

C-18

Receiving # 8629.01

Related Contract #(s) 8629, 8629.02



CONTRACT AMENDMENT/CHANGE ORDER FORM

DESCRIPTION

Originator: Juniper Nammi Routed by: Ann Migdal
 Department/Division: City Manager's Office Date: June 1, 2018
 Name of Consultant/Contractor: Central Puget Sound Regional Transit Authority
 ORIGINAL CONTRACT TITLE: Expedited Permitting & Reimbursement Agreement for the Lynnwood Link Project
 Original Description of Services: Staffing Agreement with Sound Transit
 Exec 6/12/2018

CONTRACT CONTENT

Type of Contract: (A) Amendment # 1 (C) Change Order #
 Type of Change: Contract Time Scope of Work Contract Amount ... Other (specify below)
 Original ... This Amendment/CO Amount: \$
 Previous Extensions: ... Previous Amendments/COs: \$
 This Extension: ... Original Contract Amount: \$
 Projected Final Completion: New Contract Total: \$ 0.00
 Amendment/Change Order Details:
 Amend the Expedited Permitting and Reimbursement Agreement to a) add City wastewater permits to Agreement Exhibit A and an associated description of services to be provided to Sound Transit by a City Wastewater Utility Specialist to allow for Sound Transit reimbursement of these services now provided by the City as operator of the Ronald Wastewater District's facilities; b) amend Note (4) of Agreement Exhibit A to include costs incurred by the City for Third Party qualified professional reviews of permits when required by SMC Title 20, which were previously excluded; and c) add City Floodplain Development Permits to Agreement Exhibit A since project changes now include impacts to two floodplain locations that will require this type of permit.

FINANCIAL DETAILS

This Change Order/Amendment: \$ 0.00 (Amount Verification)

Org Key - Obj #	Amount:	Org Key - Obj #	Amount:
J/L # - Task #		J/L # - Task #	
Org Key - Obj #	Amount:	Org Key - Obj #	Amount:
J/L # - Task #		J/L # - Task #	
Org Key - Obj #	Amount:	Org Key - Obj #	Amount:
J/L # - Task #		J/L # - Task #	

 Are there sufficient funds in the current budget to cover this contract? Yes No
 Remarks:

SIGNATURE

Authorization Level: Project Manager Last Council Action Date: 07/26/2016
 1. Project Manager 6. City Council (if required) N/A
 2. Risk Management/Budget 7. City Manager
 3. City Attorney 8. City Clerk JW 6/28/2018
 4. Consultant/Contractor Amendment originated w/ST 9. Originating Department
 5. (Click to select or overwrite)

June 7, 2018

**FIRST AMENDMENT TO THE
EXPEDITED PERMITTING AND REIMBURSEMENT AGREEMENT
BETWEEN THE CITY OF SHORELINE AND THE CENTRAL PUGET SOUND
REGIONAL TRANSIT AUTHORITY FOR THE LYNNWOOD LINK PROJECT**

THIS First Amendment is made by and between the City of Shoreline, a Washington municipal corporation (“the City”) and the Central Puget Sound Regional Transit Authority, a regional transit authority of the State of Washington (“Sound Transit”) to the Expedited Permitting and Reimbursement Agreement between the parties on September 29, 2016 (“Agreement”).

RECITALS

A. The City and Sound Transit entered into the Agreement in order to expedite and streamline the design and permitting of the Project, as identified in the ERPA and address related staffing by the City.

B. The parties desire to amend the Agreement in order to reflect a change of circumstances, to wit: a) add City wastewater permits to Agreement Exhibit A and an associated description of services to be provided to Sound Transit by a City Wastewater Utility Specialist to allow for Sound Transit reimbursement of these services now provided by the City as operator of the Ronald Wastewater District's facilities; b) amend Note (4) of Agreement Exhibit A to include costs incurred by the City for Third Party qualified professional reviews of permits when required by SMC Title 20, which were previously excluded; and c) add City Floodplain Development Permits to Agreement Exhibit A since project changes now include impacts to two floodplain locations that will require this type of permit.

