

**MOTION NO. M2011-82**  
**2012 State Legislative Program**

<b>MEETING:</b>	<b>DATE:</b>	<b>TYPE OF ACTION:</b>	<b>STAFF CONTACT:</b>	<b>PHONE</b>
Executive Committee	12/1/11	Recommendation to Board	Ron Klein, Communications and External Relations Director	206-398-5389
Board	12/15/11	Final Action	<b>Melanie Smith, State Government Relations Manager</b>	206-398-5318

**PROPOSED ACTION**

Adopts the 2012 State Legislative Program and directs staff to evaluate and engage in issues that impact the agency as it continues to implement the regional high capacity transit system.

**KEY FEATURES**

- This action authorizes staff and consultants to advocate for and pursue the following positions during the 2012 state legislative session:
  - Seek legislation to authorize Sound Transit to utilize job order contracting
  - Seek legislation to align state contracting requirements with the Federal Transit Administration to ensure federal funding for public transportation is not jeopardized
  - Support a balanced statewide and regional transportation investment strategy that addresses funding needs for public transportation and high capacity transit systems
  - Support efforts to promote public transit and improve connectivity through the state's competitive Regional Mobility Grant Program
  - Support and partner with Sound Transit partner agencies and others on efforts that would facilitate the cost-effective delivery of transit projects and services.
  - Oppose legislation which would negatively impact the ability of Sound Transit to deliver the voter-approved regional high capacity transit program.

**PROJECT DESCRIPTION**

The Board annually considers a State Legislative Program. The program has typically included issues and policy guidance to staff and contract lobbyists to assist them in representing the agency's interests during the legislative session.

**FISCAL INFORMATION**

This action does not have a budget or financial impact to the agency or any of its programs. 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. Advocacy of the State Legislative Program is fully funded through the Communications and External Affairs Department budget.

**LEGISLATIVE PROGRAM**

This action would authorize Sound Transit staff and consultants to advocate and/or pursue the following positions during the upcoming state legislative session:

- **Seek legislation to authorize Sound Transit to utilize job order contracting**  
 Many public entities--including state agencies, cities, counties, public utilities, and others--are authorized to use job order contracting as an alternative procurement method. The job order contractor agrees to perform a variety of public works, 90% of which must be subcontracted to other contractors, through negotiated work orders that are based on an agreed markup rate applied to pre-defined unit prices contained in unit price books. Consistent with Sound Transit's commitment to maximize taxpayer dollars and efficiency, the agency will seek legislation to extend this option to regional transit authorities to help reduce the lead-time, cost for repair and renovation work at agency facilities.
- **Seek legislation to align state contracting requirements with the Federal Transit Administration to ensure federal funding for public transportation is not jeopardized**  
 Having secured more than \$1 billion in federal investments for high-capacity transit projects which creates Washington jobs and improves the transportation system, Sound Transit believes it is imperative to not put existing or future federal dollars at risk by imposing requirements that conflict with USDOT. The state has recognized and removed a conflicting contract retainage requirement for highway, bridge and road projects but legislation is needed to extend to public transportation projects.
- **Support a balanced statewide and regional transportation investment strategy that helps address funding needs for public transportation and high capacity transit systems.**  
 Like most local government entities, Sound Transit is experiencing decreased revenues due to the economic downturn. The Sound Transit Board has responded to a forecasted 25% (\$3.9 billion) reduction in tax revenue by tapping into project reserves, reducing services, finding efficiencies and deferring or defunding some projects of the voter-approved Sound Transit 2 Plan. The Sound Transit Board continues to express support for a balanced approach to transportation funding, project planning and implementation and hopes to work with the State as it examines future investments and funding options. The Sound Transit Board is committed to exploring options to ensure the delivery of the Sound Transit 2 Plan approved by voters in 2008, as well as opportunities to provide future system expansions in the region.
- **Support efforts to promote public transit and improve connectivity through the state's competitive Regional Mobility Grant Program**  
 Sound Transit supports the State's efforts to promote public transit and improve the connectivity and efficiency of the transportation system through the successful Regional Mobility Grant Program. The grant program aims to aid local governments in funding projects such as inter-county connectivity service, park and ride lots, rush-hour transit service, and capital projects. Sound Transit supports increasing funding for the Regional Mobility Grant program and maintaining it as a competitive funding source to assist transit and local governments with capital and operating projects that improve regional mobility.
- **Support and engage with partner agencies on efforts that would facilitate the safe, cost-effective and efficient delivery of transit projects and services**  
 Sound Transit has historically supported the legislative efforts of our partners that facilitate the efficient, safe and cost-effective delivery of transit projects and services. As part of on-going coordination efforts among transit agencies in the Central Puget Sound, Sound Transit will work in collaboration on legislative efforts aimed at improving the transit system.
- **Oppose legislation that increases the costs of transit improvements and services or otherwise impairs the agency's ability to deliver its voter-approved regional high capacity transit program.**

Having served more than 157 million riders in 12 years of service and with many major capital projects built or under construction, the Sound Transit Board will oppose legislation that would negatively alter the oversight, planning, financing, construction, delivery and operation of Sound Transit projects and services.

