

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2007-05

**King County Hospital District No. 2 (Evergreen Healthcare)
Interlocal Agreement for Construction and Construction Management**

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	01/04/07	Discussion/Possible Action	Jim Edwards, Acting Director, Capital Projects Vicki Youngs, Community Connections Manager, Paul T. Cornish, Project Manager	(206) 398-5436 (206) 398-5024 (206) 398-5342

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

Totem Lake Transit Center

PROPOSED ACTION

Authorizes the Chief Executive Officer to execute an Interlocal Agreement with Evergreen Healthcare for construction of the intersection improvements providing egress from the Totem Lake Transit Center in the amount of \$413,461 with a 10% contingency of \$41,346 for a total authorized agreement amount not to exceed \$454,807.

KEY FEATURES of PROPOSED ACTION

- On behalf of Sound Transit Evergreen Healthcare will provide for construction of improvements at the intersection of NE 128th Street and 120th Ave NE required for the operation of the Totem Lake Transit Center as part of the Evergreen Medical Office Tower. Improvements will include:
 - Channelization;
 - Curb gutter and sidewalk construction;
 - Illumination and traffic signal modifications;
 - Street widening, and
 - Utility relocations.
- Evergreen Healthcare will provide the following:
 - Construction contractor procurement;
 - Construction contract administration; and
 - Construction inspection.

- If the scope for work is completed for a lesser amount, Sound Transit will only pay for actual costs. Final payment will be made upon completion of the work, final inspection, and written acceptance by Sound Transit.
- Modification to the existing intersection is a condition of the project approval by the City of Kirkland to accommodate transit center operations.

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 Adopted 2007 Budget for this project is \$7,743,331. The proposed action is to execute an interlocal agreement with Evergreen Healthcare for the construction of intersection improvements associated with the Totem Lake Transit Center. The Adopted 2007 budget for the construction phase is \$4,558,587. The proposed action will result in a construction phase balance of \$51,449 and a project balance of \$1,404,715. Under Motion No. M2006-41 the Board authorized \$4,043,578 for Sound Transit's share of the construction costs for the Totem Lake Transit Center. This proposed action completes the required construction projects.

There are sufficient funds to complete this action. Committing these funds will not endanger any other project elements that are to be funded out of the overall project.

BUDGET TABLE

Summary for Board Action (Year of Expenditure \$000)

Project: 328 - Totem Lake Transit Center/Evergreen Medical Center

	2007 Adopted Budget ¹ (A)	Committed To Date ² (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
1 Agency Administration	\$ 411	\$ 681	\$ -	\$ 681	\$ (270)
2 Preliminary Engineering	\$ 511	\$ 548	-	\$ 548	(37)
3 Final Design	\$ 205	\$ 136	-	\$ 136	69
4 Right of Way	\$ 528	\$ 466	-	\$ 466	62
5 Construction	\$ 4,559	\$ 4,052	455	\$ 4,507	51
6 Contingency	\$ 1,529	\$ -	-	\$ -	1,529
7 Total Current Budget	\$ 7,743	\$ 5,884	\$ 455	\$ 6,339	\$ 1,405

Phase Budget Detail

8 Construction	\$ 4,559	\$ 4,052	\$ 455	\$ 4,507	51
9 Misc. Activity					-
10 Total Phase	\$ 4,559	\$ 4,052	\$ 455	\$ 4,507	\$ 51

Contract Budget	Current Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
11 Evergreen Hospital	\$ -	\$ -	\$ 413	\$ 413
12 Contingency	-	-	41	\$ 41
13 Total	-	-	455	455
14 Percent Contingency			10%	10%

Budget Shortfall³

Level	Shortfall Amt (J)	Potential Funds (K)	Funding Source (L)
15 Agency Administration	\$ (270)	\$ 270	Project Contingency
16 Preliminary Engineering	\$ (37)	\$ 37	Project Contingency
17 Total	\$ (307)	\$ 307	

Notes:

¹ Project budget is located on page 151 of the 2007 Proposed Budget book. The 2007 Adopted Budget was approved by the Board on December 14, 2006.

