

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorizing the City Manager to Obligate \$3,575,520 of Connecting Washington Funding for Design of the SR523 (N/NE 145 th Street) Aurora Avenue N to I-5 Project		
DEPARTMENT:	Public Works		
PRESENTED BY:	Tricia Juhnke, City Engineer		
ACTION:	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input checked="" type="checkbox"/> Motion
	<input type="checkbox"/> Discussion	<input type="checkbox"/> Public Hearing	

PROBLEM/ISSUE STATEMENT:

Staff is requesting that Council authorize the City Manager to execute Supplement No. 4 to local agency agreement LA-8901 with Washington State Department of Transportation (WSDOT) to obligate \$3,575,520 of 2022-2023 State Connecting Washington (CWA) funding to complete design on the SR523 (N/NE 145th Street) Aurora Avenue N to I-5 Project (145th Corridor Project).

In accordance with the City’s Grants Management Policy and Procedure, grant agreements for Capital Improvement Program projects require Council authorization for City Manager signature/approval authority following the dollar allocations for Small Works Projects, which is currently set at \$350,000. Additionally, WSDOT requires formal authorization of their contracts prior to execution. WSDOT administers Federal and State funds awarded to the City of Shoreline. Approval of these State Connecting Washington funds will allow the City to complete the design for the 145th Corridor Project.

RESOURCE/FINANCIAL IMPACT:

This project is included in the City’s adopted 2021-2026 Capital Improvement Plan. The project budget summary is as follows:

SUMMARY OF PROJECT COSTS	
DESIGN	
Consultant (CH2M Hill/Jacobs)	
Preliminary Design	\$3,250,747
100% Design (Phase 1)	\$1,539,366
100% Design (Phase 2)	\$1,140,000
100% Design (Phase 3)	\$1,040,000
Off-Corridor Design	\$110,000
City Staff	\$1,834,727
WSDOT Staff	\$90,000
Contingency	\$130,255
TOTAL DESIGN EXPENDITURES	\$9,135,095

SUMMARY OF PROJECT REVENUES		
REVENUES	Roads Capital Fund	\$660,954
	Federal STP – Design	\$4,235,000
	CWA Grant (21-22) – Design	\$709,125
	CWA Grant (22-23) – Design	\$3,530,016
	TOTAL DESIGN REVENUES	\$9,135,095

The City has previously obligated \$663,621 in 2020-2021 State CWA funding, \$4,235,000 in Federal STP funding, with a City match of \$660,954 in Roads Capital Funds. The State CWA funds to be obligated at this time require no local match. The total project budget for design of the 145th Corridor Project is \$9,135,095.

Tonight, under a separate agenda item, staff is requesting an amount of \$8,924,480 from 2022-2023 State CWA funds of to be obligated to complete Phase 1 Right-of-Way & Construction for the 145th Corridor Project (no local match is required).

If the Council chooses not to authorize this Supplement No. 4, which adds \$3,575,520 of 2022-2023 State CWA funding to LA-8901 for design of the 145th Corridor Project, the completion of design could be jeopardized. It is unlikely the City would be able to replace that funding with another source, and if the City were not able to complete the 145th Corridor Project, all federal funds reimbursed to date would need to be paid back to the State.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute Supplement No. 4 to Local Agency Agreement LA-8901 to obligate \$3,575,520 of 2022-2023 State Connecting Washington funds for the SR523 (N/NE 145th Street) Aurora Avenue to I-5 Project.

Approved By: City Manager ***DT*** City Attorney ***MK***

INTRODUCTION

The City of Shoreline is currently designing improvements for the SR523 (N/NE 145th Street) Aurora Avenue N to I-5 Project (145th Corridor Project). State Connecting Washington (CWA) funds and Federal Surface Transportation Program (STP) funds were obligated previously for this work. It has been determined that a portion of the State CWA funds available in the 2021-2023 biennium will be needed to complete design of the 145th Corridor Project.

