

**CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON**

AGENDA TITLE:	Authorize the City Manager to execute a contract with Universal Field Services, Inc. for right-of-way acquisition services for the Aurora Corridor Project (N 165 th Street to N 205 th Street)
DEPARTMENT:	Public Works
PRESENTED BY:	Kirk McKinley, Aurora Corridor/Interurban Trail Project Manager Kris Overleese, PE, Capital Projects Manager

PROBLEM/ISSUE STATEMENT:

The purpose of this report is to obtain Council's authorization to execute a contract with Universal Field Services, Inc. (UFS) for the right-of-way acquisition phase of the Aurora Corridor Project (N 165th to N 205th Street). The maximum, not to exceed, contract amount is \$833,920.

The purpose of this phase of the project is to acquire the right-of-way, easements and relocations, where necessary, for the Aurora project from N 165th to N 185th Streets. It also includes early work on some of the challenging properties in the N 185th Street to N 205th Street section. In 2008, or as funding allows, this contract would be amended and extended to complete the right-of-way process from N 185th to N 205th Streets.

Later this fall, staff will submit more detail on how the City might fund and phase the last two miles of Aurora. This contract with UFS is proposed to be the initial phase for the right-of-way acquisition of the last two miles of the corridor. This will allow for the timely utilization of our existing funding and begin construction in 2009 of at least the next mile.

Universal's contract is to provide:

- Title/ownership review of existing right-of-way and private property ownership
- Preparation and administration of all documents required for right-of-way acquisition and relocation
- Outreach to the community and property owners
- Development of the Project Funding Estimate, which provides the probable right-of-way project costs and expenses broken down by parcel
- Perform appraisal and appraisal review services
- Perform negotiation for right-of way acquisition
- Develop and implement a relocation program on parcels where necessary
- Perform title clearance and closing for all parcels
- Prepare files for right-of-way certification

All work will be accomplished in accordance with federal guidelines for right-of-way acquisition.

We currently have UFS on a small contract to begin the Project Funding Estimate, prepare an update to the City's right of way policies and procedures manual, and develop a relocation plan.

Please see Attachment A for a proposed schedule of the right-of-way acquisition process.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute a contract with UFS for right of way acquisition services work for the Aurora Corridor Improvement Project (N 165th to N 205th Street) for an amount not to exceed \$833,920 plus a 10% contingency.

Approved By: City Manager  City Attorney _____

BACKGROUND

On May 2, 2005, Council authorized staff to initiate the Public Outreach and Pre-Environmental phase of the Aurora Corridor Improvement Project (N 165th to N 205th Street). The purpose of the work was to compile baseline environmental information, develop alignment concepts, discuss project concerns with businesses, property owners, and the community, develop a photo log of the corridor, create a private property access and parking inventory, and traffic analysis. The first open house for the project was August 17, 2005. The process included staff one-on-one meetings with all property owners along Aurora Avenue N between N 165th Street and N 205th Street. Staff met with approximately 90 property owners representing 103 properties and discussed the project and its timeline, specific property concerns, and answered development related questions.

Staff worked with the Aurora Business Team (ABT) in 2006 and they developed the build Alternative A. In addition to the ABT work, staff developed two draft alignment alternatives in 2006 (Alternatives B and C), performed an east/west traffic analysis, and created a business sign inventory.

In the fall of 2006, the City hired Jones & Stokes to complete the environmental analysis for the project. As part of the environmental process, two public meetings were held (November 30 and December 6, 2006) to receive public feedback before the environmental analysis began. There was also a comment period that ended January 16, 2007 to receive feedback on items to analyze in the environmental process.

Early in 2007, the twenty-three member Aurora Business and Community (ABC) Team was created to assist staff with: environmental analysis, update of the "32 Points" which were previously adopted to guide project design (now called Implementation Strategies), and development of natural stormwater system concepts. The ABC Team also gave staff feedback from construction of the first mile and had many ideas on how to improve construction conditions for businesses, motorist and pedestrians.