² Committed to date amount includes actual outlays and commitments through December 4, 2006.

³ Consistent with Sound Transit Board budget policies, the phase level shortfall will be covered by reallocating project contingency funds to the Final Design phase to align phase budget amounts with project phase activity.

M/W/DBE – SMALL BUSINESS PARTICIPATION

Evergreen Healthcare follows all laws regarding the public competitive bidding process, and also has a Board resolution that considers other elements in addition to solely price when awarding contracts. These include such things as the ability and skill of the bidder; their character, reputation, and integrity; the quality of their work; their claims history; and that they adhere to all laws regarding public contracts, including freedom from discrimination.

General conditions to Evergreen Healthcare construction contracts ensure and remind all contractors not to discriminate because of race, creed, color, natural origin, sex, or disability. Although they do not have a formal small business program they do encourage work force diversity and the use of small and minority-owned business participation.

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

On May 25, 2006 the Board authorized an agreement with Evergreen Healthcare to design and construct a transit center as part of the Evergreen Medical Office Tower. The transit center will consist of six transit bays with associated weather protection and passenger waiting areas.

Under the proposed action the bus exit from the transit center will add a new leg to the existing intersection of NE 128th Street and 120th Ave NE. To accommodate the turning movements of exiting buses the existing intersection must be modified. The curve radius at two of the existing corners will be increased to accommodate the buses and the existing traffic signal will be modified with additional signal poles and other traffic control modifications. The result will be a "Transit Only" signal phase for exiting buses and adequate turning space for the required bus movements.

An Environmental Assessment (EA) was prepared for the Totem Lake Freeway Station and Totem Lake Transit Center Projects in compliance with the National Environmental Policy Act. The EA was issued May 2002 and the Federal Highway Administration and Federal Transit Administration issued a Finding of No Significant Impact (FONSI) on November 13, 2002. The EA and FONSI were adopted under the Washington State Environmental Policy Act and the Determination of Non-Significance was issued on November 13, 2003.

Prior Board/Committee Actions on this Project

Motion or Resolution Number	Summary of Action	Date of Action
Motion No M2006-41	Totem Lake Transit Center Easement Purchase and Reimbursement Agreement with King County Public Health Hospital District No. 2.	05/25/06
Discussion item	Totem Lake Transit Center Easement Purchase and Reimbursement Agreement with King County Public Health Hospital District No. 2.	10/06/05
Discussion Item	Totem Lake Transit Center Development Agreement between Sound Transit and Evergreen Healthcare.	6/5/2003

CONSEQUENCES of DELAY

A two-week delay would not create adverse impacts on this project.

PUBLIC INVOLVEMENT

Sound Transit and its project partners City of Kirkland, WSDOT, and King County Metro have hosted five public open houses to present ideas about the proposed transit improvements in the Kirkland area.

ENVIRONMENTAL COMPLIANCE

SK 8/23/06

LEGAL REVIEW

JW 12/22/06

SOUND TRANSIT

MOTION NO. M2007-05

A motion of the Finance Committee of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute an Interlocal Agreement with Evergreen Healthcare for construction of the intersection improvements providing egress from the Totem Lake Transit Center in the amount of \$413,461 with a 10% contingency of \$41,346 for a total authorized agreement amount not to exceed \$454,807.

Background:

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Motion:

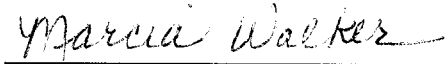
It is hereby moved by the Finance Committee of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute an Interlocal Agreement with Evergreen Healthcare for construction of the intersection improvements providing egress from the Totem Lake Transit Center in the amount of \$413,461 with a 10% contingency of \$41,346 for a total authorized agreement amount not to exceed \$454,807.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on January 4, 2007.



Fred Butler
Finance Committee Chair

ATTEST:



Marcia Walker
Board Administrator