C. The Agreement provides at Section 18.10 that the Designated Representatives may agree upon amendments to Exhibits and that such amendments shall be binding upon the parties without formal approval by the Sound Transit Board and Shoreline City Council.

AGREEMENT

FOR AND IN CONSIDERATION OF and subject to the terms and conditions set forth below, the City and Sound Transit do hereby agree to amend the Agreement as described below:

1.0 Exhibit A: Permits Covered by Agreement is replaced in its entirety with the attached Exhibit A – 1.

2.0 Exhibit B: City Services to Be Provided is replaced in its entirety with the attached Exhibit B – 1.

3.0 Effect of this First Amendment. Unless expressly revised by this First Amendment, all other terms and conditions of the Agreement shall remain in effect and unchanged by this First Amendment.

IN WITNESS WHEREOF, each of the Parties hereto has executed this First Amendment to the Agreement by having its Designated Representatives affix her or his name in the appropriate space below:

PUGET SOUND REGIONAL
TRANSIT AUTHORITY
(SOUND TRANSIT)

THE CITY OF SHORELINE

By: Taylor Carroll
Taylor Carroll, Light Rail Project
Manager

By: Juniper Nammi
Juniper Nammi, Sound Transit Project
Manager

Date: 6/13/18

Date: 6/12/2018

Approved as to form:

Approved as to form:

By: Stephen G. Sheehy
Stephen G. Sheehy, Senior Legal
Counsel

By: Margaret King
Margaret King, City Attorney

Exhibit A-1: Permits Covered by Agreement

Permit Type	Notes
Building Permits: Commercial & Residential	Includes Plan Review & WABO surcharge
Mechanical Permits	
Plumbing Permits	
Site Development Permits	
Clearing and Grading	
Tree Removal	
Right of Way Use	(if applicable)
Right of Way Site	
Lot Line Adjustments, Lot Mergers, Subdivisions	
Demolition Permits	<u>Includes inspection if demolition completed prior to end of agreement.</u>
Sign Permits	
Wastewater Permits	Includes inspection if wastewater work completed prior to end of agreement (if applicable)
Administrative Design Review	(if applicable)
Temporary Use Permits	
Special Use Permits	
Interpretations of the Development Code	(if applicable)
Variances – Zoning	(if applicable)
Critical Area Special Use Permits	
Street Vacation Permit	(if applicable)
Deviation from Engineering Standards	(if applicable)
Floodplain Development Permits	Includes inspections and review of required reports and documentation, as applicable

Notes:

- (1) **Utility permits such as electrical permits are not included as part of this agreement.**
- (2) **Fire System- Construction permit– intake and issuance once approved by the Shoreline Fire District will be performed by the City of Shoreline as part of this agreement. Review of these permits will be completed by the Shoreline Fire District and not included as part of the service provided by the City as specified in this agreement.**
- (3) **Fire System Operational permits are not part of this agreement.**
- (4) **Third Party review of submittal items in accordance with SMC Title 20 is included as part of this agreement and is reimbursable consistent with section 5.2.2 Consultants.**

EXHIBIT B-1: CITY SERVICES TO BE PROVIDED

Description of City Services

SECTION 1 STAFFING AND RESOURCES COVERED

The Final Design Submittals are expected to be submitted to the City separately for various elements of the Project, rather than as a complete package. Upon receipt of each Design Submittal from Sound Transit, the City shall perform a review of the Design Submittal and return its unified and coordinated comments and corrections on the designs, plans, and specifications from all relevant City departments to Sound Transit, as closely as practical within the number of days specified in Section 5 of the Staffing Agreement for each of the following Design Submittals:

- 30% Design Submittal (185th and 145th Street Stations, Garages and site)
- 60% Design Submittal (all components of the Lynnwood Link Extension Project in Shoreline)
- 90% Design Submittal (all components of the Lynnwood Link Extension Project in Shoreline)
- 100% Construction Permitting Submittal

In order to proactively work through design issues, and reduce the amount of time required for formal review of these design submittals, key city of Shoreline staff will meet on a regular basis with the Sound Transit design review team on elements of the design. Weekly coordination and design meetings are anticipated for the duration of the Final Design phase of the project.

