



SEATTLE CITY COUNCIL

Legislative Summary

CB 119190

Record No.: CB 119190

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125530

In Control: City Clerk

File Created: 01/22/2018

Final Action: 02/14/2018

Title: AN ORDINANCE relating to the Central Puget Sound Regional Transit Authority (Sound Transit); authorizing execution of "Amendment No. 7 to the Construction Services Agreement between Sound Transit and the City of Seattle Relating to the University Link, North Link, and East Link Projects"; and ratifying and confirming certain prior acts.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: O'Brien

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Att 1 - Amendment No. 7

Drafter: Bill.LaBorde@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	02/01/2018	Mayor's leg transmitted to Council	City Clerk			
	Action Text: The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk						
	Notes:						
1	City Clerk	02/01/2018	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	02/01/2018	sent for review	Sustainability and Transportation Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Sustainability and Transportation Committee						
	Notes:						

- 1 Full Council 02/05/2018 referred Sustainability and Transportation Committee
- Action Text: The Council Bill (CB) was referred. to the Sustainability and Transportation Committee
- Notes:
- 1 Sustainability and Transportation Committee 02/06/2018 pass Pass
- Action Text: The Committee recommends that Full Council pass the Council Bill (CB).
- In Favor: 3 Chair O'Brien, Vice Chair Johnson, Member Sawant
- Opposed: 0
-
- 1 Full Council 02/12/2018 passed Pass
- Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:
- Notes:
- In Favor: 9 Councilmember Bagshaw, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember Mosqueda, Councilmember O'Brien, Councilmember Sawant
- Opposed: 0
- 1 City Clerk 02/13/2018 submitted for Mayor's signature Mayor
- 1 Mayor 02/14/2018 Signed
- 1 Mayor 02/14/2018 returned City Clerk
- 1 City Clerk 02/14/2018 attested by City Clerk
- Action Text: The Ordinance (Ord) was attested by City Clerk.
- Notes:
-

CITY OF SEATTLE

ORDINANCE 125530

COUNCIL BILL 119190

AN ORDINANCE relating to the Central Puget Sound Regional Transit Authority (Sound Transit); authorizing execution of "Amendment No. 7 to the Construction Services Agreement between Sound Transit and the City of Seattle Relating to the University Link, North Link, and East Link Projects"; and ratifying and confirming certain prior acts.

WHEREAS, on or about August 12, 2009, The City of Seattle (City) and Central Puget Sound Regional Transit Authority (Sound Transit) entered into that certain "Construction Services Agreement between Sound Transit and the City of Seattle Relating to the University Link, North Link, and East Link Projects" (CSA) whereby Sound Transit agreed to reimburse the City for certain services and assistance associated with construction of Sound Transit Link light rail projects; and

WHEREAS, the CSA only specified funding for the University Link project and only named the Link light rail projects in project development at that time; and

WHEREAS, in response to Sound Transit's request for continued support for Link light rail projects, the CSA has previously been amended to provide funding for services related to the North Link and East Link projects; and

WHEREAS, Sound Transit has requested City support for construction assistance, construction services, and limited ongoing program management services for the Lynnwood Link project which has since entered project development, and Sound Transit has agreed to reimburse the City for its expenses incurred in connection with such work; NOW, THEREFORE,

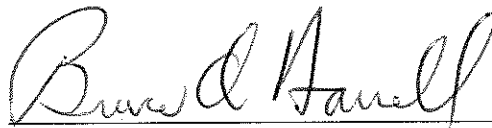
BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

1 Section 1. As requested by the Director of Transportation and recommended by the
2 Mayor, the Director of Transportation or the Director's designee is hereby authorized to execute,
3 for and on behalf of The City of Seattle, "Amendment No. 7 to the Construction Services
4 Agreement between Sound Transit and the City of Seattle Relating to the University Link, North
5 Link, and East Link Projects" (CSA Amendment 7), substantially in the form of Attachment 1 to
6 this ordinance, providing for Sound Transit reimbursement for City services provided in support
7 of the Lynnwood Link light rail extension project and revising the agreement title to
8 "Construction Services Agreement Between Sound Transit and The City of Seattle Relating to
9 Link Light Rail Projects" to allow for the Lynnwood Link project, as well as potential future
10 light rail projects.

