



## Motion No. M2024-54

A motion of the Board of the Central Puget Sound Regional Transit Authority ratifying the chief executive officer's finding of the existence of an emergency to expedite At-Grade Crossing Program work by engaging consultant services.

### Background

The Board's Procurement, Agreements and Delegated Authority policy, Resolution No. R2023-30, Section 2.9, authorizes the CEO to make a written finding that an emergency exists and to execute any contracts or make purchases necessary to respond to that emergency. The policy requires that the CEO request ratification of the finding of an emergency, and any emergency contracts that exceed \$5,000,000 excluding taxes, at the next regular Board meeting. The policy also requires that the CEO keep the Board informed about the emergency and the progress of any contracts or purchases executed to address the emergency.

On July 18, 2024, the Rider Experience and Operations Committee considered and recommended for Board approval a motion for staff to expand the geographic scope of Sound Transit's at-grade crossing program to not only include all Link light rail at-grade crossings, but also Tacoma Link and Sound Transit-owned Sounder at-grade crossings while still prioritizing improvements in the Rainier Valley; accelerate current at-grade projects, and expand projects as needed; conduct a comprehensive study of at-grade crossings in the Rainier Valley identifying short-, mid-, and long-term at-grade safety improvements; and deliver a Rainier Valley safety master plan of potential at-grade safety improvements to the Board in October 2024 that prioritizes at-grade safety improvements where the most collisions occur (e.g. along MLK Jr. Way S. in the Rainier Valley), followed by a system-wide at-grade safety plan in November 2024, and provide regular progress reporting to the Rider Experience and Operations and System Expansion Committees until the safety master plans are transmitted. The Board amended and approved Motion No. M2024-45 at its regular meeting on July 25, 2024.

On July 25, 2024, the CEO made a written finding that declared an emergency and staff proceeded with issuing a Limited Notice to Proceed to HDR Engineering, Inc. to create a Rainier Valley safety master plan, a strategic plan including near-term, mid-term, and long-term solutions for the Rainier Valley corridor, system-wide at-grade safety plan, a strategic plan of near-term, mid-term, and long-term solutions for the entire system, a 3-5 year communications and outreach engagement plan, and project management and subject matter expert support of active and currently planned projects (grant support, visibility paint, auto-ped gates, etc.) including strategies to optimize and accelerate work.

If work on the At-Grade Crossings Program cannot commence immediately and expeditiously, there would likely be a negative impact to life safety. In addition, a delay could lead to impairment of performance of essential functions, costs and/or claims to be incurred. There are also operational headway requirements in Sound Transit's grant funding agreements; if these are not met, current and future grant funding may be at risk. When collisions occur, disruption and delay often interrupt scheduled service for the entire 1 Line, impacting service and creating rider experience concerns. As the Link system expands and new lines are integrated with this corridor, these issues will only continue to compound.

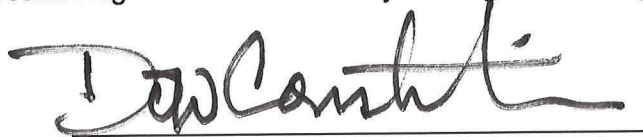
HDR Engineering, Inc. was contracted because the firm had the most comprehensive statement of qualifications that aligned with the program's needs, including communications and media services, grant writing and owner's representative services. Additionally, HDR Engineering, Inc. has a strong past

performance with the scope of services being requested both with Sound Transit and other public agencies. The estimated cost for HDR's scope is not expected to exceed \$5,000,000 and will involve an independent cost and price analysis of the consultant proposal to respond to emergency conditions.

**Motion**

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer's finding of the existence of an emergency is ratified.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on August 22, 2024.



Dow Constantine  
Board Chair

**Attest:**



Kathryn Flores  
Board Administrator