On June 20, 2007, a public open house was held to show the community the Draft Recommended Flexible Alternative and preliminary environmental analysis results. This meeting was attended by over 200 people. On June 27, 2007, the ABC Team recommended unanimously to the City Manager that this alternative be adopted by Council as the Preferred Alternative for the project.

On July 16, 2007 a public hearing was held for Alternatives A, B, C, the Draft Recommended Flexible Alternative and the Do Nothing Alternative. Testimony was received from twenty-five people and the feedback overwhelmingly supported adoption by Council of the Draft Recommended Flexible Alternative. Organized Shoreline groups including Forward Shoreline, Vision Aurora, the Shoreline Chamber of Commerce, and the ABC Team sent Council documentation supporting the Draft Recommended Flexible Alternative. On July 23rd, Council adopted the Draft Recommended Flexible Alternative and Implementation Strategies.

The environmental process continues and is anticipated to be completed by December 2007. It is appropriate to move forward with the Right of Way Acquisition phase of the

project. Staff has also advertised and interviewed design teams and will return to Council in September to request award of a design contract.

Phasing and Schedule:

This contract with UFS will provide right-of-way acquisition and relocation for N 165th to N 185th and select parcels from N 185th to N 205th Streets. The N 185th Street to N 205th Street acquisition will begin once the N 165th Street to N 185th Street acquisition is substantially complete and funding is secured. Staff is recommending the City take this "phased" approach to meet our current commitments for funding and having the project under construction by mid-2009; the City has project funding for construction which is due to expire in June 2009. In addition, the City currently has not received enough funding to construct the entire two miles. Should funding become available via RTID or other sources, we will have the flexibility to complete right-of-way acquisition for the remaining mile. Staff will submit more detail on how we might approach this phasing and funding for the remaining two miles later this fall. Having UFS under contract to prepare the Project Funding Estimate for the entire two miles will provide enough information for anticipated future financial needs regarding right-of-way acquisition and relocation.

Right-of-Way Consultant Selection:

UFS's team was chosen as the right-of-way acquisition consultant for the Aurora Corridor Improvement Project (N 165th to N 205th Street) through a competitive process. Staff published a request for consultants to provide their proposals for right-of-way acquisition experience. Six RFP submittals were received from the following firms: HDR, Universal Field Services, Tierra, Certified Land Services, PHAROS Corporation and Overland, Pacific and Cutler. All six proposals were reviewed by City and WSDOT staff and three teams were interviewed (UFS, Tierra, and Certified Land Services). The interview team was also made up of Shoreline and WSDOT staff. Staff checked three references for UFS and two references each for their subconsultants, all of which were very positive. Universal Field Services was formally selected based on their team's experience with right-of-way acquisition on similar projects.

Universal Field Services' Team Experience: UFS, along with their subconsultants McKee & Schalka and The Granger Company, have extensive experience working on right-of-way acquisition projects. UFS have pledged their resources to complete the project and have assembled a team with extensive experience in right-of-way acquisition and relocation on similar highway improvement projects. McKee & Schalka will provide appraisal services, with The Granger Company providing review appraisal services. Both subconsultant firms are local, experienced, qualified and respected in their lines of work.

FINANCIAL IMPACT:

The Aurora Corridor Improvement Project (N 165th to N 205th Street) is identified as continuing Council Goal and this project is identified in the 2008-2013 Capital Improvement Program. Funds from federal grants and City contributions from the Roads Capital Fund will be utilized to pay for this scope of work that is estimated not to exceed \$833,920. Funding exists to finish the Project Funding Estimate between N 165th and N 205th Streets. Funding exists for appraisal, review appraisal, relocation, and right of way acquisition for N 165th to N 185th Street and select parcels from N 185th Street to N 205th

Street as this contract reflects. As additional project funding is secured, staff will return to Council to amend UFS's contract for the N 185th to N 205th Street segment.

The Funding Source Table provides a summary of the funding sources for the Aurora Corridor Project (N. 165th Street – N. 205th Street).

