

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2003-54

**Interlocal Agreement between Sound Transit and the City of Mukilteo Relating to the
Concept Study of Commuter Rail Park-and-ride on Mukilteo Lane**

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	5/15/03	Discussion/Possible Action to Recommend Action	Martin Minkoff, Director Sounder Commuter Rail Val Batey, Project Manager	(206) 398-5111
Board	5/22/03			(206) 398-5117

Contract/Agreement Type:	✓	Requested Action:	✓
Competitive Procurement		Execute New Contract/Agreement	
Sole Source		Amend Existing Contract/Agreement	
Memorandum of Agreement	✓	Contingency Funds Required	
Purchase/Sale Agreement		Budget Amendment Required	

✓ Applicable to proposed transaction.

OBJECTIVE OF ACTION

- To establish an agreement under which Sound Transit and the City of Mukilteo will share in the cost of a study on using an expanded section of Mukilteo Lane for commuter rail station park-and-ride. The information provided in the study will include the cost of developing commuter rail station park-and-ride in an alternative location to the locally preferred alternative. The concept study will provide Sound Transit with the information necessary to determine the feasibility, functionality and order of magnitude cost of the proposed alternative.

ACTION

- Authorizing the Executive Director to execute an interlocal agreement with the City of Mukilteo providing for the City to pay \$25,000 as its share of the cost of a concept study of the Mukilteo Commuter Rail Station Park-and-Ride on Mukilteo Lane.

KEY FEATURES

- Authorizes the Executive Director to execute an agreement with the City of Mukilteo for cost sharing in preparation of a concept study of the expansion of Mukilteo Lane for use as a park-and-ride for the Mukilteo commuter rail station. The total cost of the concept study is estimated to be \$72,243 (\$65,676 plus a 10% contingency of \$6,567). The City of Mukilteo will pay \$25,000 of the total cost of the concept study. Sound Transit's share will be \$47,243.
- Defines a scope of work, including developing two alternative design concepts for the construction of expanded roadway, parking and pedestrian improvements on the south side of Mukilteo Lane, as well as a pedestrian bridge connecting the park-and-ride to the station platforms.

- The work falls within the scope of the original station design services contract with Streeter & Associates Architects, and would take approximately four weeks to complete.
- Establishes an agreement between Sound Transit and the City as to the purpose of the concept study and that there are no implied commitments as to what course of action Sound Transit may decide to take based on the concept study.

BUDGET IMPACT SUMMARY

Project Description: Mukilteo Commuter Rail Station Design

Current Status: Preliminary Engineering

Projected Completion Date: 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 Mukilteo is agreeing to pay \$25,000 for its share of the total cost of this study.

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 capacity.

HISTORY OF PROJECT

Mukilteo Station is one of three new stations proposed and funded for the Everett-Seattle commuter rail line. The preferred station location was addressed in Sound Transit’s 1999 Environmental Impact Statement (EIS) for the Everett-Seattle Commuter Rail Project. The Board adopted this station location as the locally preferred alternative by Motion No. M99-79. In March 2000 Sound Transit executed a contract with Streeter & Associates Architects for preliminary engineering for the Mukilteo commuter rail station. The preliminary engineering was completed in June 2002. Final design is pending an agreement between Sound Transit and Burlington Northern Santa Fe Railway and authorization by the Federal Transit Administration (FTA) to initiate final design activity.

In April 2002, the City of Mukilteo asked Sound Transit staff to consider an alternative site for the station park-and-ride, i.e. Mukilteo Lane. Sound Transit has engineering and design considerations that would need to be addressed if Mukilteo Lane is chosen as a viable

alternative. By letter, dated April 29, 2002, Sound Transit advised the City that Sound Transit may be willing to consider the Mukilteo Lane option with the following assurances:

- An agreement under which the City will agree to assume any additional costs above the adopted budget for the station.
- Evidence of a secure funding source for any costs over and above the adopted budget.
- Agreement that the City will enforce parking regulations on the Mukilteo Lane parking spaces that give priority to commuter rail customers.
- The City will acquire any and all private right-of-way required to make the Mukilteo Lane alternative work, including but not limited to outreach, acquisition, condemnation, litigation, indemnification, etc.
- The City takes responsibility to communicate with the community regarding changes in the station scope including any changes to the schedule resulting from the City's request.

In May 2002, Sound Transit Board members and staff met with City representatives and discussed preparing a concept study in order to determine the order of magnitude costs associated with the alternative before making any further decisions.

On November 7, 2002, the Finance Committee denied a motion to amend the contract for station design with Streeter & Associates Architects to cover additional preliminary engineering on an alternative location for the station park-and-ride, on Mukilteo Lane. The Finance Committee suggested that the City of Mukilteo should pay a share of the costs incurred by Sound Transit in pursuing additional information on the potential alternative location for the station park-and-ride.

Under this proposed agreement, the cost of conceptual designs for widening Mukilteo Lane on the south side of the station site to accommodate parking stalls for commuters would be shared by Sound Transit and the City of Mukilteo. Two options would be examined. Cost estimates will be prepared for those two options. A pedestrian bridge connecting the park-and-ride area to the station platforms would be included in the conceptual design for both options.

The work falls within the scope of the original station design services contract and would require approximately four weeks to complete. The design and cost estimate would be brought back to the Sound Transit Board with a proposed response to the City of Mukilteo's request. Following completion of conceptual design, staff will provide the Board with information on:

- the feasibility of either of the two proposed alternatives;
- the impact on project cost;
- an estimate of any delay on Final Design Authorization from the FTA for the Everett-Seattle Commuter Rail Project; and
- the impact on schedule including additional environmental review, and service implementation.

Staff would also recommend a proposed response to the City of Mukilteo's request.

