

**SOUND TRANSIT  
STAFF REPORT**

**MOTION NO. M2006-69**

**Amendment to the WSDOT Design Umbrella Agreement**

<b>Meeting:</b>	<b>Date:</b>	<b>Type of Action:</b>	<b>Staff Contact:</b>	<b>Phone:</b>
Finance Committee	9/21/06	Discussion/Possible Action to Recommend Board Approval Action	Ahmad Fazel, Link Director	(206) 398-5389
Board	10/12/06		<b>Michael Williams, Program Manager – Project Development</b>	(206) 398-5145

<b>Contract/Agreement Type:</b>	✓	<b>Requested Action:</b>	✓
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**

Central Link Light Rail Initial Segment, Airport Link, and North Link projects

**PROPOSED ACTION**

Authorizing the Chief Executive Officer to (1) amend the umbrella agreement with the Washington State Department of Transportation for design review services of Link projects to include all geographical areas within the Sound Transit district and include current federal clauses; and (2) remove monetary limits established in Motion No. M2002-50.

**KEY FEATURES of PROPOSED ACTION**

- On July 18, 2002, Sound Transit executed a design umbrella agreement (GCA 2941) with the Washington State Department of Transportation (WSDOT) for engineering and other related services during the conceptual/preliminary engineering and final design phases of Link projects located in WSDOT owned right-of-way. GCA 2941 adopted the form of task orders to be executed by the parties to provide the design services.
- Under the agreement, individual task orders are prepared with a specific scope, schedule, and budget for each project. They are still required to be separately authorized in accordance with the Board's procurement authority limits under Resolution No. R78-1.
- This agreement has proven to be an effective vehicle for expediting WSDOT review of Sound Transit projects located in WSDOT right-of-way and the process has worked well for Central Link Initial Segment projects. Therefore, staff requests that this umbrella agreement be amended to include Link projects over the entire Sound Transit district.

- The umbrella agreement has no dollar limitations; however, when it was authorized under Motion No. M2002-50, a “not to exceed amount” for the Central Link Initial Segment and North Link activities in the amount of \$1,210,000 was included in the motion because specific contract packages had been developed.
- It is anticipated that future task orders will exceed the monetary limit under Motion No. M2002-50, even if task orders are limited to Link projects. This action would remove the \$1,210,000 limitation imposed by M2002-50.

**BUDGET IMPACT SUMMARY**

There is no action outside of the Board-adopted budget; there are no contingency funds required, no subarea impacts, or funding required from other parties other than what is already assumed in the financial plan.

**BUDGET and FINANCIAL PLAN DISCUSSION**

The proposed action would authorize the Chief Executive Officer to (1) amend the umbrella agreement with the Washington State Department of Transportation for design review services of Link projects to include all geographical areas within the Sound Transit district and include current federal clauses; and (2) remove monetary limits established in Motion No. M2002-50.

The proposed ongoing WSDOT engineering services for Link light rail projects would be assigned by task order within each project. Funds would be identified and budgeted prior to a task order being approved to ensure that the total contract amount does not exceed funds budgeted for WSDOT within the third party phase. When a Link project budget is established by the Board, it includes a third party phase. The third party phase budget includes the funds that will be used to establish task orders under GCA 2941. The proposed services will be assigned on an as-needed basis.

The proposed action is consistent with the current Board-adopted budget, and is affordable within the agency’s current long-term financial plan and subarea financial capacity. The action will have no new revenue impact on Sound Transit.

**BUDGET TABLE**

Not applicable to this action.

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

WSDOT staff will perform 100% of the work under the individual task orders.

**PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION**

On October 23, 1997, a Memorandum of Understanding (MOU) establishing a cooperative relationship Sound Transit and the Washington State Department of Transportation was executed. The MOU covered the regional express/HOV systems, commuter rail and light rail and established working principles between the agencies to facilitate the design, construction and operation of capital projects listed in Sound Move; coordinate public transportation service provided by each agency; and provide for future agreements dealing with specific programs or projects related to Sound Move.

Based on the 1997 MOU, Sound Transit and WSDOT executed Agreement GCA 1325 on August 19, 1998. This agreement called for the State to provide as-built and construction related information regarding WSDOT infrastructure and attend coordination meetings for interfacing the Link light rail project. The total expenditures under this agreement between 1998 and 2002 were \$249,329.

