

**SOUND TRANSIT  
STAFF REPORT**

**MOTION NO. M2003-73**

**Intergovernmental Agreement with the City of Lynnwood  
for Intersection and Signal Improvements on 200th Street SW**

<b>Meeting:</b>	<b>Date:</b>	<b>Type of Action:</b>	<b>Staff Contact:</b>	<b>Phone:</b>
Finance Committee	9/18/03	Discussion/Possible Action	<b>Jim Edwards, Chief Engineer, Regional Express</b> Hank Howard, Project Manager, Regional Express	<b>206-398-5436</b>  206-398-5038

<b>Contract/Agreement Type:</b>	✓	<b>Requested Action:</b>	✓
Competitive Procurement		Execute New Contract/Agreement	✓
Sole Source		Amend Existing Contract/Agreement	
Intergovernmental Agreement	✓	Contingency Funds Required	
Purchase/Sale Agreement		Budget Amendment Required	

✓ *Applicable to proposed transaction.*

**OBJECTIVE OF ACTION**

Execute an Intergovernmental Agreement with the City of Lynnwood for the construction of intersection and signalization improvements on 200th Street between 44th Avenue West and 48th Avenue West in Lynnwood associated with the Lynnwood Transit Center/Park-and-Ride Lot improvements.

**ACTION**

Authorizes the Chief Executive Officer to execute an Intergovernmental Agreement with the City of Lynnwood in the amount of \$787,716 with a 10% contingency of \$78,772 for an total amount not to exceed \$866,488 for construction of the intersection and signal improvements on 200th Street SW, in support of the Lynnwood Transit Center/Park-and-Ride Lot improvements.

**KEY FEATURES**

- The proposed intersection and signal improvements are needed to ensure the effective operation of the new Lynnwood Transit Center/Park-and-Ride Lot. They will improve transit and HOV access between the new Lynnwood Transit Center/Park-and-Ride Lot and 200th Street SW.
- On September 12, 2002, the Board approved Motion No. M2002-92, authorizing an agreement with the City of Lynnwood (City) for the construction of intersection and signalization improvements; however, agreement was not executed due to misunderstandings between the City and Sound Transit on some details of the cost sharing. Those details have been resolved in the proposed agreement between the City, Sound Transit, and Community Transit. In addition, the proposed agreement with the City also

adds concrete paving work at the two intersections providing access to the transit center to address impacts related to increased bus volumes.

- The City also has a traffic signal interconnect project on 200th Street SW, and Community Transit has a transit signal priority project on 200th Street SW.
- The City will construct the 200th Street SW improvements, as Sound Transit's construction administrator.
- Sound Transit will acquire and transfer or assign to the City the property rights or other interests necessary for the construction of the 200th Street SW improvements and provide funding for the improvements to be constructed by the City.
- Sound Transit will provide to the City bid-ready documents for the 200th Street SW improvements and provide all environmental and construction permits.
- The City of Lynnwood will obtain all necessary utility relocations on the City right of way within the project area.
- A portion of the traffic signal improvements will be funded by Community Transit.
- In an effort to provide maximum return to taxpayers, the City of Lynnwood, Sound Transit, and Community Transit have agreed to combine construction efforts. Combining projects allows work on 200th Street SW to be completed simultaneously and will reduce the total construction duration and minimize disruption to motorists and impacts to the adjacent properties.

**Project Description:** Intergovernmental Agreement with the City of Lynnwood for construction of Lynnwood Transit Center / Park-and-Ride Lot Improvements.

**Current Status:** In construction.

**Projected Completion Date:** 1st Quarter 2004.

Action Outside of Adopted Budget:	Y/N	Y Requires Comment
This Line of Business	N	
This Project	N	
This Phase	Y	This action, together with prior commitments, will result in a shortfall of \$269k for this task and phase. Funding will be restructured in the proposed 2004 budget to more closely align budget-to-project phase activity.
This Task	Y	This action, together with prior commitments, will result in a shortfall of \$269k for this task and phase.
Budget amendment required	N	
<b>Key Financial Indicators:</b>	<b>Y/N</b>	<b>Y Requires Comment</b>
Contingency funds required	Y	Sufficient unallocated project contingency is available to fund this action.
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 2003 Board-adopted budget for the construction phase of this project is \$12,252,170. The total amount of this proposed Intergovernmental Agreement with the City will be for \$866,488 (including contingency). This action, together with prior commitments, will result in a budget shortfall in the amount of \$209,438 for this task and phase.