BACKGROUND

When it was determined that a future Sound Transit light rail station would be located in Shoreline along 5th Avenue NE adjacent to 145th Street with service coming online in 2024, the City looked to address congestion and lack of facilities on the 145th Street Corridor. An initial 145th Street Multimodal Corridor Study preferred concept was approved by the City Council on [April 11, 2016](#).

Since this initial study, several projects have been identified along the 145th Street Corridor and are currently in design phases, which are further defining the actual improvements. These include:

1. Sound Transit's [SR 522/NE 145th BRT Project](#)
2. The City's SR 523 (145th Street) & I-5 [Interchange Project](#)
3. The City's SR 523 (N/NE 145th Street), Aurora Ave N to I-5 Project ([145th Corridor Project](#))

The 145th Corridor Project referred to in this staff report is currently under design and utilizing both Federal STP and local funds. These funds were discussed and approved for obligation on [May 2, 2016](#). WSDOT agreement LA-8901 was executed and funding became effective June 9, 2016.

Supplement No. 1 was executed on November 12, 2019, to extend the project agreement end date to December 31, 2024. Supplement No. 2 was executed on October 8, 2020, to obligate a portion of the 2020-2021 State CWA funding in the amount of \$663,621. This supplement was approved by the City Council on [September 28, 2020](#). Supplement No. 3 was executed on November 2, 2021, to reallocate funding from agency costs to consultant costs to cover increased design costs and update the Project Prospectus.

DISCUSSION

Tonight's Council action addresses obligating a portion of the 2022-2023 State CWA funding in order to complete the design on the 145th Corridor Project. Under WSDOT agreement LA-8901, final design will be completed for this entire segment of corridor. This total design cost is estimated to be \$9,135,095.

The City has worked with our Metropolitan Planning Organization, the Puget Sound Regional Council (PSRC), which conducts long range planning for growth management and transportation in our region. City projects must be included as part of PSRC

planning in order to be eligible for various funding. Both PSRC and WSDOT have confirmed the City's approach to phase the 145th Corridor Project for right-of-way (ROW) and construction.

The phases are as follows:

- Phase 1: I-5 to Corliss Avenue (145th Interchange Project Interface to Corliss Avenue)
- Phase 2: Corliss Avenue to Wallingford Avenue
- Phase 3: Wallingford Avenue to SR-99 (Aurora Ave/Interurban Trail)

Design of the 145th Corridor Project has passed the 60% design stage and is progressing towards completing 100% final design for the entire corridor. Final design will be progressed for each phase, or segment, sequentially. Final design for Phase 1 is anticipated to be completed near the end of September 2022.

This staff report requests approval of Supplement No. 4 to Local Agency Agreement LA-8901 to obligate \$3,575,520 of 2022-2023 State CWA funds for the SR523 (N/NE 145th Street) Aurora Avenue to I-5 Project (Attachment A) to complete design for the 145th Corridor Project. The remaining balance of the \$12.5 million available this biennium of State CWA funding will be obligated under a separate agreement also being considered by the City Council tonight.

In accordance with the City's Grants Management Policy and Procedure, grant agreements for Capital Improvement Program projects require Council action for City Manager signature/approval authority following the dollar allocation for Small Works Projects which is currently set at \$350,000.

COUNCIL GOAL(S) ADDRESSED

The 145th Street project directly supports two of the City Council's goals:

- Goal 2 - Continue to deliver highly-valued public services through management of the City's infrastructure and stewardship of the natural environment.
- Goal 3 - Continue preparation for regional transit in Shoreline.

RESOURCE/FINANCIAL IMPACT

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If the Council chooses not to authorize this Supplement No. 4 which adds \$3,575,520 of 2022-2023 State CWA funding to LA-8901 for design of the 145th Corridor Project, the completion of design could be jeopardized. It is unlikely the City would be able to replace that funding with another source, and if the City were not able to compete the 145th Corridor Project, all federal funds reimbursed to date would need to be paid back to the State.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute Supplement No. 4 to Local Agency Agreement LA-8901 to obligate \$3,575,520 of 2022-2023 State Connecting Washington funds for the SR523 (N/NE 145th Street) Aurora Avenue to I-5 Project.

