

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2007-35

Agreement with the City of Kirkland for the 85th Corridor Improvement Project

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	3/1/07	Discussion/Possible Action	Jim Edwards, Acting Director, Capital Projects Vicki Youngs, Community Connections Program Manager Fred Wilhelm, Project Manager	(206) 398-5436 (206) 398-5024 (206) 398-5034

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

85th Corridor Improvement Project, Kirkland

PROPOSED ACTION

Authorizes the chief executive officer to execute an agreement with the City of Kirkland for the design, right of way acquisition, and construction of a portion of the 85th Corridor Improvement Project located in Kirkland, for a total authorized agreement amount not to exceed \$3,734,460.

KEY FEATURES of PROPOSED ACTION

- This agreement with the City of Kirkland is the second agreement to be executed for the design and construction of transit improvements in Kirkland and Redmond along the 85th Corridor. This project includes a variety of improvements along ST Express Route 540 to increase transit access, reliability, and operating speed in the City of Kirkland and compliments similar improvements in the Redmond portion of the corridor.
- The agreement provides for a cost sharing arrangement between the City of Kirkland and Sound Transit for the final design, right-of-way (ROW) acquisition, and construction and establishes Sound Transit's contribution in an amount not to exceed \$3,734,460. In the event the cost of the project elements exceeds this amount, the City of Kirkland will be responsible for any additional costs.
- The agreement defines the roles and responsibilities for Sound Transit and the City of Kirkland regarding the funding for design, ROW acquisition, and construction of improvements. It also establishes the City's responsibility to maintain the integrity of the transit elements of the project.

BUDGET IMPACT SUMMARY

Current Project Phase: Final Design
Projected Completion Date: 4th Qtr 2008

Action Outside of Adopted Budget:	✓	Comments on Checked Items
This Project		
This Phase	✓	The right of way phase will have a shortfall of \$3K.
This Task		
Budget Amendment Required		

Key Financial Indicators:	✓	Comments on Checked Items
Contingency Funds Required	✓	\$3K will be needed to cover the right of way shortfall.
Funding required from other parties (other than what is in financial plan)		

Not checked = action is assumed in current Board-adopted budget. No budget action or adjustment to financial plan required.

BUDGET and FINANCIAL PLAN DISCUSSION

The Adopted 2007 Budget for this project is \$6,014,708. The proposed action is to execute an agreement with the City of Kirkland for final design (\$500,000), right of way (\$835,000), and construction (\$2,399,460) of a portion of the 85th Corridor, Kirkland project. The Board adopted budget for final design is \$582,579, right of way \$870,043 and construction \$2,594,651. The proposed action will result in a final design phase balance of \$23,421, a right of way phase shortfall of \$3,460 and a construction phase balance of \$178,040. The project balance will be \$836,335. There are contingency funds available to cover the right of way phase shortfall.

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: 141 - 85th Corridor, Kirkland

	2007 Board Adopted Budget ¹	Committed To Date ²	This Action	Total Committed & Action	Uncommitted (Shortfall)
	(A)	(B)	(C)	(D)	(E)
1 Agency Administration	\$ 343	\$ 343	\$ -	\$ 343	\$ -
2 Preliminary Engineering	\$ 984	\$ 850	\$ -	\$ 850	\$ 135
3 Final Design	\$ 583	\$ 59	\$ 500	\$ 559	\$ 23
4 Right of Way	\$ 870	\$ 39	\$ 835	\$ 874	\$ (3)
5 Construction	\$ 2,595	\$ 17	\$ 2,399	\$ 2,417	\$ 178
6 Contingency	\$ 640	\$ -	\$ -	\$ -	\$ 640
7 Total Current Budget	\$ 6,015	\$ 1,307	\$ 3,734	\$ 5,042	\$ 973

Phase Budget Detail

8 Final Design	\$ 583	\$ 59	\$ 500	\$ 559	\$ 23
9 Misc.	-	-	-	-	-
10 Total Phase	\$ 583	\$ 59	\$ 500	\$ 559	\$ 23

Phase Budget Detail

11 Right of Way	\$ 870	\$ 39	\$ 835	\$ 874	\$ (3)
12 Misc.	-	-	-	-	-
13 Total Phase	\$ 870	\$ 39	\$ 835	\$ 874	\$ (3)

Phase Budget Detail

14 Construction	\$ 2,595	\$ 17	\$ 2,399	\$ 2,417	\$ 178
15 Misc.	-	-	-	-	-
16 Total Phase	\$ 2,595	\$ 17	\$ 2,399	\$ 2,417	\$ 178

Contract Budget	Current Approved Contract Value (F)	Spent to Date (G)	Proposed Action - Final Design (H)	Proposed Action - ROW (I)	Proposed Action - Construction (J)	Amended Total Contract Value (K)
17 City of Kirkland Agreement	\$ -	\$ -	\$ 500	\$ 835	\$ 2,399	\$ 3,734
18 Contingency	-	-	-	-	-	\$ -
19 Total	-	-	500	835	2,399	3,734
20 Percent Contingency	0%	0%	0%	0%	0%	0%

Budget Shortfall³

Level	Shortfall Amt (J)	Potential Funds (K)	Funding Source (L)
21 Right of Way	\$ (3)	\$ 640	Project Contingency
22 Total	\$ (3)	\$ 640	

Notes:

1. Project budget is located on page 138 of the Proposed 2007 Budget book.
2. Committed to-date amount includes actual outlays and commitments through February 5, 2007.
3. Consistent with Sound Transit Board budget policies, the phase level shortfall will be covered by reallocating project contingency funds to the Right of Way phase to align phase budget amounts with project phase activity.