The project contingency phase contains sufficient, unallocated budget to fund this action without jeopardizing any other project elements that will need to be funded out of the overall project. After this action, the available project contingency would be reduced from \$3,736,300 to \$3,526,862 and will equate to 10% of the total project budget.

Consistent with the Sound Transit Board budget policies, this phase shortfall will be depicted as a negative variance until the 2004 budget is adopted. At that time, the unallocated project contingency can be reallocated to the construction phase to align phase budget amounts with project phase activity.

## **REVENUE, SUBAREA, AND FINANCIAL PLAN IMPACTS**

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

## SUMMARY FOR BOARD ACTION

Page 188 in the 2003 Board-adopted budget.

	2003 Adopted Budget (A)	Committed To Date (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
Agency Administration	1,959	\$ 1,688	\$ -	\$ 1,688	\$ 271
Preliminary Engineering	1,606	1,759		1,759	(152)
Final Design	2,368	2,436	-	2,436	(68)
Right of Way	11,567	11,516	-	11,516	52
Construction	12,252	12,447	269	12,716	(464)
Contingency	3,931	-	-	-	3,931
<b>Total Current Budget</b>	<b>33,684</b>	<b>\$ 29,845</b>	<b>\$ 269</b>	<b>\$ 30,115</b>	<b>\$ 3,569</b>

### Phase Budget Detail

Bayley Construction	\$ 9,573	\$ 9,573	\$ -	\$ 9,573	\$ -
ST Construction Contingency	\$ 476	\$ 899	\$ -	\$ 899	\$ (423)
IGA City of Lynnwood	\$ 597	\$ 597	\$ 269	\$ 866	\$ (269)
KBA	\$ 918	\$ 918	\$ -	\$ 918	\$ -
Adolphson & Associates	\$ 211	\$ 211	\$ -	\$ 211	\$ -
Other	\$ 477	\$ 249	\$ -	\$ 249	\$ 228
<b>Total Phase</b>	<b>\$ 12,252</b>	<b>\$ 12,447</b>	<b>\$ 269</b>	<b>\$ 12,716</b>	<b>\$ (464)</b>

Contract Budget	Current Approved IGA Value (M2002- 92) (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
IGA City of Lynnwood	\$ 543	\$ -	\$ 245	\$ 788
ST Contingency	54	0	\$ 25	79
<b>Total</b>	<b>\$ 597</b>	<b>\$ -</b>	<b>\$ 269</b>	<b>\$ 866</b>
<b>Percent Contingency</b>	<b>10%</b>		<b>10%</b>	<b>10%</b>

### Budget Shortfall

Level	Shortfall Amt (J)	Potential Funds (K)	Funding Source (L)
Construction phase	\$ (209)	\$ 209	Contingency phase budget
Construction phase	\$ (60)	\$ 60	Contribution from Community Transit
<b>Total</b>	<b>\$ (269)</b>	<b>\$ 269</b>	

### Notes:

Committed to-date amount includes actual outlays and commitments through May 13, 2003, plus replenishment of construction contract contingency, authorized via Motion No. M2003-59 in the amount of \$423k.

Committed to-date includes the original amount of \$597k for the agreement with the City of Lynnwood, based on the previously approved Motion No. M2002-92, which was not executed. This proposed action adds \$269k additional for a total IGA amount of \$866k.

## **M/W/DBE – SMALL BUSINESS PARTICIPATION**

The agreement with Lynnwood covers Sound Transit's component of a larger, joint project with Community Transit and the City of Lynnwood. The work on 200th Street SW consists of the following elements:

1. The installation of a traffic signal interconnect system between SR 99 and 44th Avenue (City of Lynnwood).
2. The installation of transit signal priority equipment at the signalized intersections between SR 99 and 44th Avenue (Community Transit).
3. Intersection and traffic signal improvements at the 48th Avenue and 46th Avenue intersections, which serve the new transit center that is currently under construction.

Lynnwood will procure the contractor and administer the construction. However, since portions of the combined project include grant funds administered by WSDOT/FHWA, WSDOT assigned the DBE goal for the project.

The project has been assigned a DBE goal of 10% by WSDOT based on its assessment of the limited availability of qualified firms having the potential to do the required work.