ATTACHMENTS

Attachment A – WSDOT Local Agency Agreement Supplement No. 4



Local Agency Agreement Supplement

Agency City of Shoreline		Supplement Number 04
Federal Aid Project Number STPUL - 0523 (010)	Agreement Number LA 8901	CFDA No. 20.205 (Catalog of Federal Domestic Assistance)

The Local Agency requests to supplement the agreement number noted above.
 All provisions in the basic agreement remain in effect except as modified by this supplement.
 The Local Agency certifies that it is not excluded from receiving Federal funds by a Federal suspension or debarment (2 CFR Part 180). Additional changes to the agreement are as follows:

Project Description

Name SR 523 (N/NE 145th Street), Aurora Avenue N to I-5 Length 0.9 miles
 Termini Aurora Avenue to I-5

Description of Work ✓ No Change

Reason for Supplement

Supplement No. 4 is to obligate Connecting Washington funds for 100% design.

Are you claiming indirect cost rate? Yes No Project Agreement End Date December 31, 2024

Does this change require additional Right of Way or Easements? Yes No Advertisement Date: TBD

Type of Work		Estimate of Funding				
		(1) Previous Agreement/Suppl.	(2) Supplement	(3) Estimated Total Project Funds	(4) Estimated Agency Funds	(5) Estimated Federal Funds
PE %	a. Agency			0.00		
	b. Other					
Federal Aid Participation Ratio for PE	c. Other			0.00		
	d. State			0.00		
	e. Total PE Cost Estimate (a+b+c+d)	0.00	0.00	0.00	0.00	0.00
Right of Way %	f. Agency			0.00		
	g. Other			0.00		
Federal Aid Participation Ratio for RW	h. Other			0.00		
	i. State			0.00		
	j. Total R/W Cost Estimate (f+g+h+i)	0.00	0.00	0.00	0.00	0.00
Construction %	k. Contract			0.00		
	l. Other			0.00		
	m. Other			0.00		
Federal Aid Participation Ratio for CN	n. Other			0.00		
	o. Agency			0.00		
	p. State			0.00		
	q. Total CN Cost Estimate (k+l+m+n+o+p)	0.00	0.00	0.00	0.00	0.00
	r. Total Project Cost Estimate (e+j+q)	0.00	0.00	0.00	0.00	0.00

See Attached Spreadsheet

The Local Agency further stipulates that pursuant to said Title 23, regulations and policies and procedures, and as a condition to payment of the Federal funds obligated, it accepts and will comply with the applicable provisions.

Agency Official

By

Title City Manager, City of Shoreline

**Washington State
Department of Transportation**
By Director, Local Program

Date Executed

Agency City of Shoreline	Supplement Number 04
Federal Aid Project Number STPUL - 0523 (010)	Agreement Number LA 8901
CFDA No. 20.205 (Catalog of Federal Domestic Assistance)	

VI. Payment and Partial Reimbursement

The total cost of the project, including all review and engineering costs and other expenses of the State, is to be paid by the Agency and by the Federal Government. Federal funding shall be in accordance with the Federal Transportation Act, as amended, 2 CFR Part 200. The State shall not be ultimately responsible for any of the costs of the project. The Agency shall be ultimately responsible for all costs associated with the project which are not reimbursed by the Federal Government. Nothing in this agreement shall be construed as a promise by the State as to the amount or nature of federal participation in this project.

The Agency shall bill the state for federal aid project costs incurred in conformity with applicable federal and state laws. The agency shall minimize the time elapsed between receipt of federal aid funds and subsequent payment of incurred costs. Expenditures by the Local Agency for maintenance, general administration, supervision, and other overhead shall not be eligible for federal participation unless a current indirect cost plan has been prepared in accordance with the regulations outlined in 2 CFR Part 200 - Uniform Admin. Requirements, Cost Principles and Audit Requirements for Federal Awards, and retained for audit.

