

MOTION NO. M2013-26
Amend Development and Transitway Agreement with the City of SeaTac for the South 200th Link Extension

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:	PHONE:
Capital Committee	04/11/2013	Recommendation to Board	Ahmad Fazel, DECM Executive Director	206-398-5389
Board	04/25/2013	Final Action	Miles Haupt, Project Director Mark Johnson, Sr. Project Manager	206-370-5501 206-398-5192

PROPOSED ACTION

Authorizes the chief executive officer to execute an amendment to the Development and Transitway Agreement with the City of SeaTac for the South 200th Link Extension in the amount of \$2,989,700, for a new total authorized amount not to exceed \$6,432,000.

KEY FEATURES SUMMARY

The Development and Transit Way Agreement defines the specific development standards and permitting conditions for the South 200th Link Extension located within the City of SeaTac. The amendment addresses the following terms:

- **Traffic Mitigation:** Reduces the number of traffic impact mitigation measures that Sound Transit will be required to provide and transfers \$3.4 million in funding for the mitigation measures to the City of SeaTac to construct an alternative mitigation measure. Sound Transit will provide the funding to the City, provided the City meets certain deadlines relating to environmental review, securing additional funding and awarding the construction contract. This action will increase the amount contributed to the City of SeaTac, however the transfer will not increase the amount Sound Transit planned for traffic mitigation measures and is cost-neutral for the project. The amendment also identifies the federal provisions governing the City's procurement of the alternative mitigation measure.
- **Non-Motorized Improvements:** Sound Transit will provide all non-motorized transportation improvements required by the agreement, reducing mitigation payments to the City by \$410,300.
- **Fire/Life-Safety:** Under the original agreement, Sound Transit provided funding toward upgraded firefighting apparatus. The amendment identifies the federal procurement provisions governing the City's procurement in accordance with the most recent guidance from FTA regarding use of federal funds.

BACKGROUND

The South 200th Link Extension will extend light rail approximately 1.6 miles from SeaTac/Airport Station to the Angle Lake Station, spanning South 200th Street. The design features an elevated light rail guideway, an elevated station, and a detached park-and-ride facility with long-term minimum capacity of 700 stalls in a parking garage. Additional surface parking will be provided while Angle Lake Station serves as the temporary southern terminus of the light rail system. The

additional surface parking will increase the total to 1,100 stalls. Station amenities include on-street bus pullouts at the station, an off-street passenger drop-off area, secured bicycle parking, and improved pedestrian and bicycle connections in the station vicinity.

The Development and Transitway Agreement for the South 200th Link Extension was executed July 20, 2012. The Agreement identified traffic impact mitigation measures that would be provided by Sound Transit, and required Sound Transit to make payments to the City for mitigation measures that would be provided by the City. Several of the identified mitigation measures would have adversely affected businesses and property owners in the area of the South 200th Street/International Boulevard intersection. However, the Agreement allowed either party to propose alternative mitigation measures, so long as they performed at least as well as those identified in the Agreement. If the parties agreed to implement an alternative measure that eliminated the need for one or more identified measures, the Agreement allows the value of the eliminated measure or measures to be transferred to the construction of the alternative measures.

As documented in the term sheet executed October 30, 2012, the City-proposed alternative mitigation measure performs equally well or better than the mitigation measures enumerated in the Agreement and will eliminate the need for a number of the identified mitigation measures. The increased amount in this amendment is cost-neutral for the project because the additional funding available to be transferred to the City for construction of the alternative mitigation measure is identical to the estimated cost to Sound Transit to provide the mitigation measures that will be eliminated by the alternative mitigation measure.

The City's codes require high-capacity transit (HCT) projects to provide improvements to pedestrian and bicycle transportation networks in the HCT station area based on an assessment of access to the station. The Agreement defines the pedestrian improvements that the project will fund or provide directly. The amendment transfers responsibility for providing sidewalk infill along South 204th Street from the City to Sound Transit and eliminates the associated mitigation payment to the City by Sound Transit.

Concurrent with negotiation of the term sheet for alternative mitigation measures, the Agreement required the parties to work together and determine which federal provisions should be incorporated in subsequent agreements or amendments. Sound Transit and City staff have made this determination, and the amendment incorporates the necessary federal provisions.