## **ENVIRONMENTAL COMPLIANCE**

JI 11/28/2011

## **TIME CONSTRAINTS**

Sound Transit's interests are better served at the State Legislature if the Board of Directors adopts a State Legislative Program for the 2012 legislative session that begins January 9, 2012. Delaying adoption until after the start of the session could minimize effective advocacy.

## **PUBLIC INVOLVEMENT**

Not applicable to this action.

## **LEGAL REVIEW**

DB 11/28/11

## **MOTION NO. M2011-82**

A motion of the Board of the Central Puget Sound Regional Transit Authority adopting the 2012 State Legislative Program and directing staff to evaluate and engage in issues that impact the agency as it continues to implement the regional high capacity transit system.

### **BACKGROUND:**

This action would authorize Sound Transit staff and consultants to advocate and/or pursue the following positions during the upcoming state legislative session:

- **Seek legislation to authorize Sound Transit to utilize job order contracting**  
Many public entities—including state agencies, cities, counties, public utilities, and others—are authorized to use job order contracting as an alternative procurement method. The job order contractor agrees to perform a variety of public works, 90% of which must be subcontracted to other contractors, through negotiated work orders that are based on an agreed markup rate applied to pre-defined unit prices contained in unit price books. Consistent with Sound Transit's commitment to maximize taxpayer dollars and efficiency, the agency will seek legislation to extend this option to regional transit authorities to help reduce the lead-time, cost for repair and renovation work at agency facilities.
- **Seek legislation to align state contracting requirements with the Federal Transit Administration to ensure federal funding for public transportation is not jeopardized**  
Having secured more than \$1 billion in federal investments for high-capacity transit projects which creates Washington jobs and improves the transportation system, Sound Transit believes it is imperative to not put existing or future federal dollars at risk by imposing requirements that conflict with USDOT. The state has recognized and removed a conflicting contract retainage requirement for highway, bridge and road projects but legislation is needed to extend to public transportation projects.
- **Support a balanced statewide and regional transportation investment strategy that helps address funding needs for public transportation and high capacity transit systems.**  
Like most local government entities, Sound Transit is experiencing decreased revenues due to the economic downturn. The Sound Transit Board has responded to a forecasted 25% (\$3.9 billion) reduction in tax revenue by tapping into project reserves, reducing services, finding efficiencies and deferring or defunding some projects of the voter-approved Sound Transit 2 Plan. The Sound Transit Board continues to express support for a balanced approach to transportation funding, project planning and implementation and hopes to work with the State as it examines future investments and funding options. The Sound Transit Board is committed to exploring options to ensure the delivery of the Sound Transit 2 Plan approved by voters in 2008, as well as opportunities to provide future system expansions in the region.
- **Support efforts to promote public transit and improve connectivity through the state's competitive Regional Mobility Grant Program**  
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program and maintaining it as a competitive funding source to assist transit and local governments with capital and operating projects that improve regional mobility.

- **Support and engage with partner agencies on efforts that would facilitate the safe, cost-effective and efficient delivery of transit projects and services**

Sound Transit has historically supported the legislative efforts of our partners that facilitate the efficient, safe and cost-effective delivery of transit projects and services. As part of on-going coordination efforts among transit agencies in the Central Puget Sound, Sound Transit will work in collaboration on legislative efforts aimed at improving the transit system.

- **Oppose legislation that increases the costs of transit improvements and services or otherwise impairs the agency's ability to deliver its voter-approved regional high capacity transit program.**

Having served more than 157 million riders in 12 years of service and with many major capital projects built or under construction, the Sound Transit Board will oppose legislation that would negatively alter the oversight, planning, financing, construction, delivery and operation of Sound Transit projects and services.

**MOTION:**

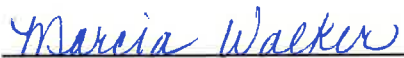
It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the 2012 State Legislative Program is adopted and staff are directed to evaluate and engage in issues that impact the agency as it continues to implement the regional high capacity transit system.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on December 15, 2011.



Aaron Reardon  
Board Chair

ATTEST:



Marcia Walker  
Board Administrator