

**RESOLUTION NO. R2011-02**
**Amending the STart Program Budget for the D Street – M Street Track & Signal Project**

<b>MEETING:</b>	<b>DATE:</b>	<b>TYPE OF ACTION:</b>	<b>STAFF CONTACT:</b>	<b>PHONE:</b>
Capital Committee	02/10/11	Recommendation to Board	Ahmad Fazel, Executive Director to DECM	206-398-5389
Board	02/24/11	Final Action	<b>Barbara Luecke, Public Art Program Manager</b>	206-398-5059

**PROPOSED ACTION**

1) Amends the Adopted Lifetime Budget for the D Street – M Street Track & Signal project from \$161,580,747 to \$161,280,747, 2) amends the Adopted Lifetime Budget for the Sound Transit Public Art Program from \$52,116,502 to \$52,416,502, and 3) amends the Adopted 2011 Annual Budget for the Sound Transit Public Art Program from \$910,000 to \$1,010,000.

**KEY FEATURES**

- Approves funding of art integration into the D Street – M Street Track & Signal project through a budget transfer of \$300,000 from the project’s unallocated construction contingency to the Sound Transit Art Program (*STart*).
- The D Street – M Street Track & Signal project differs from other track and signal projects in that it runs through two urban business neighborhoods and creates the opportunity to enhance the neighborhoods’ livable, walkable, and sustainable character with a public art project.
- The budget for integrating art into the D Street – M Street Track & Signal project is \$351,500 (approximately 1% of construction costs), including a 10% contingency, and will fund a gateway project, discrete artwork, a mentored artist, and contractor support services.

**PROJECT DESCRIPTION**

The D Street – M Street Track & Signal project will design and construct a rail connection between the Tacoma Dome Station and the Sound Transit railroad right-of-way (the Lakeview Subdivision Line). Project includes 1.4 miles of track work, rail bridge over Pacific Avenue, roadway construction, utility relocations, and centralized traffic control for the rail line.

The Sound Transit Art Program, *STart*, was established in 1998. Through *STart*, Sound Transit allocates a portion of project construction costs to art. Art within the regional transit system includes free-standing art, functional art and temporary art. *STart* works with local communities, design professionals and transit partners to select artists and artworks appropriate for each project.

**FISCAL INFORMATION**

BUDGET AMENDMENT

D St. - M St. Track and Signal	2011 Annual Budget			Lifetime Budget		
	2011 Adopted Project Budget	Budget Transfer	Revised Project Budget	2011 Adopted Project Budget	Budget Transfer	Revised Project Budget
Agency Administration	\$ 1,805,927	\$ -	\$ 1,805,927	\$ 8,906,660	\$ -	\$ 8,906,660
Preliminary Engr / ED	\$ -	\$ -	\$ -	\$ 1,744,247	\$ -	\$ 1,744,247
Final Design	\$ -	\$ -	\$ -	\$ 13,459,521	\$ -	\$ 13,459,521
Third Party	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Row Acquisition and Permits	\$ -	\$ -	\$ -	\$ 45,545,337	\$ -	\$ 45,545,337
Construction	\$ 36,770,859	\$ -	\$ 36,770,859	\$ 57,160,928	\$ (300,000)	\$ 56,860,928
Construction Management	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Vehicles	\$ -	\$ -	\$ -	\$ 8,953,388	\$ -	\$ 8,953,388
Contingency	\$ -	\$ -	\$ -	\$ 25,810,666	\$ -	\$ 25,810,666
<b>Total</b>	<b>\$ 38,576,786</b>	<b>\$ -</b>	<b>\$ 38,576,786</b>	<b>\$ 161,580,747</b>	<b>\$ (300,000)</b>	<b>\$ 161,280,747</b>