On May 9, 2002, the Board authorized the Chief Executive Officer to execute a design umbrella agreement (GCA 2941) under Motion No. M2002-50, extending the working relationship established in GCA 1325 between WSDOT and Sound Transit. The design umbrella agreement with WSDOT provided engineering services for portions of the Link Light Rail system within WSDOT right-of-way. It allowed individual task orders to be executed for each of the Central Link Initial Segment and North Link design sections, providing design review, issuance of permits, and establishing utility and real estate agreements. The total authorized amount for both Initial Segment and North Link activities was \$1,210,000, including contingency.

Since the umbrella agreement was approved, eight design task orders totaling \$859,846 have been executed for the Initial Segment. The amount of these task orders ranged from \$4,650 for C520 (Pine Street Stub Tunnel) to \$389,000 for the C755 (Tukwila). The Tukwila design task order was approved by the Finance Committee through Motion No. M2002-129. In addition, two design task orders have been executed for North Link totaling \$105,240.

This action removes the \$1,210,000 limitation under Motion No. M2002-50 for GCA 2941. Removing the monetary limitation associated with the WSDOT Design Umbrella Agreement is consistent with the adoption of Motion No. M2002-72 on May 13, 2002 which authorized the Executive Director to negotiate and execute an umbrella agreement with WSDOT (GCA 3361) for construction administration of Sound Transit projects to be constructed in WSDOT right-of-way. Under the construction umbrella agreement, task orders for each project are subject to Board approval consistent with the general contracting authority and delegations adopted by the Board.

Since the construction umbrella agreement was approved, five construction task orders totaling over \$784,000 have been executed for the Initial Segment. The amount of these task orders ranged from \$28,000 for C510 (Downtown Seattle Transit Tunnel) to \$572,000 for the C755 (Tukwila). The Tukwila construction task order was approved by the Finance Committee under Motion No. M2005-13.

The structure established between Sound Transit and WSDOT through the umbrella agreements for both the design and construction of Sound Transit projects in WSDOT right-of-way has worked well for both agencies. The ten Link design task orders and five construction task orders executed under the two umbrella agreements clearly establish expectations by delineating the scope, schedule and budget for the WSDOT services. The process has worked well for Central Link Initial Segment projects; therefore, staff requests that this umbrella agreement be amended to include Link projects over the entire Sound Transit district.

**Prior Board/Committee Actions on this Project**

<b>Motion or Resolution Number</b>	<b>Summary of Action</b>	<b>Date of Action</b>
M2005-13	Authorized the Chief Executive Officer to execute a task order with the Washington State Department of Transportation under the existing Umbrella Agreement GCA 3361 covering construction administration of Sound Transit projects within Washington State Department of Transportation right-of-way for the Link Light Rail Tukwila Freeway Route construction, in the amount of \$572,100, with a 10% contingency of \$57,210, for a total authorized amount not to exceed \$629,310.	2/3/05
M2002-129	Authorized Executive Director to execute a task order with the Washington State Department of Transportation under the existing Agreement GCA 2941 covering design coordination and review for the Link Light Rail Tukwila Freeway Route design in the amount of \$389,000 plus a 10% contingency of \$38,000 for a total authorized amount not to exceed \$427,900.	12/5/02
M2002-72	Authorized the Executive Director to negotiate and execute an umbrella agreement with WSDOT (GCA 3361) for construction administration of Sound Transit projects to be constructed on WSDOT right-of-ways in accordance with key provisions; and further directing the Executive Director to negotiate additional agreements or amend existing agreements to address outstanding issues regarding HOV speed and reliability standards, Link Light Rail use of State right of way, continuing control requirements, reimbursement of Sound Transit funding and adjustment of Land Bank credits.	5/13/02
M2002-50	Extended the working relationship established in Agreement GCA 1325 between WSDOT and Sound Transit by executing a design umbrella agreement (GCA 2941) with WSDOT to provide engineering services for portions of the Link System within WSDOT right-of-way.	5/9/02
--	Agreement GCA 1325 executed between Sound Transit and WSDOT	8/19/98
--	Memorandum of Understanding between Sound Transit and the State of Washington pertaining to Sound Move projects located within State right-of-way	10/23/97

**CONSEQUENCES of DELAY**

The delay of this action would delay the execution of future WSDOT design task orders for University Link.

