

## Motion No. M2022-20

### Amending the Agreement with City of Bothell for the Construction and Construction Management Services for the Bothell BAT Lanes Component of the SR-522/NE 145th BRT Project

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee	03/10/2022	Final Action	Ron Lewis, DECM Executive Director <b>Bernard van de Kamp, Program Executive, Stride BRT</b> <b>Rick Capka, Deputy Program Executive--Delivery, Stride BRT</b>

#### Proposed action

Authorizes the chief executive officer to amend an agreement with the City of Bothell to provide construction and construction management services for City of Bothell's Business and Transit Lanes component of the SR-522/NE 145th BRT project to increase the time allowed to complete the project from 36 months to 52 months, with no change to the agreement amount.

#### Key features summary

- The SR-522/NE 145th Street Bus Rapid Transit (BRT) project will provide BRT service from the Link light rail station at I-5 and Northeast 145th Street to UW Bothell.
- A 2019 agreement between Sound Transit and the City of Bothell funds construction and construction management services for the City of Bothell to deliver a section of Business and Transit (BAT) lanes between 96th Avenue NE and 83rd Place NE that is included in the SR-522/NE 145th BRT Project.
- The agreement assumed an 18-month construction duration, 12-month plant establishment period, and a 6-month closeout effort, totaling 36 months.
- Due to weather delays, adjacent third party utility work, pandemic-related impacts and required contract changes the project is now expected to be complete in Q2 2022 and administratively closed out by September 1, 2023--16 months past the anticipated completion and closeout date. Due to weather delays, adjacent third party utility work, pandemic-related impacts and required contract changes, the project is now expected to be complete in Q2 2022 and administratively closed out by September 1, 2023--16 months past the anticipated completion and closeout date.
- Construction work is complete with the exception of final striping, completion of the 12-month plant establishment period, and punchlist.

#### Background

The SR 522/NE 145th Street Bus Rapid Transit project establishes BRT service from the Link light rail station at I-5 and Northeast 145th Street to UW Bothell, with future service continuing at lower frequencies to Woodinville. On Northeast 145th Street, this project includes transit priority spot treatments to facilitate BRT movement through corridor bottlenecks. On SR 522 the majority of the

corridor through Lake Forest Park, Kenmore and Bothell will feature BAT lanes, with transit-supportive enhancements on arterials from downtown Bothell to UW Bothell.

The Bothell BAT Lane project was designed by the City of Bothell and WSDOT to improve mobility and the reliability of existing transit service in the corridor prior to voter approval of ST3, of which the SR 522/NE 145th BRT Project is a component. State Environmental Policy Act (SEPA) review was completed for this component of the project by the City of Bothell. The city completed a SEPA checklist and issued a Determination of Non-significance on April 28, 2016. WSDOT completed National Environmental Policy Act (NEPA) categorical exclusion documentation for the project in 2015 in relation to federal funding they provided to the city for the design phase.

The 2019 funding agreement assumed an 18-month construction duration, 12-months plant establishment period, and a 6-months closeout effort, totaling 36 months. The construction contract duration is defined in working days but did not account for days which work cannot or does not occur, weather days, and weekend/holiday days. Nor did the original period of performance anticipate change orders that could add duration to the construction contract's contract time.

The project is now expected to be complete and closed out by September 1, 2023, 16 months past the anticipated completion and closeout date. Since the City of Bothell issued notice to proceed to the construction contractor, there have been 130 days to-date that have been unworkable due to weather, holidays, or franchise utilities work in the construction area. Change orders have added 204 days of contract time, accounting for impacts of the pandemic on efficiency, a change in site conditions for a lengthy retaining wall that required redesign, and changes to paving thickness required by WSDOT, which sets design standards for the SR-522 roadway.