## **HISTORY OF PROJECT**

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

<b>Motion or Resolution Number</b>	<b>Summary of Action</b>	<b>Date of Action</b>
M2003-59	Supplement Construction Budget	6/5/03
M2002-113	Scriber Creek Water Quality Monitoring	10/3/02
M2002-92	ILA with City of Lynnwood	8/8/02
M2002-91	Contract with Bayley Construction for construction of the Lynnwood Transit Center and Park-and-Ride Lot Improvements	9/12/02
M2002-59	ILA with Community Transit	5/23/02
M2002-64	Supplement to INCA Final Design Contract	5/16/02
M2002-47	Contract with Utility Vault for storm water vault manufacture and delivery	4/18/02
M2002-37	Contract with KBA for construction management services.	4/4/02
M2000-116	Final design contract with INCA Engineers.	11/9/00
R2000-16	Acquisition of Real Property Easements.	10/26/00
R98-86	Reallocation of Funds from Lynnwood Connector project to Lynnwood Project.	2/24/00
R98-11	PE/ED Contract with INCA Engineers.	4/9/98

The Lynnwood Transit Center/Park-and-Ride Lot is part of the Lynnwood Project Group that includes the transit center, park-and-ride lot, and HOV direct access ramp. The project group consists of three improvements to the existing facility:

1. A new transit facility with more bus bays, larger passenger waiting areas, better weather protection, more lighting, public art, more than 300 new parking spaces, and a Community Transit funded Rider Services Building.
2. New ramps providing bus and HOV direct access to I-5 HOV lanes. The ramps will bypass city streets and eliminate the need for HOV vehicles to merge across multiple lanes of traffic.
3. Park-and-Ride lot enhancements.

In support of the Lynnwood Transit Center/Park-and-Ride Lot improvements, Sound Transit will be completing signal and intersection improvements on 200th Street SW between 44th Avenue West and 48th Avenue West in Lynnwood. These improvements are needed to ensure the effective operation of the new Lynnwood Transit Center/Park-and-Ride Lot. They will improve transit and HOV access between the new Lynnwood Transit Center/Park-and-Ride Lot and 200th Street SW. The improvements will also improve pedestrian safety at the intersection of 48th Avenue West and 200th Street SW and the intersection of 46th Avenue West and 200th Street SW.

The City of Lynnwood and Community Transit have concurrent traffic signal interconnect and transit signal priority projects along 200th Street SW in which the City of Lynnwood is acting as the lead agency. In an effort to provide maximum return to taxpayers, the City of Lynnwood, Sound Transit, and Community Transit have agreed to combine construction efforts. Sound Transit is proposing to have the City of Lynnwood continue to act as the lead agency through the construction of these improvements and provide construction management services. Combining projects allows work on 200th Street SW to be completed simultaneously and will reduce the total construction duration and minimize disruption to motorists and impacts to the adjacent properties.

The Board previously approved \$596,900 (Motion No. M2002-92) for the agreement with the City of Lynnwood for the construction of intersection and signalization improvements on 200th Street SW between 44th Avenue West and 48th Avenue West in Lynnwood associated with the Lynnwood Transit Center/Park-and-Ride Lot improvements. However, the agreement was not executed.

At the time the earlier City of Lynnwood Agreement was presented to the Board, Sound Transit assumed that the City of Lynnwood would furnish the majority of the equipment necessary for the traffic signal upgrades associated with the proposed improvements. As discussions regarding finalizing the agreement progressed, it was apparent there was a misunderstanding and these improvements were to be funded by Sound Transit as mitigation of traffic impacts.

Additionally, there has been an identified need for spot intersection paving improvements due to structural failures caused by increased transit service and traffic associated with the transit center. Sound Transit and the City of Lynnwood have spent the last 24 months identifying specific improvements necessary and negotiating the cost of the paving improvements. There is an opportunity to include these improvements with the other signalization and intersection improvements. Combining the spot improvements with the other signalization and intersection improvements will prove to be a benefit to both projects. Sound Transit's investment in these spot improvements is capped at \$200,000.

Community Transit recognizes the importance of these improvements as an enhancement of the transit services to Community Transit's service area and a benefit to Community Transit's operations at the Lynnwood Transit Center. Community Transit has authorized additional funding in the amount of \$60,000 to be contributed to the completion of the signal improvements.

