

MOTION NO. M2017-04
System-wide Irrigation Maintenance Services

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:
Operations and Administration Committee	1/05/2017	Final Action	Bonnie Todd, Executive Director David Huffaker, Deputy Executive Director of Operations

PROPOSED ACTION

Authorizes the chief executive officer to execute a one year contract with four one-year options to extend with Nature’s Caretaker of Washington, LLC to provide system-wide irrigation maintenance services for Union Station and Sound Transit facilities in the amount of \$239,010, with a 10% contingency of \$23,901, for a total authorized contract amount not to exceed \$262,911.

KEY FEATURES SUMMARY

- The contract covers ST Express, Sounder and Tacoma Link facilities located in King, Pierce, and Snohomish counties.
- The scope of work includes spring start-up, season monthly maintenance and winterization of irrigation systems for 22 facilities. Other facilities may be added as needed.
- Sound Transit facilities maintained by agreements with partner transit agencies are not included in this contract.
- The amount requested is sufficient to cover the one-year contract and all four one-year options.

BACKGROUND

Irrigation system maintenance for Sound Transit facilities was previously covered under landscape maintenance contracts. A few years ago Sound Transit separated irrigation work from agency landscape maintenance contracts. Since that time, irrigation system maintenance work was covered by short-term contracts that were within the CEO’s authority.

In October 2016, a Request for Proposals (RFP) was advertised for irrigation maintenance services. In response to the RFP solicitation, Sound Transit received three proposals. Nature’s Caretaker of Washington LLC was recommended by the evaluation committee as the best value proposal submitted.

FISCAL INFORMATION

The proposed action will be funded from the Contract Maintenance budget within the Operations Department annual operating budget. The total of 2017 Contract Maintenance budget is \$32 million. Within that amount \$432,000 is committed to landscaping maintenance, including maintenance of irrigation services. The estimated costs of \$49,000 are within the 2017 budget authority. Upon the approval of the proposed action, the remaining budget will be used to fund other estimated costs contained in the annual operating budget.

Estimated costs for the life of the contract will be included in the future annual budgeting cycles.

Operations Department	2017 Annual Operating Budget	Actuals to Date	This Action	Actuals to Date Plus Action	Remaining 2017 Annual Operating Budget
Salaries and Benefits	15,055	-	-	-	15,055
Services	57,993	-	-	49	57,943
Materials and Supplies	10,785	-	-	-	10,785
Utilities	5,270	-	-	-	5,270
Taxes	2,595	-	-	-	2,595
Purchased Transportaiton Services	163,027	-	-	-	163,027
Miscellaneous	376	-	-	-	376
Leases and Rentals	8,601	-	-	-	8,601
Total Current Budget	263,701	-	-	49	263,652

Services Detail					
Professional & Technical	2,325	-	-	-	2,325
Temporary Services	10	-	-	-	10
Contract Maintenance	32,287	-	-	49	32,238
Security & Safety	21,025	-	-	-	21,025
Other Services	2,345	-	-	-	2,345
Total Service Budget	57,993	-	-	49	57,943

Contract Spending Plan	Prior Year Spending	Forecast 2017 Spending	Future Expenditures	Total
Natures Caretaker of Washington LLC	-	49	214	263

Contract Detail	Board Approved Contract Value	Contract Actuals to Date	Proposed Action	Proposed Revised Board Approved Contract Value
Natures Caretaker of Washington LLC	-	-	239	239
Contingency			24	24
Contract Amount - Total	-	-	263	263
Percent Contingency	0%	0%	10%	10%

Amounts are expressed in Year of Expenditure \$000.

The Operating Budget is located on page 25 of 64 in the Proposed 2017 Budget book.

SMALL BUSINESS PARTICIPATION

Sound Transit promotes and encourages small business participation, which also includes Disadvantaged Business Enterprises (DBEs). Small Business and DBE goals are based upon an examination of subcontracting opportunities contained in the work of this contract and the number of Small Businesses/DBEs available to perform such subcontracting work.

Sound Transit determined that there were few Small Business and DBE subcontracting opportunities based upon the work described in this contract, so Small Business/DBE goals were not established or required.

PUBLIC INVOLVEMENT

Not applicable to this action.

TIME CONSTRAINTS

A two month delay in approval of this contract would not pose a challenge at this time. The work under this contract is scheduled to begin in April 2017.

ENVIRONMENTAL REVIEW

JI 12/20/2016

LEGAL REVIEW

JW 12/29/2016

RESOLUTION NO. R2017-04

A RESOLUTION of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to acquire or lease certain real property interests, including acquisition by condemnation and to reimburse eligible relocation and reestablishment expenses incurred by affected owners and tenants as necessary for the Lynnwood Link Extension.