STart Program	2011 Annual Budget			Lifetime Budget		
	2011 Adopted Project Budget	Budget Transfer	Revised Project Budget	2011 Adopted Project Budget	Budget Transfer	Revised Project Budget
East King	\$ 105,000	\$ -	\$ 105,000	\$ 17,207,267	\$ -	\$ 17,207,267
North King	\$ 340,000	\$ -	\$ 340,000	\$ 13,725,114	\$ -	\$ 13,725,114
Pierce	\$ 90,000	\$ 100,000	\$ 190,000	\$ 4,107,453	\$ 300,000	\$ 4,407,453
Snohomish	\$ 185,000	\$ -	\$ 185,000	\$ 5,978,259	\$ -	\$ 5,978,259
South King	\$ 190,000	\$ -	\$ 190,000	\$ 11,098,409	\$ -	\$ 11,098,409
<b>Total</b>	<b>\$ 910,000</b>	<b>\$ 100,000</b>	<b>\$ 1,010,000</b>	<b>\$ 52,116,502</b>	<b>\$ 300,000</b>	<b>\$ 52,416,502</b>

Notes:

- <sup>1</sup> D St. - M St. Track and Signal project budget is located on page 77 of the Proposed 2011 Transit Improvement Plan, the STart Program budget is located on page 167 and was amended in Resolution No. R2010-24 on December 16, 2010.
- <sup>2</sup> The proposed budget amendment would transfer \$300,000 from the D St. - M St. Track and Signal project to the STart Program, and increase the STart Program 2011 annual budget by \$100,000.

**SMALL BUSINESS PARTICIPATION**

Not applicable to this action.

**BACKGROUND**

Sound Transit’s Art Policy (Resolution No. R2010-21) commits a portion of capital construction costs to integrate artwork in the regional transit system. As allowed by policy, art dollars were pooled within subareas and a distribution plan was subsequently developed to allocate funds to projects within the Sound Move Plan. The distribution plan and STart funding for Pierce County Sounder projects were concentrated at Tacoma, South Tacoma and Lakewood Stations, because there is typically limited opportunity for art integration in track and signal improvement projects. The D Street – M Street Track & Signal project differs from other track and signal projects in that it runs through an urban neighborhood and forms a gateway to the downtown and Dome District business areas, which creates an opportunity to enhance the neighborhoods’ livable, walkable, and sustainable character with a public art project. During the design process, the public and stakeholders expressed interest in integrating art into the D Street – M Street Track & Signal project.

The budget for integrating art into the D Street – M Street Track & Signal project is \$351,500 and will be funded through \$51,500 in remaining STart Pierce Sub-area Sound Move funds and the proposed \$300,000 transfer from the project’s unallocated construction contingency. The D Street – M Street Track & Signal project construction contract was nearly 40% below the engineer’s estimate, so there is low risk in transferring the project’s unallocated contingency to STart.

The program budget of \$351,500 includes a 10% contingency on all projects and is divided into multiple artist opportunities through discussions with a community stakeholder group:

Gateway Project – One artist or artist team will be commissioned and awarded a contract in the amount of \$190,000 to create an original artwork of sufficient scale and placement to serve as a gateway for the D Street – M Street corridor. This project will include a contingency fund of \$19,000 for a not-to-exceed contract amount of \$209,000.

Discrete Artwork – One or more artist or artist team(s) will be commissioned a\$50,000 in total contract(s) to create one or more pedestrian-scale artworks to be integrated within the public access portion of the project. This project will include a contingency fund of \$5,000 for a total not-to-exceed amount of \$55,000.

Mentored Artist – One artist will receive an honorary commission in the amount of \$5,000 to work under the direction of the Gateway Project Artist. Actual scope of work to be determined based on selection of Gateway Artist.

Contractor Support Services – Depending on nature of Gateway and Discrete Artwork Projects, Sound Transit will provide contractor support services to provide any necessary footings, installation support and/or electrical services for the artworks. An amount of \$82,500, which includes a \$7,500 contingency fund, has been budgeted for this work, and a scope of work and RFP will be developed once the work becomes defined.

## **ENVIRONMENTAL COMPLIANCE**

SK 2/4/11

## **PRIOR BOARD/COMMITTEE ACTIONS**

Motion No. M2010-81 – Authorized the chief executive officer to execute a contract with the lowest responsive and responsible bidder, MidMountain Contractors, Inc., for the construction of the D Street to M Street Track and Signal project in the amount of \$40,823,190, with a 10% contingency of \$4,082,319, for a total authorized contract amount not to exceed \$44,905,509.