**PUBLIC INVOLVEMENT**

N/A

**ENVIRONMENTAL COMPLIANCE**

JI 9/8/2006

**LEGAL REVIEW**

JW 9/13/06

## **SOUND TRANSIT**

### **MOTION NO. M2006-69**

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the Chief Executive Officer to (1) amend the umbrella agreement with the Washington State Department of Transportation for design review services of Link projects to include all geographical areas within the Sound Transit district and include current federal clauses; and (2) remove monetary limits established in Motion No. M2002-50.

#### **Background:**

On October 23, 1997, a Memorandum of Understanding (MOU) establishing a cooperative relationship Sound Transit and the Washington State Department of Transportation was executed. The MOU covered the regional express/HOV systems, commuter rail and light rail and established working principles between the agencies to facilitate the design, construction and operation of capital projects listed in Sound Move; coordinate public transportation service provided by each agency; and provide for future agreements dealing with specific programs or projects related to Sound Move.

Based on the 1997 MOU, Sound Transit and WSDOT executed Agreement GCA 1325 on August 19, 1998. This agreement called for the State to provide as-built and construction related information regarding WSDOT infrastructure and attend coordination meetings for interfacing the Link light rail project. The total expenditures under this agreement between 1998 and 2002 were \$249,329.

On May 9, 2002, the Board authorized the Chief Executive Officer to execute a design umbrella agreement (GCA 2941) under Motion No. M2002-50, extending the working relationship established in GCA 1325 between WSDOT and Sound Transit. The design umbrella agreement with WSDOT provided engineering services for portions of the Link Light Rail system within WSDOT right-of-way. It allowed individual task orders to be executed for each of the Central Link Initial Segment and North Link design sections, providing design review, issuance of permits, and establishing utility and real estate agreements. The total authorized amount for both Initial Segment and North Link activities was \$1,210,000, including contingency.

Since the umbrella agreement was approved, eight design task orders totaling \$859,846 have been executed for the Initial Segment. The amount of these task orders ranged from \$4,650 for C520 (Pine Street Stub Tunnel) to \$389,000 for the C755 (Tukwila). The Tukwila design task order was approved by the Finance Committee through Motion No. M2002-129. In addition, two design task orders have been executed for North Link totaling \$105,240.

This action removes the \$1,210,000 limitation under Motion No. M2002-50 for GCA 2941. Removing the monetary limitation associated with the WSDOT Design Umbrella Agreement is consistent with the adoption of Motion No. M2002-72 on May 13, 2002 which authorized the Executive Director to negotiate and execute an umbrella agreement with WSDOT (GCA 3361) for construction administration of Sound Transit projects to be constructed in WSDOT right-of-way. Under the construction umbrella agreement, task orders for each project are subject to Board approval consistent with the general contracting authority and delegations adopted by the Board.

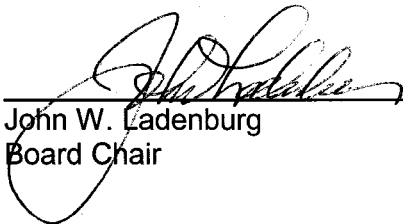
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The structure established between Sound Transit and WSDOT through the umbrella agreements for both the design and construction of Sound Transit projects in WSDOT right-of-way has worked well for both agencies. The ten Link design task orders and five construction task orders executed under the two umbrella agreements clearly establish expectations by delineating the scope, schedule and budget for the WSDOT services. The process has worked well for Central Link Initial Segment projects; therefore, staff requests that this umbrella agreement be amended to include Link projects over the entire Sound Transit district.


**Motion:**

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the Chief Executive Officer is authorized to (1) amend the umbrella agreement with the Washington State Department of Transportation for design review services of Link projects to include all geographical areas within the Sound Transit district and include current federal clauses; and (2) remove monetary limits established in Motion No. M2002-50.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on October 12, 2006.

  
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John W. Ladenburg  
Board Chair

ATTEST:

  
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Marcia Walker  
Board Administrator