11 Section 2. Any act consistent with the authority of this ordinance taken after its passage
12 and prior to its effective date is ratified and confirmed.

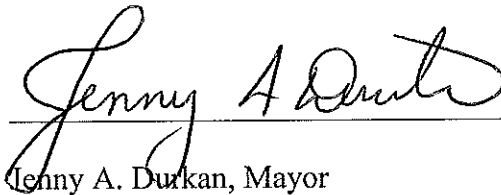
Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 12th day of February, 2018,
and signed by me in open session in authentication of its passage this 12th day of
February, 2018.



President _____ of the City Council

Approved by me this 14th day of February, 2018.


Jenny A. Durkan, Mayor

Filed by me this 14th day of February, 2018.



Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 – Amendment No. 7 to the Construction Services Agreement Between Sound Transit and the City of Seattle Relating to the University Link, North Link, and East Link Projects

Amendment No. 7

TO THE CONSTRUCTION SERVICES AGREEMENT BETWEEN SOUND TRANSIT AND THE CITY OF SEATTLE RELATING TO LINK LIGHT RAIL PROJECTS

formerly known as the "Construction Services Agreement Between Sound Transit and the City of Seattle Relating to the University Link, North Link and East Link Projects"

THIS SEVENTH AMENDMENT to the Construction Services Agreement is made between the CENTRAL PUGET SOUND REGIONAL TRANSIT AUTHORITY ("Sound Transit") and the City of Seattle ("the City").

WHEREAS, the Parties entered into the above-referenced Agreement ("Agreement") on or about August 12, 2009.

WHEREAS, the initial Agreement only specified funding for the University Link segment.

WHEREAS, amendments one through four and six were executed to provide funding for services related to the North Link segment, as identified in Exhibit 3.1.

WHEREAS, the fifth amendment provides funding for various services by the City of Seattle needed for construction support of the East Link segment as detailed in Exhibit 3.2.

WHEREAS, this seventh amendment provides funding for City of Seattle services related to the Lynnwood Link Extension, as identified in Exhibit 3.3.

NOW, THEREFORE, in consideration of the terms contained herein, IT IS AGREED AS FOLLOWS:

1. The name of the Agreement is hereby changed from "Construction Services Agreement Between Sound Transit and the City of Seattle Relating to the University Link, North Link and East Link Projects" to "Construction Services Agreement Between Sound Transit and The City of Seattle Relating to Link Light Rail Projects" to reflect the addition of the Lynnwood Link segment and the expectation of adding new alignments in the future.
2. Section 1.1 of the Agreement is amended to add the following:

"Lynnwood Link" – means the 8.5-mile Link Light Rail segment from just north of Northgate Station, through Shoreline, Mountlake Terrace, and with a temporary terminus in Lynnwood.

3. Section 2.8 of the Agreement is amended as follows:

Designated Representatives for the University Link segment for each Party are as follows:

For Sound Transit
Joseph Gildner
Executive Project Director
Sound Transit
401 S. Jackson Street
Seattle, WA 98104
Phone: 206-689-3350

For the City of Seattle
Ayelet Ezran
Strategic Advisor
Seattle Department of Transportation
P.O. Box 34996
Seattle, WA 98124-4996
Phone: 206-733-9032

Designated Representatives for the North Link segment for each Party are as follows:

For Sound Transit
Rick Capka
Construction Manager
Sound Transit
401 S. Jackson Street
Seattle, WA 98104
Phone: 206-903-7474

For the City of Seattle
Ayelet Ezran
Strategic Advisor
Seattle Department of Transportation
P.O. Box 34996
Seattle, WA 98124-4996
Phone: 206-733-9032

Designated Representatives for the East Link segment for each Party are as follows:

For Sound Transit
Ron Lewis
Project Director
Sound Transit
401 S. Jackson Street
Seattle, WA 98104
Phone: 206-398-4905

For the City of Seattle
Ayelet Ezran
Strategic Advisor
Seattle Department of Transportation
P.O. Box 34996
Seattle, WA 98124-4996
Phone: 206-733-9032

Designated Representatives for the Lynnwood Link segment for each Party are as follows:

For Sound Transit
Rod Kempkes
Project Director
Sound Transit
401 S. Jackson Street
Seattle, WA 98104
Phone: 206-398-5374