### **CONSEQUENCES OF DELAY**

Delaying this action will delay installation of the intersection and traffic signal improvements, which need to be in place prior to completion of the Lynnwood Direct Access project. The City views these improvements as needed mitigation associated with the expanded transit center.

### **REGIONAL PARTNERSHIP AND COOPERATION**

The Lynnwood Project grouping established a Project Management Team (PMT) and an Executive Advisory Committee (EAC) to assist staff in making project decisions. Technical personnel from the project team staff the PMT. The EAC was comprised of elected officials, key agency management staff, and city business and community leaders to advise Sound Transit on project-related matters. Both committees remained active through the lifecycle of the project and still receive monthly updates as construction progresses.

Sound Transit and Community Transit have worked cooperatively throughout the life of this project to meet the needs of the community by designing a facility that enhances transit service, provides for transfers, and incorporates a ride store that will enable Community Transit to provide needed services at its transit hub.

### **PUBLIC INVOLVEMENT**

Sound Transit has an extensive public outreach program that is designed to solicit feedback at different stages of the project. To date, there have been three open houses, three newsletters, an environmental hearing, as well as a project web site. On different occasions, the project team has met with the Lynnwood City Council, Lynnwood Planning Commission, Lynnwood Arts Commission, Lynnwood Central Business District, Lynnwood Public Facilities District, South Snohomish County Chamber of Commerce, and Snohomish County Citizen Advisory Committee on Disabilities. Sound Transit has also attended community and special interest group meetings. A groundbreaking ceremony was held at the start of the construction phase.

Sound Transit will work with Community Transit and the City of Lynnwood to keep the public apprised of changes to the park-and-ride lot throughout the construction.

### **LEGAL REVIEW**

MB 8/14/03

## **SOUND TRANSIT**

### **MOTION NO. M2003-73**

A motion of the Finance Committee of the Central Puget Sound Regional Transit Authority authorizing the Chief Executive Officer to execute an Intergovernmental Agreement with the City of Lynnwood in the amount of \$787,716 with a 10% contingency of \$78,772 for a total authorized amount not to exceed \$866,488 for the construction management and construction of the intersection and signal improvements on 200th Street SW, in support of the Lynnwood Transit Center/Park-and-Ride Lot improvements.

#### **Background:**

The signal and intersection improvements on 200th Street SW between 44th Avenue West and 48th Avenue West in Lynnwood, to be funded by Sound Transit, are needed to ensure that the new Lynnwood Transit Center/Park-and-Ride Lot will operate as intended. The improvements will improve pedestrian safety at the intersection of 48th Avenue West and 200th Street SW and at the intersection of 46th Avenue West and 200th Street SW. The improvements will also improve transit and HOV access between the new Lynnwood Transit Center/Park-and-Ride Lot and 200th Street SW. The City of Lynnwood and Community Transit have concurrent transit signal priority and traffic signal interconnect projects along 200th Street SW in which the City of Lynnwood is acting as the lead agency. In addition, the proposed agreement with the City of Lynnwood also adds concrete paving work at the 48th Avenue West and 46th Avenue West intersections providing access to the transit center to address impacts related to increased bus volumes.

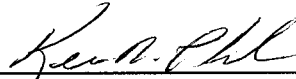
In an effort to provide maximum return to taxpayers, the City of Lynnwood, Sound Transit, and Community Transit have agreed to combine construction efforts. Sound Transit is proposing to have the City of Lynnwood continue to act as the lead agency through the construction of these improvements and provide construction management services. Additionally, combining projects allows work on 200th Street SW to be completed simultaneously and will reduce the total construction duration and minimize disruption to motorists and impacts to the adjacent properties. The City of Lynnwood will charge Sound Transit 10% of the construction amount for the construction management services.

#### **Motion:**

It is hereby moved by the Finance Committee of the Central Puget Sound Regional Transit Authority that the Chief Executive Officer is authorized to execute an Intergovernmental Agreement with the City of Lynnwood in the amount of \$787,716 with a 10% contingency of \$78,772 for a total authorized amount not to exceed \$866,488, for the construction management and construction of the intersection and signal improvements on 200th Street SW, in support of the Lynnwood Transit Center/Park-and-Ride Lot improvements.

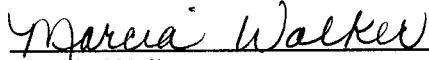


APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on September 18, 2003.



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Kevin Phelps  
Finance Committee Chair

ATTEST:



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Marcia Walker  
Board Administrator