

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2002-127

**Contract with Herrera Environmental Consultants, Inc. to provide
on-call environmental permitting services**

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	11/21/02	Discussion/Possible Action	Desmond Brown, Chief Legal Counsel Chris Townsend, Senior Environmental Planner	(206) 398-5017 (206) 398-5135

Contract/Agreement Type:	<input checked="" type="checkbox"/>	Requested Action:	<input checked="" type="checkbox"/>
Competitive Procurement	<input checked="" type="checkbox"/>	Execute New Contract/Agreement	<input checked="" type="checkbox"/>
Sole Source	<input type="checkbox"/>	Amend Existing Contract/Agreement	<input type="checkbox"/>
Memorandum of Agreement	<input type="checkbox"/>	Contingency Funds Required	<input type="checkbox"/>
Purchase/Sale Agreement	<input type="checkbox"/>	Budget Amendment Required	<input type="checkbox"/>

✓ Applicable to proposed transaction.

OBJECTIVE OF ACTION

- To obtain professional services to assist the Sound Transit Environmental Compliance Division in the needs assessment, preparation, and procurement of environmental permits and approvals for projects agency-wide on an as-needed basis.

ACTION

- Authorize the Executive Director to execute a contract with Herrera Environmental Consultants, Inc. to provide on-call environmental permitting services for a term of three years with options to extend for two one-year periods for a total authorized contract amount not to exceed \$700,000.

KEY FEATURES

- Provides consistent, long-term permitting services for local, regional, state, and federal environmental permits and approvals.
- Defines a scope of work for professional services necessary to prepare complete permit application packages, including:
 - Assistance with the needs assessment, preparation and procurement of environmental permits and approvals for projects associated primarily with Regional Express, but potentially including projects associated with Link Light Rail and Sounder Commuter Rail;
 - Assistance with preparation and procurement of project-specific environmental permits and approvals including, but not limited to Endangered Species Act consultations, Section 404 and other Army Corps permits, Section 401, Coastal Zone Management

Certifications, Hydraulic Project Approvals, Aquatic Use Authorizations, Forest Practices permits, National Pollutant Discharge Elimination System permits, Shoreline permits, and Critical Areas Ordinance approvals;

- Development, implementation, and/or monitoring of mitigation plans for project impacts;
 - Tracking and monitoring the permit procurement process to ensure that projects remain on schedule.
- Designates a key project manager who is the initial point of contact for all project work and who will maintain oversight of the work that the team will perform. The project manager will work closely with Sound Transit to initiate work assignments and manage Herrera team personnel resources, provide oversight during technical work, resolve technical conflicts, review work products prior to submittal, and coordinate activities between Herrera team members and Sound Transit personnel.

BUDGET IMPACT SUMMARY

Project Description: On-call environmental permitting services for multiple projects

Current Status: N/A

Projected Completion Date: N/A

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 environmental permitting support on-call contract will primarily be used by Regional Express, but Link and Sounder could potentially use the contract as well. The budget amounts shown in the table below (under Summary for Board Action) are based on the 2003 proposed budget for all REX capital projects combined. Costs associated with environmental permitting work are usually combined with other project element costs such as pre-engineering and final design within the projects overall capital budget. Since this is an on-call contract, an evaluation of specific project scope and cost will be performed prior to executing a work order against this contract.

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

Action Item: On-call contract with Herrera Environmental Consultants for environmental permitting services support for agency

(1) Project Budget	Current Board		This Action	Total	
	Adopted Budget (A)	Committed To Date (B)		Committed & Action (D)	Uncommitted (Shortfall) (E)
Agency Administration	44,080	18,976	-	18,976	25,104
Pre-Engineering	53,678	41,199	700	41,899	11,780
Final Design	59,123	19,198	-	19,198	39,925
Right of Way	75,572	28,390	-	28,390	47,181
Construction	462,779	83,670	-	83,670	379,109
Contingency	162,395	20,683	-	20,683	141,712
Total Current Budget	857,626	212,116	700	212,816	644,810

Phase Budget Detail - Prelim Engr

Preliminary Engineering/Environmental	462,779	83,670	700	84,370	378,409
Total Phase	462,779	83,670	700	84,370	378,409

Contract Budget	Current Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract (I)
	Environmental Permitting Support	-	-	700
Contingency	-	-	-	-
Total	-	-	700	700
Percent Contingency			0%	0%

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

Notes:

(1) Budget amounts shown are based on the total 2003 Proposed budget for all of Regional Express Capital Projects combined. Environmental permitting services will be primarily for REX, but Link Light Rail and Sounder Commuter Rail could potentially use the contract.