Staff is also expected to participate in the following workshops: Station Area Multi-modal Access; Permitting and other project delivery related project workshops.

1.1 Overview of Positions Required

City Project Manager (City Coordinator)*

The City Coordinator, as referred to in the Agreement, has the role of City Project Manager and is henceforth referred to as such in this document. The City Project Manager will coordinate City design and permitting review for the Project. The City Project Manager shall provide central coordination of all Design and Permit Submittal reviews and comments from all involved City departments. The City Project Manager shall resolve any inconsistencies among review comments from the City departments and shall provide Sound Transit with consistent and consolidated review comments. In addition to these tasks, the City Project Manager shall participate in ad hoc and regularly scheduled project-level design and coordination meetings. The City Project Manager shall also be responsible for identifying and disclosing to Sound Transit, as soon as practicable, any other projects or proposals (e.g. utility projects, transportation projects, private development projects) that have the potential to conflict or interfere with the expeditious design and construction of the Project.

The City Project Manager shall communicate regularly with Sound Transit to discuss the status of the tasks to be performed, identify upcoming Project decisions and any information or input necessary to inform those decisions, discuss any substantial changes to the Project, and resolve any issues or disputes related to the Project, consistent with this Agreement.

Responsibilities include:

- Provide to Sound Transit, monthly progress reports and invoicing in accordance with Section 5 of the Agreement;
- Lead coordination for the City between the City and Sound Transit for the review of design and permitting submittals for both light rail stations and garages in Shoreline, light rail track alignment and other associated structures;
- Review design and permitting submittals in coordination with the City's Engineering, Planning and Community Development ("PCD"), Surface Water & Environmental Services and Operations/Maintenance and provide written review comments at 30%, 60%, and 90% design submittals and 100% construction permitting submittal;
- Lead weekly internal coordination meetings with City Staff. Attend ad hoc and regular project design and coordination meetings with Sound Transit staff and design consultants;
- Lead City's ongoing coordination with Sound Transit staff and design consultants on utility relocations, roadway realignment, haul routes, and similar design and permitting issues; and
- Lead response to inquiries from City staff, Council and Citizens. Serve as a liaison from Council recommendation to staff reviewers for the 30%, 60%, 90%, and the Construction Permitting Submittal for the stations, garages, sites associated structures, and ROW improvements.

Project Administrative Assistant

This position will support the City Project Manager and Shoreline staff's review of the Final Design and permitting submittals for the Lynnwood Link Light Rail project and support the communication and coordination of planning and engineering work activities among Shoreline staff, ST agency technical staff and their consultant team. Specific duties including:

- Distributing design deliverable documents to City staff or consultants for review, tracking and compiling reviewer comments, following up on comments to submittals, drawings and specs reviews, etc.;
- Providing support to the department/division; administrative support for a variety of committees as assigned –preparing meeting materials and summarizing meeting discussions and outcomes; and
- Collecting, reviewing, and inputting staff comments into required spreadsheets and SharePoint sites. Establishing and maintaining permanent hard files and soft (SharePoint) copies of project files.

City Development Review Engineer*

The City shall assign a Development Review Engineer for the Project. The City Development Review Engineer will lead development review of design and permitting submittals for both light rail stations and garages, light rail track alignment, associated structures and right of way improvements. This position will review Project designs, specifications, estimates, and other documents. Specific responsibilities will include:

- Review plans for compliance with applicable codes and City standards including, but not limited to, roadway/frontage design, erosion control, American Disabilities Act wastewater and surface water;
- Review design and permit submittals in coordination with PCD, Surface Water & Environmental Services, Construction Services, Traffic Services and Operations/Maintenance; provide written review

comments at 30%, 60%, 90%, and 100% completion;

- Attend weekly internal coordination meetings, ad hoc and weekly design and coordination meetings with Sound Transit staff and design consultants;
- Ongoing coordination with Sound Transit staff and design consultants on utility relocations, roadway realignment, haul routes, and similar design and permitting issues; and
- Assist with response to inquiries from City staff, Council and Citizens.

Traffic Engineer

The City shall assign a Traffic Engineer to the Project. The Traffic Engineer will review, analyze, and recommend appropriate mitigation regarding traffic engineering and impact studies associated with Lynnwood Link Extension project as it relates to Shoreline.