For the City of Seattle
Ayelet Ezran
Strategic Advisor
Seattle Department of Transportation
P.O. Box 34996
Seattle, WA 98124-4996
Phone: 206-733-9032

4. Section 4.2, Paragraph 1 of the Agreement is amended as follows:

Exhibit 3 contains a summary of the budget for the services to be provided by the City under this Agreement for the University Link segment. Exhibit 3.1 contains a summary of the budget for services to be provided by the City under this Agreement for the North Link segment. Exhibit 3.2 contains a summary of the budget for services to be provided by the City under this Agreement for the East Link segment. Exhibit 3.3 contains a summary of the budget for services to be provided by the City under this Agreement for the Lynnwood Link segment. The budget for City field crew work will be accounted for separately from all other City construction support services. The total authorized amount for each Task Order will be negotiated. No expenditures will be authorized in excess of the total authorized cost established in an executed Task Order, except by approved

Change Order and Task Order Amendment. Reimbursement will not be made for activities that are not covered in a Task Order.

5. Section 4.2, Paragraph 3 of the Agreement is amended as follows:

Sound Transit shall reimburse the City for services delivered and work performed under this Agreement. The amount set forth in Exhibits 3, 3.1, 3.2, and 3.3 reflect the Parties' best estimates of the amounts that may be required to accomplish the reimbursable tasks under this Agreement. The City shall endeavor to manage the expenditures of departments and offices engaged in work authorized by Task Order under this Agreement such that the maximum obligation of Sound Transit is not exceeded.

6. The List of Exhibits to the Agreement is amended as follows:

1. Task Order Form Template
2. U-Link Summary Construction Schedule
 - 2.1 North Link Summary Construction Schedule
 - 2.2 East Link Summary Construction Schedule
 - 2.3 Lynnwood Link Summary Construction Schedule
- 3 U-Link Budget
 - 3.1 North Link Budget
 - 3.2 East Link Budget
 - 3.3 Lynnwood Link Budget
4. Acronyms and Abbreviations
5. Federal Clauses

7. The attached new Exhibit 2.3 Lynnwood Link Summary Construction Schedule is incorporated to the Agreement.
8. The attached new Exhibit 3.3 Lynnwood Link Budget is incorporated to the Agreement.
9. The attached revised Exhibit 4, Acronyms and Abbreviations, replacing the old Exhibit 4, is incorporated into the Agreement.
10. The terms and conditions of the Agreement shall remain in full force and effect except as expressly modified by this **Seventh Amendment**.
11. This **Seventh Amendment** is effective as of February 15, 2018.

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment:

For: CITY OF SEATTLE

For CENTRAL PUGET SOUND REGIONAL
TRANSIT AUTHORITY

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

Authorized by Ordinance _____

Approved as to Form:

By: _____
Sound Transit Legal Counsel

Alt1 - Amendment No. 7
D3

Print: 21-Dec-17 11:57
Contact: Brian Ellingson
Updated: 01-Dec-17

Lynnwood Link Extension

Project: LLE Utilities Agreements...
Layout: ST - Schedule Layout Template - WBS Summ
TASK filter: All Activities

Activity Name	Start	Finish												
			2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Lynnwood Link	07-Jan-15 A	05-Jul-24												
Lynnwood Link - Final Design	01-Sep-15 A	13-Dec-22												
Lynnwood Link - Right of Way	04-Jan-16 A	18-Aug-19												
Lynnwood Link - Permits and Agreements	07-Jan-15 A	03-May-19												
Lynnwood Link - Construction	01-Nov-15 A	20-Jul-24												
L200CNP - Lynnwood Link South Civil - Pre-Construction	01-Nov-15 A	15-Sep-19												
L200CN - Lynnwood Link South Civil - GC/CM - Construction	10-Jun-16 A	23-Dec-22												
L300CNP - Lynnwood Link North Civil - Pre-Construction	30-Mar-16 A	20-Sep-19												
L300CN - Lynnwood Link North Civil - GC/CM - Construction	29-Jun-18	29-May-22												
L800CNP - Lynnwood Link Systems - Pre-Construction	15-Dec-16 A	26-May-20												
L800CN - Lynnwood Link Systems - GC/CM - Construction	28-Jul-20	01-Sep-23												
LRAGT - Lynnwood Link Rail Activation/System Integration/Project Float	29-Apr-22	05-Jul-24												