Resolution No. R2010-21 – Adopted an art policy and superseded Resolution No. 98-1.

## **TIME CONSTRAINTS**

With final design of the D Street – M Street Track & Signal project complete, the artist design work needs to begin immediately so that artwork can be created and installed shortly after substantial construction is complete and the project opens. Delay in action could result in designs not being completed in time to allow STart to identify and complete any necessary footings, attachment points or conduit in parallel with the overall construction of the project. This would likely result in an impact to the budget as these elements would have to be installed in an already finished site.

## **PUBLIC INVOLVEMENT**

STart has developed the art component for the D Street – M Street Track & Signal project in conjunction with the extensive community relations work the Sound Transit design team and outreach staff have conducted over the last five years in the Tacoma area surrounding the project site. Community involvement included outreach to individual businesses and property owners along the project's general area; to business associations in the area; and to community and neighborhood groups in the Dome District, Hillside Neighborhood, and Nalley Valley. Specific stakeholder groups include the Dome District businesses, the Tacoma-Pierce County Chamber, the BIA, Downtown Merchants Group, and the Tacoma Arts Commission.

## **LEGAL REVIEW**

LA 2/3/11

**RESOLUTION NO. R2011-02**

A RESOLUTION of the Board of the Central Puget Sound Regional Transit Authority 1) amending the Adopted Lifetime Budget for the D Street – M Street Track & Signal project from \$161,580,747 to \$161,280,747, 2) amending the Adopted Lifetime Budget for the Sound Transit Public Art Program from \$52,116,502 to \$52,416,502 and 3) amending the Adopted 2011 Annual Budget for the Sound Transit Public Art Program from \$910,000 to \$1,010,000.

WHEREAS, the Central Puget Sound Regional Transit Authority, commonly known as Sound Transit, was formed under RCW Chapters 81.104 and 81.112 for the Pierce, King, and Snohomish Counties region by action of their respective county councils pursuant to RCW 81.112.030; and

WHEREAS, Sound Transit is authorized to plan, construct, and permanently operate a high-capacity system of transportation infrastructure and services to meet regional public transportation needs in the Central Puget Sound region; and

WHEREAS, in general elections held within the Central Puget Sound Regional Transit Authority district on November 5, 1996 and November 8, 2008, voters approved local funding to implement a regional high-capacity transportation system for the Central Puget Sound region; and

WHEREAS, Sound Transit's Art Policy (Resolution No. R2010-21) commits a portion of capital construction costs to integrate artwork in the regional transit system; and

WHEREAS, Sound Transit is designing and constructing the D Street – M Street Track & Signal project, a rail connection between the Tacoma Dome Station and the Sound Transit railroad right-of-way (the Lakeview Subdivision Line), including 1.4 miles of track work, rail bridge over Pacific Avenue, roadway construction, utility relocations, and centralized traffic control for the rail line; and

WHEREAS, public art can be integrated into the D Street – M Street Track & Signal project to enhance the neighborhood's livable, walkable, and sustainable character; and

WHEREAS, a two-thirds affirmative vote of the entire membership of the Sound Transit Board is required to amend the Adopted 2011 Annual Budget.


NOW, THEREFORE, BE IT RESOLVED by the Board of the Central Puget Sound Regional Transit Authority that the Adopted Lifetime Budget and Adopted 2011 Annual Budget are amended as follows:

- 1) The Adopted Lifetime Budget for the D Street – M Street Track & Signal project is amended from \$161,580,747 to \$161,280,747.
- 2) The Adopted Lifetime Budget for the Sound Transit Public Art Program is amended from \$52,116,502 to \$52,416,502.
- 3) The Adopted 2011 Annual Budget for the Sound Transit Public Art Program is amended from \$910,000 to \$1,010,000.

ADOPTED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on February 24, 2011.

  
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Aaron Reardon  
Board Chair

ATTEST:

  
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Marcia Walker  
Board Administrator