Project Responsibilities will include:

- Review of the station area multi-modal access assessments to ensure pedestrian, bus, bicycle and traffic needs are met and/or appropriately mitigated;
- Review 30%, 60%, 90%, and 100% Construction Permitting Submittal for traffic elements such as signals, channelization, signage and other traffic control devices;
- Review construction phase traffic control, maintenance of traffic, and haul route plans for the project;
- Work with neighborhoods to identify concerns and develop traffic calming and parking alternatives in alignment with the Neighborhood Traffic Safety Program;
- Ensure Sound Transit's traffic modeling accurately reflects existing and future conditions. Make sure Sound Transit's impacts are incorporated into the City's Traffic Model;
- Assist with response to inquiries from City staff, Council and Citizens; and
- Attend internal coordination meetings and meetings with Sound Transit staff and design consultants.

Senior Planner*

The City shall assign a Senior Planner for the project. This position will conduct the design review process for the stations, garages, sites, and associated structures at the 30%, 60%, 90%, and final phases. This position will coordinate all facets of development review: plans examination, zoning and design review, critical area review, site development and storm water and utilities coordination.

Project responsibilities will include:

- Serve as the lead zoning reviewer and prepare comments on the 30%, 60%, 90%, and 100% construction permitting submittal and associated reports for the stations, garages, sites, and associated structures for compliance with SMC Title 20;
- Serve as lead reviewer for processing the following permit types: Special Use permit, Tree Removal permits, Lot Line Adjustments/Lot Mergers/Subdivisions, Demolition permits, Sign permits, Administrative Design Review, Temporary Use Permits, Interpretations of the Development Code, Variances, and Critical Area Special Use permit(s);
- Attending weekly internal coordination meetings and ad hoc and biweekly agency coordination meetings regarding design and permitting as needed;

- Updating the City's website & Currents with ongoing information about the project;
- Responding to walk-in/phone-in/write-in questions/complaints/concerns directed to the City about the design of the Lynnwood Link Extension project; and
- Developing local codes, policies, agreement components and procedures related to light rail construction and ongoing services.

NOTE: The City anticipates utilizing the services of an on-call Planner Associate to assist the Senior Planner with the review of the 30%, 60%, 90%, and 100% design and permitting submittals should it become necessary in order to meet Sound Transit's expectations.

Structural Plans Examiner

The City shall contract with a Structural Plans Examiner (consultant) to be assigned the Lynnwood Link Extension project as needed. This position will perform plans examination as needed for the stations, garages, miscellaneous structures (retaining walls, noise walls, signs) as part of the 30%, 60% 90%, and 100% review of design and permit submittals. As determined necessary by the City, this position will be tasked with the following:

- Review of all required structural and non-structural construction plans and calculations for compliance with the City's adopted construction and building codes as listed in SMC Title 15;
- Prepare initial and revised written comments following review of all required structural and non-structural construction plans and calculations in response to the 30%, 60%, 90%, and final submittals;
- Review and comment on the compliance of the 30%, 60%, 90%, and 100% design and construction plans and specifications with the Regulations for Barrier Free Facilities and Energy Codes; and
- Attend weekly internal coordination meeting, biweekly agency coordination meetings and ad hoc meetings relating to design, permitting, and construction as needed.

NOTE: The City anticipates the possibility of utilizing additional on-call consulting services to assist the Structural Plans Examiner with the review of the 30%, 60%, 90%, and 100% design and permitting submittals should it become necessary in order to meet Sound Transit's expectations.

Permit Technician

The Permit Technician will perform such duties as:

- Logging all plan sets and revisions received for the official 30%, 60%, 90%, and final 100% submittal into the permit tracking system;
- Setting up file sets to distribute to reviewers; and
- Processing (intake and issuance) of all ancillary permits as described in Exhibit B.

Building Inspector

It is anticipated that starting in 2017 Sound Transit may be acquiring permit approvals and completing "early work" such as demolitions. Therefore, this agreement includes inspection services for demolition permits. The City anticipates contracting with a consultant to perform these inspections on an on-call basis.