SMALL BUSINESS PARTICIPATION

The City of Kirkland will be the lead agency for the project and will follow its established small business participation requirements.

EEO COMMITMENT

The City of Kirkland will be the lead agency for the project and will follow its established EEO requirements.

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

Sound Move was amended in 2001 to add the 85th Corridor/Related Improvements Project, (Resolution No. R2001-07). This project includes improvements along ST Express Route 540 within the city limits of Kirkland and Redmond. These improvements include intersection modifications, transit signal priority, pedestrian amenities, and shelters. The PE/ED phase confirmed the feasibility of these investments, completed environmental work, provided public outreach, and developed cost estimates for final design, right of way acquisition and construction. A SEPA Environmental Checklist was prepared and distributed and a Determination of Nonsignificance (DNS) was issued by Sound Transit on November 30, 2004. Subsequent to this action, the City of Kirkland issued an addendum to the SEPA Checklist and DNS for additional scope elements of the Project.

This agreement with the City of Kirkland provides for the final design, right of way acquisition and construction of intersection improvements from 114th Avenue NE to 132nd Avenue NE, along the 85th Street NE corridor. Per the agreement, Sound Transit will contribute an amount not to exceed \$3,734,460. In the event the cost of the project elements exceeds this amount, the City of Kirkland will be responsible for any additional costs. The City of Kirkland will also be responsible for managing the design, right of way acquisition and construction phases, will assume all liability for the work and will maintain the integrity of the transit elements. The Kirkland City Council authorized the execution of this agreement with Sound Transit in January 2007.

Separate from the transit improvements, the Sound Transit art program will commit \$60,000 for an art project to be connected with the project. The art component will be commissioned by Sound Transit consistent with its policies and procedures and will be owned by Sound Transit. Sound Transit's SStart program will manage the design and construction of the Projects' art component.

Per this agreement, the improvements are scheduled for completion by the end of 4th Quarter 2008. The remaining portions of the 85th Corridor/Related Improvements Project are similar in scope and are covered by a separate agreement with the City of Redmond (approved by Motion No. M2005-79).

Prior Board/Committee Actions on this Project

Motion/Resolution Number and Date	Summary of Action
R2006-24 12/14/06	Adopted annual budget for the period from January 1 through December 31, 2007, splitting Project #141 into 2 separate projects, #141 85 th Corridor - Kirkland and #144 Redmond Way – Redmond.
M2005-79 8/4/05	Authorized the Chief Executive Officer to execute an Agreement with the City of Redmond for design, right-of-way and construction of a portion of the 85 th Corridor Related Improvement Project.
M2002-72 6/13/02	Executed a contract agreement with David Evans and Associates to provide engineering services for the Kirkland Transit Enhancements Project.
R2001-07 6/14/01	Revised Sound Move to substitute transit enhancement improvements along ST Express Route 540 for a second direct access ramp in Kirkland and to reallocate \$20,000,000 to this project from the Kirkland I-405 HOV Direct Access Project (creating project #141).

CONSEQUENCES OF DELAY

A delay of two to three weeks will not impact the overall project schedule; however a delay of two to three months would put the project at risk of being completed by the 4th Quarter of 2008.

PUBLIC INVOLVEMENT

The first open house for the project was held on May 15, 2003 to review and discuss the conceptual design and obtain comments from the public on the overall project concept. Comments received at this meeting were supportive of the proposed project.

A second open house was held on December 8, 2004 to provide a public forum to review and comment on the SEPA Determination issued for the project. Generally, the community members who attended the meeting continued to be supportive of the project.

ENVIRONMENTAL COMPLIANCE

SSK 2-12-07

LEGAL REVIEW

JW 2/23/07

SOUND TRANSIT

MOTION NO. M2007-35

A motion of the Finance Committee of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute an agreement with the City of Kirkland for the design, right of way acquisition, and construction of a portion of the 85th Corridor Improvement Project located in Kirkland, for a total authorized agreement amount not to exceed \$3,734,460.

Background:

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Motion:

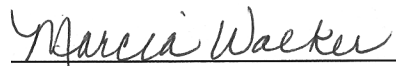
It is hereby moved by the Finance Committee of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute an agreement with the City of Kirkland for the design, right of way acquisition, and construction of a portion of the 85th Corridor Improvement Project located in Kirkland, for a total authorized agreement amount not to exceed \$3,734,460.

APPROVED by the Finance Committee of the Central Puget Sound Regional Transit Authority
at a regular meeting thereof held on March 1, 2007.



Fred Butler
Finance Committee Chair

ATTEST:



Marcia Walker
Board Administrator