

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2002-109

**Interlocal Agreement between Sound Transit and the
City of Tacoma for Relocation of Sewer Line**

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	9/19/02	Discussion/Possible Action to Recommend Board Approval	Martin Minkoff, Sounder Commuter Rail Director	(206) 398-5111
Board	9/26/02	Action	David Beal, Project Development, Program Manager	(206) 398-5124

OBJECTIVE OF ACTION

- To enter into an Interlocal Agreement with the City of Tacoma for the relocation of a sanitary sewer line impacted by the proposed Sounder Commuter Rail Service in Tacoma.

ACTION

- Authorizes the Executive Director to enter into an Interlocal Agreement with the City of Tacoma for the relocation of a sanitary sewer line near Reservation Junction in Tacoma upon appropriate environmental review, with Sound Transit contributing \$900,000 through Sound Transit's existing capital agreement with Burlington Northern Santa Fe and \$500,000 in additional funds for a total amount not to exceed \$1,400,000.

KEY FEATURES

- Authorizes the Executive Director to execute an Interlocal Agreement with the City of Tacoma in the total fixed amount of \$1,400,000 for the relocation of a sanitary sewer line.
- Requires the City to invoice the Burlington Northern and Santa Fe Railway (BNSF) directly for the first \$900,000 of the total fixed amount of \$1,400,000. The \$900,000 will come out of the existing capital fund established by Sound Transit for work by BNSF between Seattle and Tacoma.
- Requires the City to invoice Sound Transit directly for the remaining \$500,000 of the total fixed amount of \$1,400,000.
- Requires Sound Transit to assign to the City rights to any preliminary engineering regarding the sewer previously undertaken by Sound Transit contractors/consultants.
- Requires the City to manage all aspects of the permitting, design, and construction of the sewer line relocation.
- Requires the City to complete the sewer line relocation by February 1, 2003.
- The resolution of the issues covered by this agreement is one precondition of BNSF's operating an interim third train in September 2002.

BUDGET IMPACT SUMMARY

Project Description: Seattle to Tacoma Track and Signals

Current Status: Pending Board Approval

Projected Completion Date: February 1, 2003

Action Outside of Adopted Budget:	Y/N	Y	Requires Comment
This Line of Business	N		
This Project	N		
This Phase	N		
This Task	N		
Budget amendment required	N		
Key Financial Indicators:	Y/N	Y	Requires Comment
Contingency funds required	N		
Subarea impacts	N		
Funding required from other parties other than what is already assumed in financial plan	N		

N = Action is assumed in current Board-adopted budget. Requires no budget action or adjustment to financial plan

BUDGET DISCUSSION

The City of Tacoma will invoice BNSF directly for the first \$900,000 of the total fixed amount of \$1,400,000. The \$900,000 will come out of the existing capital fund established by Sound Transit for work by BNSF between Seattle and Tacoma.

The remaining \$500,000 will be invoiced directly to Sound Transit and funded out of the Tacoma Rail Budget.

REVENUE, SUBAREA, AND FINANCIAL PLAN IMPACTS

The proposed action is consistent with the current Board-adopted budget and is affordable within Sound Transit's current long-term financial plan and the subarea financial capacity.

SUMMARY FOR BOARD ACTION

Summary for Board Action (Year of Expenditure \$000)

Action Item: City of Tacoma Sanitary Sewer Line Reconstruction

	Current Board Adopted Budget (A)	Committed To Date (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
1 Maintenance/Layover	15,847	7,264	-	7,264	8,583
2 Agency Administration	22,077	21,655	-	21,655	422
3 Pre-Engineering	10,438	7,623	-	7,623	2,815
4 Final Design	7,575	6,033	-	6,033	1,542
5 Construction	323,387	140,008	500	140,508	182,879
Vehicles	95,278	89,537	-	89,537	5,741
6 Contingency	2,322	-	-	-	2,322
7 Total Current Budget	476,924	272,120	500	272,620	204,304

Phase Budget Detail

8 BNSF	320,840	139,935	-	139,935	180,905
9 Tacoma Rail	2,000	-	500	500	1,500
10 Miscellaneous	547	73	-	73	474
11 Total Phase	323,387	140,008	500	140,508	182,879

Contract Budget	Current Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
12 City of Tacoma	-	-	500	500
13 Contingency	-	-	-	-
14 Total	-	-	500	500
15 Percent Contingency			0%	0%

Budget Shortfall

Level	\$ (J)	Potential Revenues (K)	Funding Source (L)
NA	-	-	

M/W/DBE – SMALL BUSINESS PARTICIPATION

The City's procurement of construction services will comply with its Historically Under-utilized Business Program (HUB) and the Local Employment and Apprenticeship Training Program (LEAP).

HISTORY OF PROJECT

At Reservation Junction, the City of Tacoma has a buried, 60 inch diameter, shallow sanitary sewer line that was constructed in 1909 that will be crossed in two separate locations by Sound Transit's proposed Commuter Rail Service in Tacoma. The first is at the proposed rail connection (the "flyover") between Tacoma Rail and the BNSF tracks, and the second is at the new proposed third BNSF mainline track from Reservation north. The length of sewer line impacted between these two locations is 330 feet. Refer to attached Figure 1.