Lead Construction/ROW Inspector

The City shall assign a Lead Construction/ROW Inspector for the project construction to ensure construction activities meet City standards and permit requirements. With construction occurring at multiple locations with different contractors it is important to have a “Lead” that can coordinate between projects/permits, provide assistance when needed and communicate issues with Contractors and Sound Transit.

Typical tasks include:

- Assisting the Construction Supervisor in managing inspection work for Sound Transit projects;
- Manage three construction inspectors;
- Organize material testing and documentation services;
- Manage one full-time Project Coordinator;
- Coordination with ongoing current ROW inspections not related to Sound Transit projects;
- Coordination with City Operations/Maintenance and third-party utilities;
- Coordinate and communicate issues or problems with Sound Transit, Contractors, utility companies and/or other City staff to reach solutions;
- Work with citizens, residents to answer questions and resolve issues;
- Review 30%, 60%, 90% and final plans for all Right of Way work; specifically review construction feasibility and construction impacts such as haul routes, staging areas, and noise; and
- Maintain oversight of all permits in construction areas including anticipating/identifying conflicts or problems between permit activities.

Wastewater Utility Specialist

The City shall assign a Wastewater Utility Specialist for the project. This position will provide design review and applicable inspection services for the IP90 milestone and wastewater permit submittals as it pertains to wastewater utility operations and permitting. This position will coordinate with Ronald Wastewater District’s contract engineers and City staff reviewing and permitting the light rail project to ensure continued safe operations of the sanitary sewer collection system during and after light rail construction. NOTE: This position does not replace reviews or approvals conducted on behalf of the Ronald Wastewater District by CHS Engineers or others directly working for the district.

Project responsibilities will include:

- Serve as the lead wastewater operations reviewer and prepare comments on the IP90%, 90%, and 100% construction permitting submittal and associated reports for the sewer-related work proposed as part of this project;
- Serve as lead reviewer for processing the following permit types: Sewer Availability Request; Wastewater cap-off permits, Wastewater new connection permits, or repair permits;
- Serve as lead inspector for visiting work sites and performing field inspections required for review or permit inspection;
- Provide sewer as-built information and update the related Geographic Information system databases to ensure LLE project changes are accurately incorporated into these records; and
- Attend weekly internal coordination meetings and ad hoc and biweekly agency coordination meetings regarding design and permitting as needed.

The following positions are not currently funded by the Staffing Agreement:

3. Project Coordinator (Construction)

The Project Coordinator will manage and maintain permit and construction documentation for multiple permits occurring simultaneously at different locations by different contractors.

Typical tasks include:

- Managing all construction-related correspondence, inspectors' daily reports, material testing records, etc.
- Support and coordinate with Lead and other Construction/ROW Inspectors by coordinating inspection requests, preparing for meetings, maintaining meeting agendas and minutes, and documenting/tracking issues and resolutions;
- Manage and/or transfer as-built data to CityWorks asset management and GIS;
- Answering inquiries from City staff and Citizens related to construction inspection and operations;
- Assisting in maintenance of the City's Sound Transit information web pages; and
- Archiving records related to this project for all staff working on the project.

4. Construction/ROW Inspector

These positions will perform inspection of all construction activities in the Right of Way to ensure projects meet permit requirements, City and other codes or standards. Multiple projects will be occurring in multiple locations by multiple contractors which will require multiple inspectors.

Based on current information the following projects/phases will require frequent inspections:

- Frontage and other improvements at 145th Station;
- Frontage and other improvements at 185th Station;
- Realignment of roadways and other impacts associated with track construction
- Utility relocations associated with all elements of the project; and
- Other capital projects associated with mitigation (i.e. sidewalks, signal reconstruction).

Typical tasks include:

- Ongoing inspection of two light rail stations and light rail track alignment and structures (civil, utilities, frontage improvements, roadway relocations, street landscaping, etc.);
 - Inspect for adequate traffic control;
 - Coordinate with City and third-party utilities during construction;
 - Maintaining clear written, photographic and video records of all construction under permits; and
- Inspection of separate capital projects related to Sound Transit Lynnwood Link projects.