618. The final reimbursement amount will be based on actual expenditures.

The Sounder South Expanded Service project included purchase of four additional commuter rail easements from BNSF to increase Sounder service along the BNSF corridor between Seattle and Tacoma. One of the four easements required environmental mitigation of a fish passage improvement as a condition of BNSF's Corps of Engineers permit.

After an exhaustive search, it was determined that there was not a suitable location under the BNSF tracks to make these improvements and an alternative location would need to be identified. An existing culvert owned by King County located on Bingamon Creek in the Auburn area was identified as a suitable site, and has received concurrence from King County, the Muckleshoot Tribe, and environmental agencies.

In 2017, Sound Transit completed a feasibility study through its environmental consultant, ESA and Associates, that recommended replacing the existing culvert with a larger box culvert structure.

MOTION:

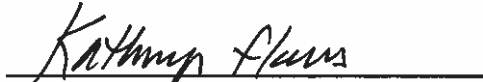
It is hereby moved by the Capital Committee of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute an agreement with King County for the county to administer construction and construction management services for the 55th Avenue South Fish Passage Culvert Replacement project on behalf of Sound Transit as part of the Sounder South Expanded Service project in the estimated amount of \$1,707,494, with a 15% contingency of \$256,124, for a total of \$1,963,618.

APPROVED by the Capital Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on November 8, 2018.



Claudia Balducci
Capital Committee Chair

ATTEST:



Kathryn Flores
Board Administrator