Environmental compliance pursuant to the National Environmental Policy Act (NEPA) and the State Environmental Policy Act (SEPA) for Airport Link was completed with the Central Link Final Environmental Impact Statement (EIS) issued in November 1999, the Tukwila Freeway Route Final Supplemental EIS issued in November 2001, Airport Link Environmental Assessment/SEPA Addendum (EA) on May 26, 2005, and a NEPA Re-evaluation and SEPA Addendum to the EA (July 2011). The FTA issued a Record of Decision for Airport Link on September 13, 2005.

FISCAL INFORMATION

The 2013 TIP for the S. 200th Link Extension is \$383.2 million. Within that amount \$5,963,000 has been set aside for Mitigation in the Construction phase. Of this amount \$2,605,300 has been previously committed. The proposed action would increase commitments by \$2,989,700 to a revised total of \$5,595,000 for this line item, and leave a remaining budget balance of \$368,000.

This action is within the adopted budget and sufficient monies remain after approval of this action to fund the remaining work in the Construction phase as contained in the current cost estimates.

S 200th Link Extension

	2013 TIP	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Agency Administration	15,864	4,979		4,979	10,885
Preliminary Engineering	5,702	5,698		5,698	3
Final Design	6,811	6,462		6,462	348
Right of Way	43,549	25,423		25,423	18,126
Construction	286,909	190,849	2,990	193,838	93,071
Construction Services	17,322	16,416		16,416	906
Third Party Agreements	7,085	5,525		5,525	1,560
Vehicles	-	-		-	-
Total Current Budget	383,241	255,352	2,990	258,341	124,900

Phase Detail

Construction

Mitigation	5,963	2,605	2,990	5,595	368
Other Construction	280,946	188,243	-	188,243	92,703
Total Phase	286,909	190,849	2,990	193,838	93,071

Contract Detail

City of SeaTac DA

	Board Approvals to Date	Current Approved Contract Status	Proposed Action	Proposed Total for Board Approval
Contract Amount	3,442	3,442	2,990	6,432
Contingency	-	-	-	-
Total	3,442	3,442	2,990	6,432
Percent Contingency	0%	0%	0%	0%

Notes:

Amounts are expressed in Year of Expenditure \$000s.

Board Approvals = Committed To-Date + Contingency, and includes pending Board actions.

2013 TIP = Project budget located on page 35 of the Proposed 2013 Transit Improvement Plan (TIP) as amended in Board Resolution R2012-25 adopted by the ST Board 12/20/12.

SMALL BUSINESS PARTICIPATION

Not applicable for this action.

PRIOR BOARD/COMMITTEE ACTIONS

Motion No. M2012-40: Authorized the chief executive officer to (1) execute a Development and Transitway Agreement with the City of SeaTac for the South Link – Airport to South 200th Street Project, specifying the terms and conditions for development of the project from SeaTac/Airport Station to South 200th Street, and establishing the use of City of SeaTac public right-of-way, and (2) to execute all other subsequent agreements with the City of SeaTac as may be necessary to implement this Agreement for a total authorized expenditure not to exceed \$3,442,300.

TIME CONSTRAINTS

A one month delay would not create a significant impact to the project schedule.

PUBLIC INVOLVEMENT

Throughout the development of the South 200th Link Extension, Sound Transit has conducted an extensive public involvement program including mailings, community open houses, and presentations and meetings with individuals and neighborhood groups.

ENVIRONMENTAL REVIEW

Jl 12/28/2012

LEGAL REVIEW

JV 4/3/2013

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A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute an amendment to the Development and Transitway Agreement with the City of SeaTac for the South 200th Link Extension in the amount of \$2,989,700, for a new total authorized amount not to exceed \$6,432,000.

BACKGROUND:

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MOTION:

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute an amendment to the Development and Transitway Agreement with the City of SeaTac for the South 200th Link Extension in the amount of \$2,989,700, for a new total authorized amount not to exceed \$6,432,000.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on April 25, 2013.


Pat McCarthy
Board Chair

ATTEST:



Marcia Walker
Board Administrator