Should Sound Transit agree to pursue a Mukilteo Lane alternative, additional environmental review would be required as this alternative was not considered in the project EIS. The City has been informed that should Sound Transit decide to pursue the Mukilteo Lane alternative, the City's financial participation would be required if the cost of the alternative exceeds the approved project budget.

Sound Transit's preferred alternative location for the station park-and-ride is on the property known as the Tank Farm. As a member of a consortium (which includes the Port of Everett, Washington State Ferries, and the cities of Mukilteo and Everett), Sound Transit is party to a Memorandum of Understanding regarding the Tank Farm property. Sound Transit has stated its interest in two acres of the Tank Farm property for use as station park-and-ride and pedestrian access, as well as for construction access for the track improvements at this location. This site is included in Sound Transit's 1999 EIS as the preferred alternative location for this station.

Conveyance of the property from the Department of Defense to the Port of Everett has been delayed because of ongoing clean up and remediation of the site. The clean up and remediation activities are projected to be completed by the end of 2003. Once the whole property is conveyed to the Port, Sound Transit will negotiate with the Port to acquire the two acres. In the meantime, the conveyance legislation allows the Port to negotiate an interim lease for any part of the Tank Farm property. If the Board does not pursue the Mukilteo Lane option, Sound Transit would continue to pursue the Tank Farm property acquisition process.

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

Motion or Resolution Number	Summary of Action	Date of Action
M2000-5	Selecting the station locations and corridor improvements to be built for the Everett-to-Seattle Commuter Rail Project.	1/13/00
M99-79	Selecting Preferred Alternative Corridor and Station Locations for the Final Environmental Impact Statement on the Everett-to-Seattle Commuter Rail Project.	11/18/99
M99-75	Authorizing execution of a Memorandum of Understanding establishing cooperation between Sound Transit, Port of Everett, City of Mukilteo, WSDOT (WSF) and City of Everett for the acquisition of the Mukilteo Tank Farm property from the United States Air Force through the Department of Defense surplus property process.	10/28/99

CONSEQUENCES OF DELAY

Delaying or disapproving the action would delay or limit the Board's ability to make a considered decision on the City of Mukilteo's request that Sound Transit consider the option of using Mukilteo Lane for commuter rail station park-and-ride.

REGIONAL PARTNERSHIP AND COOPERATION

The City of Mukilteo requested that Sound Transit consider locating the park-and-ride for the Mukilteo Station on Mukilteo Lane rather than on the Tank Farm property. Sound Transit and City representatives met in May 2002 and discussed the need for a conceptual study to determine the order of magnitude costs associated with the Mukilteo Lane park-and-ride alternative. Sound Transit has informed the City that in exploring this alternative, the agency would need to examine its effect on the scope, schedule and budget of the Mukilteo commuter rail station project as well as on the functionality of the station and the effect on the service implementation schedule. Evaluation of this information would be necessary before the Board could make a decision to change the project scope. Sound Transit has also informed the City that should Sound Transit decide to pursue the Mukilteo Lane alternative, the City's financial participation would be required if the cost of the alternative exceeds the approved project budget. The agreement will include the necessary clauses for Federal reimbursement.

PUBLIC INVOLVEMENT

Sound Transit and the City of Mukilteo have established a Technical Advisory Committee (TAC) for the Mukilteo commuter rail station design process. The TAC is comprised of community and business representatives and elected officials. The TAC has been briefed on the City of Mukilteo's proposal to move the station park-and-ride to Mukilteo Lane.

LEGAL REVIEW

BN 5/5/03

SOUND TRANSIT

MOTION NO. M2003-54

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the Executive Director to execute an interlocal agreement with the City of Mukilteo providing for the City to pay \$25,000 as its share of the cost of a concept study of Mukilteo Commuter Rail Station Park-and-Ride on Mukilteo Lane.

Background:

This proposed agreement is to share the cost of conceptual designs for widening Mukilteo Lane on the south side of the station site to accommodate parking stalls for commuters. Two options would be examined. Cost estimates will be prepared for two options. A pedestrian bridge connecting the park-and-ride area to the station platforms would be included in the conceptual design for both options.

The work falls within the scope of the original station design services contract with Streeter & Associates Architects, and will take approximately four weeks to complete. The total cost of the concept study is estimated to be \$72,243 (\$65,676 plus a 10% contingency of \$6,567). The City of Mukilteo will pay \$25,000 of the total cost of the concept study. Sound Transit's share of the cost will be \$47,243. Preliminary concept designs and a preliminary cost estimate for the Mukilteo Lane alternatives will be provided by the concept study. The design and cost estimate would be brought back to the Sound Transit Board with a proposed response to the City of Mukilteo's request that the Mukilteo Lane alternative be pursued by Sound Transit.

Should Sound Transit agree to pursue a Mukilteo Lane alternative, additional environmental review would be required as this alternative was not considered in the project EIS. The City has been informed that should Sound Transit decide to pursue the Mukilteo Lane alternative, the City's financial participation would be required if the cost of the alternative exceeds the approved project budget.

Following completion of conceptual design staff will provide the Board with information on the feasibility of either of the proposed options, the impact on project cost, an estimate of any delay on Final Design Authorization from the FTA for the Everett-Seattle Commuter Rail Project, and the impact on schedule, including additional environmental review and service implementation.

Motion:

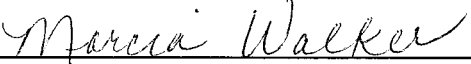
It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that The Executive Director is authorized to execute an interlocal agreement with the City of Mukilteo providing for the City to pay \$25,000 as its share of the cost of a concept study of Mukilteo Commuter Rail Station Park-and-Ride on Mukilteo Lane.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on May 22, 2003.



Ron Sims
Board Chair

ATTEST:



Marcia Walker
Board Administrator