Actual Work
Remaining Work
Critical Remaining Work
Milestone
Summary

Date	Revision	Checked	Approved

Exhibit 3.3: Lynnwood Link Extension CSA Budget

Department/Activity	Estimated Cost
SDOT Construction Assistance	
<u>SDOT-LL-MGMT:</u> Interdepartmental Coordination, Intergovernmental Liaison, Construction Liaison & Agreement Administration, project-wide	\$250,672
<u>SDOT-LL-CA:</u> Construction Assistance, project-wide	\$0
SDOT Construction Services	
<u>SDOT-LL-CS:</u> Construction Services, project-wide	\$144,348
<u>SDOT-LL-TRR</u> Tree Replacement @ XXX	\$0
SDOT Total	\$395,020
SCL Construction Assistance	
<u>SCL-LL-PMCA</u> Utility Relocation Project Management and Construction Assistance	\$620,000
SCL Construction Services	
<u>SCL-LL-ENG:</u> SCL 100% Design Engineering for Lynnwood Link	\$400,000
<u>SCL-LCS-185</u> SCL Construction Services - Advanced Undergrounding 26kV Primary Power Lines Relocation for 185th Station In City of Shoreline	\$2,200,000
<u>SCL-LCS-SEA:</u> SCL Construction Services - Advanced Undergrounding 26kV Primary Power Lines Relocation in City of Seattle	\$500,000
<u>SCL-LCS-26KV:</u> SCL Construction Services - Advanced Overhead 26kV Primary Power Lines Relocation	\$500,000
<u>SCL-LCS-115KV:</u> SCL Construction Services - Advanced Overhead 115kV Transmission Power Lines Relocation	\$2,500,000
SCL Total	\$6,720,000
SPU Construction Assistance	
<u>SPU-LL-CAPM</u> Construction Assistance and Project Management, Project-Wide	\$311,300
SPU Construction Services	
<u>SPU-LCS-L200:</u> Construction Services related to L200 contract work.	\$356,800
SPU Total	\$668,100
SFD Construction Assistance	
<u>SFD-LL-CS</u> Construction Services, Project-Wide (.05 FTE Dep Chief and .1 FTE Sr Fire Prot Eng for 48 months; limited inspections)	\$122,460
SFD Total	\$122,460
SDCI Construction Assistance	
<u>SDCI - Technical Noise Variance Monitoring</u> Nighttime Noise Monitoring (assumes Sound Transit hires 3rd party monitoring firm)	\$140,000
DPD Total	\$140,000
Provisional Unallocated Budget	\$0
Total Lynnwood Link CSA Budget	\$8,045,580
Sound Transit Controlled Contingency (7%)	\$563,191
Grand Total with Contingency	\$8,608,771

Exhibit 4 – Acronyms and Abbreviations (Revised per 7th Amendment to CSA)

BRKS	Brooklyn Station
CCB	Change Control Board (Sound Transit)
CEO	ST Chief Executive Officer
CHS	Capitol Hill Station
CM	Construction Manager
CMC	Construction Management Consultant
COS	City of Seattle
CUD	Contract Unit Description (for Sound Transit contract packages)
DECM	Department of Engineering and Construction Management (Sound Transit)
DPD	Department of Planning and Development (now OPCD and SDCI)
E-Link	East Link Extension
E130	E-Link Contract E130: Judkins Park Station (Seattle/I-90 to South Bellevue Way)
E120	E-Link Contract Seismic and Gravity Retrofit
E110	E-Link Contract modifications to IDS Station
FD	Final Design
FFGA	Full Funding Grant Agreement
FTA	Federal Transit Administration of the USDOT
GCs	General Conditions (of Sound Transit's contracts)
GSP	General Special Provision (of the City Standard Specs)
IFB	Invitation for Bid
L200	L-Link Contract L200: Guideway
L-Link	Lynnwood Link Extension (also called LLE)
LRT	Light Rail Transit
MLP	Maple Leaf Portal (formerly North Portal)
N110	N-Link Contract N110: Advanced Utility Relocation at Roosevelt Station
N111	N-Link Contract N111: Advanced Utility Relocation at Northgate
N112	N-Link Contract N112: U District and Roosevelt Station Areas Site Preparation
N125	N-Link Contract N125: TBM Tunnels, UWS to MLP
N140	N-Link Contract N140: U District Station Finishes
N150	N-Link Contract N150: Roosevelt Station Finishes
N160	N-Link Contract N160: Northgate Station and Elevated Guideway
NGS	Northgate Station
N-Link	Northgate Link Extension (formerly North Link)
OPCD	Office of Planning and Community Development (City of Seattle) (formerly DPD)
PMM	Project Management Manual
PSST	Pine Street Stub Tunnel
QA	Quality Assurance
QC	Quality Control
RFI	Request for Information
ROD	Record of Decision
SCL	Seattle City Light
SDCI	Seattle Department of Construction and Inspections (formerly DPD)
SDOT	Seattle Department of Transportation
SFD	Seattle Fire Department
SPU	Seattle Public Utilities
ST	Sound Transit (Central Puget Sound Regional Transit Authority)
TBM	Tunnel Boring Machine
U215	U-Link Contract U215: I-5 Crossing Construction Pits
U220	U-Link Contract U220: TBM Tunnels UWS to CHS
U230	U-Link Contract U230: TBM Tunnels CHS to PSST
U240	U-Link Contract U240: Capitol Hill Station Civil and Finishes
U250	U-Link Contract U250: University of Washington Civil & Finishes
UDS	U District Station (formerly Brooklyn Station)

