

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2006-37

Agreement with the City of Lakewood

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	5/4/06	Discussion/Possible Action to Recommend Board Approval	Agnes Govern, Director, Capital Projects	(206) 398-5037
Board	5/11/06	Discussion/Possible Action	Vicki Youngs, Program Manager Mark Johnson, Project Manager	(206) 398-5024 (206) 398-5192

Contract/Agreement Type:	✓	Requested Action:	✓
Competitive Procurement		Execute New Contract/Agreement	✓
Sole Source		Amend Existing Contract/Agreement	
Agreement with Other Jurisdiction(s)	✓	Budget Amendment	
Real Estate		Property Acquisition	

PROJECT NAME

Lakewood Station

PROPOSED ACTION

Authorizes the Chief Executive Officer to execute an agreement with the City of Lakewood establishing roles, responsibilities, terms and conditions regarding the development of the Lakewood Station Project.

KEY FEATURES OF PROPOSED ACTION

- The proposed agreement is consistent with the terms and conditions established in the term sheet signed by Sound Transit and the City on August 25, 2005. Upon execution, the agreement will supersede all prior agreements, including the "Cooperative Agreement" executed on April 3, 2002.
- The agreement covers development standards, permits, construction, utility relocation, and ownership/responsibility for maintenance, security, and storm water detention and treatment facilities.
- The parties agree to cooperate and work in good faith toward completion of the project. A dispute resolution process is included to quickly and effectively settle disputes.
- The City will convey to Sound Transit at no cost a strip of land along Pacific Highway South for the project.
- The City and Sound Transit agree that the mitigation measures contained in the completed environmental documents and the agreement address all impacts.
- The project is vested to development standards established in the agreement.

- The City of Lakewood shall contribute the project's storm water detention and treatment facilities and shall operate and maintain them for a period of forty years, or until their replacement is required, at which time the parties agree to determine responsibilities for replacement.
- The City of Lakewood shall maintain the completed facility to Sound Transit's standards and shall provide facility-specific security for a period of forty years. The value of facility maintenance and security for this period is consistent with contributions considered in June 2005, when the Sound Transit Board increased the project budget to include structured parking.
- Sound Transit shall manage and fund the design and construction of the project using funds under its control pursuant to the terms and conditions and standards established in this agreement. The project will be designed and constructed to preserve the ability for future expansion. The final design of the project shall be determined, at Sound Transit's sole discretion, and within the adopted project budget.

BUDGET and FINANCIAL PLAN DISCUSSION

Not applicable to this action.

BUDGET TABLE

Not applicable to this action.

M/W/DBE – SMALL BUSINESS PARTICIPATION

Procurements for this project will be conducted through Sound Transit's established procurement process, incorporating established goals and requirements for M/W/DBE - Small Business participation.

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

The Lakewood Station site is located in the City of Lakewood, Washington. The Lakewood Station project will provide a single-side platform for commuter rail, bus platforms for regional and local transit service, and a parking garage with approximately 620 parking stalls. The Lakewood Station will include amenities such as passenger shelters with windscreens, ticket vending machines, signage, landscaping, and a public artwork.

Prior Board/Committee Actions on this Project and Relevant Board Policies

Motion or Resolution Number	Summary of Action	Date of Action
M2005-58	Directed staff to complete preliminary engineering and any necessary environmental documentation to replace parking with structured parking at the Lakewood Station.	6/02/05
M2002-21	Selected the corridor improvements, station facilities, train storage facility, and park-and-ride lot improvements to be built for the Lakewood to Tacoma Commuter Rail and SR-512 Park and Ride Lot Expansion Project.	12/12/02
M2002-66	Authorized the Funding and Cooperative Agreement with the City of Lakewood.	5/9/02
M2001-13	Identified the preferred alternative for the Lakewood to Tacoma Commuter Rail and SR-512 Park-and-Ride Lot expansion project to be considered in the Final Environmental Impact Statement, including rail line corridor improvements, commuter rail station locations in South Tacoma and Lakewood, a train storage facility, and the expansion of the SR 512 Park-and-Ride Lot parking capacity.	2/08/01

CONSEQUENCES of DELAY

Approval of this agreement is necessary to allow for timely submittal of plans for building and site development permits. Delay in City's review of permit submittals will delay completion of Issue-for-Bid documents and could delay the start of construction in 2006.

PUBLIC INVOLVEMENT

Sound Transit held a public open house in November 2005 to provide information on site alternatives and to seek public comment. Sound Transit has also met with the Lakewood City Council on several occasions regarding the Lakewood Station Project.

ENVIRONMENTAL COMPLIANCE

Not applicable to this action.

LEGAL REVIEW

SS 4/25/06

SOUND TRANSIT

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A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the Chief Executive Officer to execute an agreement with the City of Lakewood establishing roles, responsibilities, terms and conditions regarding the development of the Lakewood Station Project.

Background:

The Lakewood Station site is located in the City of Lakewood, Washington. The Lakewood Station project will provide a single-side platform for commuter rail, bus platforms for regional and local transit service, and a parking garage with approximately 620 parking stalls. The Lakewood Station will include amenities such as passenger shelters with windscreens, ticket vending machines, signage, landscaping, and a public artwork.

- The proposed agreement is consistent with the terms and conditions established in the term sheet signed by Sound Transit and the City on August 25, 2005. Upon execution, the agreement will supersede all prior agreements, including the "Cooperative Agreement" executed on April 3, 2002.
- The agreement covers development standards, permits, construction, utility relocation, and ownership/responsibility for maintenance, security, and storm water detention and treatment facilities.
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- The City will convey to Sound Transit at no cost a strip of land along Pacific Highway South for the project.
- The City and Sound Transit agree that the mitigation measures contained in the completed environmental documents and the agreement address all impacts.
- The City of Lakewood shall contribute the project's storm water detention and treatment facilities and shall operate and maintain them for a period of forty years, or until their replacement is required, at which time the parties agree to determine responsibilities for replacement.
- The City of Lakewood shall maintain the completed facility to Sound Transit's standards and shall provide facility-specific security for a period of forty years. The value of facility maintenance and security for this period is consistent with contributions considered in June 2005, when the Board increased the project budget to include structured parking.
- Sound Transit shall manage and fund the design and construction of the project using funds under its control pursuant to the terms and conditions and standards established in this agreement. The project will be designed and constructed to preserve the ability for future expansion. The final design of the project shall be determined, at Sound Transit's sole discretion, and within the adopted budget.

Motion:

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the Chief Executive Officer is authorized to execute an agreement with the City of Lakewood establishing roles, responsibilities, terms and conditions regarding the development of the Lakewood Station Project.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on May 11, 2006.



Mark Olson
Board Vice Chair

ATTEST:



Marcia Walker
Board Administrator