WHEREAS, the Central Puget Sound Regional Transit Authority, hereinafter referred to as Sound Transit, has been created 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 4, 2008, voters approved local funding to implement a regional high-capacity transportation system for the Central Puget Sound region; and

WHEREAS, in order to use the property determined to be necessary for the construction, operation and maintenance of project improvements required under the voter approved high capacity transportation system plans, it is necessary for Sound Transit to acquire by negotiated purchase or to condemn certain rights in the property for public purposes, and to reimburse eligible relocation and reestablishment expenses incurred by affected owners and tenants; and

WHEREAS, environmental compliance pursuant to the State Environmental Policy Act (SEPA) for Lynnwood Link was completed with the Lynnwood Link Project Final Environmental Impact Statement (EIS) issued on April 1, 2015; the Federal Transit Administration issued a Record of Decision (ROD) for the project on July 10 2015, completing the National Environmental Policy Act (NEPA) process; and

WHEREAS, Sound Transit has identified certain real properties as necessary for the construction and permanent location of the Lynnwood Link Extension and such properties are reasonably described in Exhibit A of this resolution; and

WHEREAS, in order to use the property determined to be necessary for the construction, operation, and permanent location of the Lynnwood Link Extension, it is necessary for Sound Transit to acquire by negotiated purchase or to condemn certain lands and rights in property for public purposes, and reimburse eligible relocation and reestablishment expenses incurred by affected owners and tenants; and

WHEREAS, Sound Transit has commissioned or will commission appraisals to determine the fair market value of the properties, and will negotiate in good faith with the owners of the properties authorized to be acquired by negotiated purchase or condemned, with the intent of reaching agreements for the voluntary acquisition of the property for fair market value; and

WHEREAS, the funds necessary to acquire the property by voluntary purchase or to pay just compensation adjudged due after condemnation and the funds necessary to reimburse eligible relocation and reestablishment expenses shall be paid from Sound Transit general funds.

NOW THEREFORE BE IT RESOLVED by the Board of the Central Puget Sound Regional Transit Authority as follows:

SECTION 1. The chief executive officer is hereby authorized to execute such agreements as are customary and necessary for the acquisition or lease of interests in the real property described in Exhibit A (said property to be used for Lynnwood Link Extension) and incorporated herein by reference, and for the reimbursement of eligible relocation and reestablishment expenses. In accordance with Sound Transit's Real Property Acquisition and Relocation Policies, Procedures and Guidelines, the acquisition price of the properties may not exceed the fair market value to be determined through the appraisal process; provided that in the event the total of the acquisition, relocation, and reestablishment costs of the properties for the Lynnwood Link Extension exceeds Sound Transit's approved budget for right-of-way acquisition (plus contingency), then the chief executive officer must obtain approval from the appropriate committee or the Board, per Resolution No. 78-2, before the acquisition of the property for the Lynnwood Link Extension by purchase or by condemnation and the reimbursement of eligible relocation and reestablishment expenses.

SECTION 2. The chief executive officer or his designee is hereby authorized to settle condemnation litigation or enter administrative settlements (a settlement in lieu of initiating condemnation litigation) for the acquisition of interests in the real property described in Exhibit A. Such settlements shall be made only upon the finding of legal counsel that the settlement is consistent with the law and is reasonable, prudent, and in the public interest. Such settlements may not exceed established project budgets. For all other settlements proposed, the chief executive officer must obtain prior approval of the appropriate committee or the Board, per Resolution No. 78-2.

SECTION 3. The Sound Transit Board deems the Lynnwood Link Extension, to be a public use for a public purpose. The Board deems it necessary and in the best interests of the citizens residing within Sound Transit's boundaries to acquire interests in the real property identified in Exhibit A as being necessary for the construction, operation, and permanent location of Lynnwood Link Extension, and affected owners and tenants be reimbursed eligible relocation and reestablishment expenses associated with displacements from the properties.

SECTION 4. The Sound Transit Board of Directors finds that the public health, safety, necessity, convenience, and welfare demand and require that interests in the real property described in Exhibit A be immediately acquired, condemned, appropriated, taken and damaged for the construction, operation, and permanent location of the Lynnwood Link Extension.

SECTION 5. In addition to the authority granted the chief executive officer in Section 1 above, condemnation proceedings are hereby authorized to acquire all, or any portion thereof, of the properties and property rights and/or rights in those of the properties described in Exhibit A to the extent permitted by law, for the purpose of constructing, owning, and operating a permanent location of the Lynnwood Link Extension. The chief executive officer is also authorized to make minor amendments to the legal descriptions of the properties described in Exhibit A, as may be necessary to correct scrivener's errors and/or to conform the legal description to the precise boundaries of the property required for the Project.

SECTION 6. The funds necessary to acquire the property by purchase or to pay just compensation adjudged due after condemnation shall be paid from Sound Transit general funds.

ADOPTED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on January 26, 2017.



Dave Somers
Board Chair

ATTEST:



Kathryn Flores
Board Administrator