M/W/DBE – SMALL BUSINESS PARTICIPATION

Herrera Environmental Consultants is a minority-owned disadvantaged business enterprise (DBE) and will be the prime consultant on this contract. Herrera will have overall project management responsibility, and will perform 33% of the contract. All the firms on this contract are local firms and have previously done business with Sound Transit. The total DBE participation on this contract is 65%.

The team lead by Herrera Environmental Consultants includes minorities and women in three (3) top management positions for this project. Minorities and/or women will also lead the efforts of all the sub-consultants for this contract to date across the prime and subcontracted firms on the team, five (5) are minorities and thirteen (13) are women.

HISTORY OF PROJECT

Currently, Environmental Compliance Division staff are the designated point persons for environmental permits for Regional Express projects. However, Environmental Compliance staff are often in the position of needing to direct consultant work on environmental permit

documentation without having direct control or oversight of the consultant budget. Under the proposed arrangement, project managers will be able to delegate the responsibility for managing consultants working on environmental permitting projects to the Environmental Compliance Division.

The specifications for RTA/RE 75-02 were based upon estimation of the environmental permitting services required for the following Regional Express projects:

- Federal Way HOV Access Improvements and Transit Center
- Kirkland I-405 HOV Access Improvements
- Kirkland Transit Enhancements
- I-90 @ Eastgate
- Issaquah Transit Center
- Willows Arterial
- Woodinville Arterial HOV Enhancements
- SR 522 HOV Enhancement (Woodinville to Bothell)
- South Everett Park-and-Ride
- East Everett Park-and-Ride

The degree of environmental impacts from many of these projects is currently unknown. However, projects that require environmental permits generally involve impacts to wetlands and/or streams. The estimate for the purpose of this contract is based on the actual budget for environmental permitting for the Portage Bay portion of the Link Light Rail project and on budget estimates provided by consultants for the Federal Way Regional Express Project and the Tukwila portion of the Link project.

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

Motion or Resolution Number	Summary of Action	Date of Action
No prior Board action	N/A	N/A

CONSEQUENCES OF DELAY

There are no serious consequences of a delay in executing this contract.

REGIONAL PARTNERSHIP AND COOPERATION

N/A

PUBLIC INVOLVEMENT

N/A

LEGAL REVIEW

JDW 11/8/02

SOUND TRANSIT

MOTION NO. M2002-127

A motion of the Finance Committee of the Central Puget Sound Regional Transit Authority authorizing the Executive Director to execute a contract with Herrera Environmental Consultants, Inc. to provide on-call environmental permitting services for a total authorized contract amount not to exceed \$700,000.

Background:

Currently, Environmental Compliance Division staff are the designated point persons for environmental permits for Regional Express projects. However, Environmental Compliance staff are often in the position of needing to direct consultant work on environmental permit documentation without having direct control or oversight of the consultant budget. Under the proposed arrangement, project managers will be able to delegate the responsibility for managing consultants working on environmental permitting projects directly to the Environmental Compliance Division.

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- ◆ Federal Way HOV Access Improvements and Transit Center
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Motion:

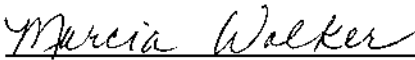
It is hereby moved by the Finance Committee of the Central Puget Sound Regional Transit Authority that the Executive Director is authorized to execute a contract with Herrera Environmental Consultants, Inc. to provide on-call environmental permitting services for a total authorized contract amount not to exceed \$700,000.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on November 21, 2002.



Kevin Phelps
Finance Committee Chair

ATTEST:



Marcia Walker
Board Administrator