Funding Sources	Amount
Roads Capital Fund	\$10,490,599
Federal STP – C	\$7,393,631
Federal STP Funds	\$3,600,000
Federal - STP –U	\$525,361
Federal - SAFETEA – LU	\$855,472
Federal - SAFETEA – LU	\$1,368,755
Gas Tax Funding	\$10,000,000
Nickel Gas Tax Funding	\$2,100,000
King County	\$2,401,742
Regional Mobility Transit Grant	\$2,500,000
Surface Water Funds	\$1,000,000
Future Funding	\$51,171,988
Total	\$93,407,548

The utility costs of \$12,355,000 are handled through the City's franchise agreements with Seattle City Light, Seattle Public Utilities, Ronald Wastewater and telecommunication companies.

The following table summarizes the project budget:

1. Project Costs

Engineering	
Contracted Services ¹	\$1,500,000
Design Contract	\$4,345,000
Future design amendment (N 185 – N 205)	\$1,500,000
Overhead ²	<u>\$3,621,201</u>
Subtotal Engineering	\$10,966,201
Right of Way	
UFS Contract	\$ 833,920
10% Contingency	\$ 83,392
Future ROW acquisition amendment (North 185 th – North 205 th)	\$ 449,931
Property Purchase	<u>\$15,670,037</u>
Subtotal Right-of-Way	\$17,037,280
Construction	\$59,780,512
Contingency	<u>\$17,978,555</u>
Total Project Cost	\$105,762,548

2. Project Revenue

Budget Aurora (N 165 - N 205)	\$93,407,548
Budget Utility Improvements (N 165 –N 205)	<u>\$12,355,000</u>
Total Project Revenue	\$105,762,548

Please note that while construction includes utility work and improvements, all costs associated with right-of-way acquisitions will be covered by the Aurora Corridor Improvement Project budget (N 165 – N 205). Additionally, as right-of-way acquisition is different for all projects, there is no industry standard for right-of-way acquisition cost. The contract amount is based upon estimates of time needed to secure right-of-way for individual properties based upon the preferred alternative and estimates of needed right-of-way and staff believes the UFS costs are reasonable.

STAKEHOLDERS:

The City has funding from many partners to complete this project: Federal Highway Administration, the Washington State Department of Transportation (WSDOT), and King County Metro. UFS staff will ensure we meet the requirements of our funding partners and will work with staff to keep them informed of project progress.

Staff will continue to pull regional stakeholders together at key milestones to review the project's progress (King County METRO; Cities of Seattle, Edmonds, Mountlake Terrace, and Lake Forest Park; WSDOT; Seattle City Light and Public Utilities; and the State Departments of Ecology and Fish and Wildlife).

¹ Contracted Services: includes environmental costs for Jones & Stokes contract, the Public Outreach and Pre-Environmental process, and technical studies such as the electrical engineering feasibility studies for Seattle City Light coordination.

² Overhead includes: staff related costs (including finance, legal, public works), building utilities and maintenance, supplies, etc.

The right-of-way acquisition phase of the project requires extensive one on one work with property and business owners. Staff from UFS and their subconsultants are committed to maintaining and continuing the high level of public involvement currently underway by the City.

SCHEDULE:

Attachment A shows the right of way acquisition schedule for the project. Right-of-way acquisition for N 165th to N 185th Streets is expected to be complete by the end of 2008, assuming that the acquisition process goes smoothly. Upon completion of the updated "Aurora Corridor Real Property Acquisition and Relocation Policy, Procedures and Guidelines", staff will return to Council for adoption.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute a contract with Universal Field Services right of way acquisition services for the Aurora Corridor Improvement Project (N 165th to N 205th Street) for an amount not to exceed \$833,920 plus a 10% contingency.

ATTACHMENTS

Attachment A: Proposed Project Schedule

Tasks	2007				2008				2009			
	January	April	July	October	January	April	July	October	January	April	July	October
Environmental (165-205)												
PSRC Exec Board Approval (Nov.)				X								
SEPA Approval (Oct.)				X								
Final Design (165-185)*												
KPG Contract award (Aug.)			X									
Right of Way (165-185)**												
Universal Contract Award (Sept.)				X								
Construction Begins (165-185)*									★			

*Final design and row acquisition will begin on 185-205 when funding is secured.

** This timeline assumes no condemnation court proceedings