The subject of how to deal with the additional loading these two rail crossings place on this line has been discussed among all parties for some time. The City of Tacoma has maintained that the solution is to relocate this sewer line in a parallel alignment and they would be prepared to

enter into a cost sharing arrangement with Sound Transit. The parties could not agree on the details of the cost sharing.

A value engineering review of the sewer protection issue at the two locations was undertaken by the two consultants involved. It was determined that the most cost-effective solution would be to have the rail tracks cross the sewer line at both locations on an at-grade "bridge". This was estimated at \$500,000 for the flyover location, and \$900,000 for the new BNSF mainline track location for a total cost of \$1,400,000. The cost of relocating the sewer line in a parallel location was estimated to cost between \$2,500,000 and \$3,000,000.

As part of the engineering investigation, the City did a video check on the condition of the old line and found that the bottom was failing in different locations. The line is trapezoidal in shape, which keeps it from collapsing. Given the condition of the line, Sound Transit's original proposal of bridging at both locations is no longer valid.

The City of Tacoma has offered to relocate the sewer line by February 1, 2003, if Sound Transit will contribute the budget for the bridging options towards the cost of relocating the sewer line. This date is critical to Sound Transit's program of providing service to the new Tacoma Dome Station.

The City has accepted the offer and an Interlocal Agreement between Sound Transit and the City of Tacoma has been finalized.

**Prior Board or Committee Actions
and Relevant Board Policies**

Motion/Resolution Number	Summary of Action	Date of Action
Resolution No. R99-22	Authorized the Executive Director to execute a Construction Agreement and an Operating Agreement with The Burlington Northern and Santa Fe Railway Company (BNSF) for Commuter Rail Service between Seattle and Tacoma.	8/26/99
Motion No. M2001-51	Authorized the Executive Director to execute a Commuter Rail Agreement between Sound Transit and the City of Tacoma for the upgrade, construction, and joint use of the rail facilities located on the City of Tacoma's rail right of way.	6/14/01
Motion No. M2002-40	Authorized the Executive Director to execute the First Amended Commuter Rail Agreement between Sound Transit and the City of Tacoma for the upgrade, construction, and joint use of the rail facilities located on the City of Tacoma's rail right of way.	4/25/02

CONSEQUENCES OF DELAY

The design and construction schedule for the sewer relocation is very short, and a delay in executing this Agreement may result in a delay to the start of service to the permanent Sounder Tacoma Dome Station. Sound Transit's side letter agreement with BNSF for the interim operation of commuter rail expires on September 15, 2003. At that time, BNSF will have no obligation to continue interim commuter rail operation until all Phase 1 construction projects under its original construction agreement with Sound Transit are completed. One of these Phase 1 projects involves connecting the BNSF line to the Tacoma Rail line (where the permanent Sounder Tacoma Dome Station is located). Furthermore, the resolution of this sewer issue is one precondition of BNSF's running an interim third train in September 2002.

REGIONAL PARTNERSHIP AND COOPERATION

The proposed Interlocal Agreement represents a significant cooperative effort of the part of Sound Transit, the City of Tacoma, and the BNSF to reach settlement on a long standing, complex issue.

PUBLIC INVOLVEMENT

The proposed Interlocal Agreement between Sound Transit and the City of Tacoma has not been the subject of any specific public outreach.

The City of Tacoma will obtain any necessary environmental permits required for their sewer line relocation.

LEGAL REVIEW

JDW 9/5/02

SOUND TRANSIT

MOTION NO. M2002-109

A motion of the Board of the Central Puget Sound Regional Transit Authority to authorize the Executive Director to enter into an interlocal agreement with the City of Tacoma for the reconstruction of a sanitary sewer line near Reservation Junction in Tacoma upon appropriate environmental review, with Sound Transit contributing \$900,000 through Sound Transit's existing capital agreement with Burlington Northern Santa Fe and \$500,000 in additional funds for a total amount not to exceed \$1,400,000.

Background:

At Reservation Junction, the City of Tacoma has a buried, 60 inch diameter, shallow sanitary sewer line that was constructed in 1909 that will be crossed in two separate locations by Sound Transit's proposed Commuter Rail Service in Tacoma. The first is at the proposed rail connection (the "flyover") between Tacoma Rail and the Burlington Northern Santa Fe (BNSF) tracks, and the second is at the new proposed third BNSF mainline track from Reservation north. The length of sewer line impacted between these two locations is 330 feet.

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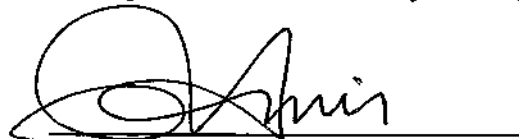
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Motion:

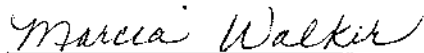
It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority to authorize the Executive Director to enter into an interlocal agreement with the City of Tacoma for the reconstruction of a sanitary sewer line near Reservation Junction in Tacoma upon appropriate environmental review, with Sound Transit contributing \$900,000 through Sound Transit's existing capital agreement with Burlington Northern Santa Fe and \$500,000 in additional funds for a total amount not to exceed \$1,400,000.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on October 10, 2002.

A handwritten signature in black ink, appearing to read "Ron Sims", written over a horizontal line.

Ron Sims
Board Chair

ATTEST:

A handwritten signature in black ink, appearing to read "Marcia Walker", written over a horizontal line.

Marcia Walker
Board Administrator