**Project status**

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<b>Project Identification</b>	<b>Project Refinements</b>	<b>Conceptual Engineering/ Environmental Review</b>	<b>Preliminary Engineering</b>	<b>Final Design</b>	<b>Construction</b>

Projected completion date, as amended, for Bothell BAT Lane Construction: 3Q 2023

Project completion date for SR 522/NE 145th Street Bus Rapid Transit (BRT) construction: 2026

SR 522/NE 145th BRT Project scope, schedule and budget summary are located on page 171 of the January 2022 Agency Progress Report.

**Fiscal information**

This action does not create a fiscal impact to the SR-522 BRT project or the agreement to be amended.

The current cost estimate for the SR-522/ NE 145<sup>th</sup> Street Bus Rapid Transit project is \$544 million in 2019\$ and is affordable within the Agency's Finance Plan. Staff is managing the project toward a 2026 delivery (2034 and 2044 delivery for the parking), consistent with both Affordable and Target Schedules. This action is consistent with the schedule and financial plan adopted by the Board in Resolution No. R2021-05, and does not impact the affordability of any other system expansion project.

**Small business/DBE participation, apprenticeship utilization and Title IV compliance**

Not applicable to this action.

## **Public Involvement**

The completed BAT lanes will be used by and benefit King County Metro and ST Express bus service once the BAT lanes are put into service, following installation of final channelization and lane markings. The SR-522 Stride BRT project continues its public outreach activities, which will be active through the start of Stride BRT revenue service in 2026.

## **Time constraints**

A one month delay would not create an impact on the project schedule.

## **Prior Board/Committee actions**

Motion No. M2019-20: Authorized the chief executive officer to execute an agreement with the City of Bothell to provide construction and construction management services for City of Bothell's Business and Transit Lanes Component of the SR 522/NE 145th BRT Project in the amount of \$22,689,980, with a 10% contingency of \$2,268,998, for a total authorized amount not to exceed \$24,958,978.

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**Environmental review** – KH 2/28/22

**Legal review** – MT 3/4/22



## **Motion No. M2022-20**

A motion of the System Expansion Committee of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to amend an agreement with the City of Bothell to provide construction and construction management services for City of Bothell's Business and Transit Lanes component of the SR-522/NE 145th BRT project to increase the time allowed to complete the project from 36 months to 52 months, with no change to the agreement amount.

### **Background**

The SR 522/NE 145th Street Bus Rapid Transit project establishes BRT service from the Link light rail station at I-5 and Northeast 145th Street to UW Bothell, with future service continuing at lower frequencies to Woodinville. On Northeast 145th Street, this project includes transit priority spot treatments to facilitate BRT movement through corridor bottlenecks. On SR 522 the majority of the corridor through Lake Forest Park, Kenmore and Bothell will feature BAT lanes, with transit-supportive enhancements on arterials from downtown Bothell to UW Bothell.

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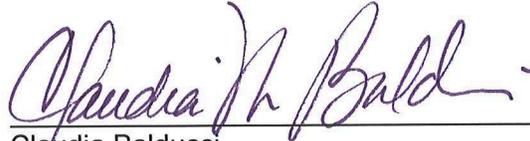
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Construction work is complete with the exception of final striping, completion of the 12-month plant establishment period, and punchlist. The project is now expected to be complete and closed out by September 1, 2023, 16 months past the anticipated completion and closeout date. Since the City of Bothell issued notice to proceed to the construction contractor, there have been 130 days to-date that have been unworkable due to weather, holidays, or franchise utilities work in the construction area. Change orders have added 204 days of contract time, accounting for impacts of the pandemic on efficiency, a change in site conditions for a lengthy retaining wall that required redesign, and changes to paving thickness required by WSDOT, which sets design standards for the SR-522 roadway.

**Motion**

It is hereby moved by the System Expansion Committee of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to amend an agreement with the City of Bothell to provide construction and construction management services for City of Bothell's Business and Transit Lanes component of the SR-522/NE 145th BRT project to increase the time allowed to complete the project from 36 months to 52 months, with no change to the agreement amount.

APPROVED by the System Expansion Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on March 10, 2022.

  
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Claudia Balducci  
System Expansion Committee Chair

**Attest:**

  
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Kathryn Flores  
Board Administrator