UL	University Link extension of the Central Link Light Rail System (also called U-Link)
USDOT	United States Department of Transportation
UW	University of Washington
UWS	University of Washington Station
WBS	Work Breakdown Structure
WSDOT	Washington State Department of Transportation

STATE OF WASHINGTON -- KING COUNTY

--SS.

359229

No. 29,30

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

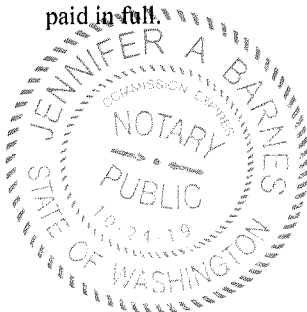
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:ORDINANCE 125526,27,28

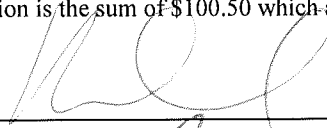
was published on

03/02/18

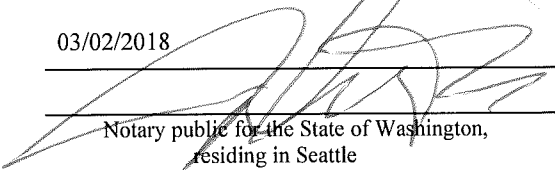
The amount of the fee charged for the foregoing publication is the sum of \$100.50 which amount has been paid in full.



Affidavit of Publication


Subscribed and sworn to before me on

03/02/2018


Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on February 12, 2018, and published below by title only, will be mailed upon request, or can be accessed at <http://seattle.legistar.com>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Ordinance 125526

Council Bill 119192

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Ordinance 125527

Council Bill 119176

AN ORDINANCE relating to the Department of Parks and Recreation: authorizing the acceptance of a donation of real property along the Burke-Gilman Trail in northeast Seattle, from the Estate of Jack Allbritton, for open space, park, and recreation purposes.

Ordinance 125528

Council Bill 119186

AN ORDINANCE transferring jurisdiction over real property located at Mercer Street and Second Avenue from the Seattle Center Department to the Office of Housing.

Ordinance 125529

Council Bill 119189

AN ORDINANCE granting Swedish Health Services permission to continue operating and maintaining a pedestrian tunnel under and across Minor Avenue, between Columbia Street and Marion Street, for a ten-year term, renewable for two successive ten-year terms; specifying the conditions under which this permit is granted; providing for the acceptance of the permit and conditions; and ratifying and confirming certain prior acts.

Ordinance 125530

Council Bill 119190

AN ORDINANCE relating to the Central Puget Sound Regional Transit Authority (Sound Transit); authorizing execution of Amendment No. 7 to the Construction Services Agreement between Sound Transit and the City of Seattle Relating to the University Link, North Link, and East Link Projects; and ratifying and confirming certain prior acts.

Date of publication in the Seattle Daily Journal of Commerce, March 2, 2018.

3/2(359229)