The State will pay for State incurred costs on the project. Following payment, the State shall bill the Federal Government for reimbursement of those costs eligible for federal participation to the extent that such costs are attributable and properly allocable to this project. The State shall bill the Agency for that portion of State costs which were not reimbursed by the Federal Government (see Section IX).

VII. Audit of Federal Consultant Contracts

The Agency, if services of a consultant are required, shall be responsible for audit of the consultant's records to determine eligible federal aid costs on the project. The report of said audit shall be in the Agency's files and made available to the State and the Federal Government.

An audit shall be conducted by the WSDOT Internal Audit Office in accordance with generally accepted governmental auditing standards as issued by the United States General Accounting Office by the Comptroller General of the United States; WSDOT Manual M 27-50, Consultant Authorization, Selection, and Agreement Administration; memoranda of understanding between WSDOT and FHWA; and 2 CFR Part 200.501 - Audit Requirements.

If upon audit it is found that overpayment or participation of federal money in ineligible items of cost has occurred, the Agency shall reimburse the State for the amount of such overpayment or excess participation.

IX. Payment of Billing

The Agency agrees that if payment or arrangement for payment of any of the State's billing relative to the project (e.g., State force work, project cancellation, overpayment, cost ineligible for federal participation, etc.) is not made to the State within 45 days after the Agency has been billed, the State shall effect reimbursement of the total sum due from the regular monthly fuel tax allotments to the Agency from the Motor Vehicle Fund. No additional Federal project funding will be approved until full payment is received unless otherwise directed by the Director, Local Programs.

Project Agreement End Date - This date is based on your projects Period of Performance (2 CFR Part 200.309).

Any costs incurred after the Project Agreement End Date are NOT eligible for federal reimbursement. All eligible costs incurred prior to the Project Agreement End Date must be submitted for reimbursement within 90 days after the Project Agreement End Date or they become ineligible for federal reimbursement.

VIII. Single Audit Act

The Agency, as a subrecipient of federal funds, shall adhere to the federal regulations outlined in 2 CFR Part 200.501 as well as all applicable federal and state statutes and regulations. A subrecipient who expends \$750,000 or more in federal awards from all sources during a given fiscal year shall have a single or program-specific audit performed for that year in accordance with the provisions of 2 CFR Part 200.501. Upon conclusion of the audit, the Agency shall be responsible for ensuring that a copy of the report is transmitted promptly to the State.

XVII. Assurances

Local Agencies receiving Federal funding from the USDOT or its operating administrations (i.e., Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration) are required to submit a written policy statement, signed by the Agency Executive and addressed to the State, documenting that all programs, activities and services will be conducted in compliance with Section 504 and the Americans with Disabilities Act (ADA).

Federal Aid Number: STPUL-0523(010)
Agreement Number: LA 8901
Project Title: SR 523 (N/NE 145th Street), Aurora Avenue N to I-5
Supplement Number: 4

Type of Work			Estimate of Funding					
			(1) PREVIOUS AGREEMENT/ SUPPLEMENT	(2) SUPPLEMENT	(3) ESTIMATED TOTAL PROJECT FUNDS	(4) ESTIMATED AGENCY FUNDS	(5) ESTIMATED STATE FUNDS	(6) ESTIMATED FEDERAL FUNDS
P.E. STP 86.5% Federal Aid CWA 100% State	a.	Agency (STP):	\$486,595		\$486,595	\$65,690		\$420,905
	b.	Other, Consultant (STP):	\$4,379,359		\$4,379,359	\$591,213		\$3,788,146
	c.	State (STP):	\$30,000		\$30,000	\$4,050		\$25,950
	d.	Agency (CWA):	\$232,867	\$1,115,265	\$1,348,132		\$1,348,132	
	e.	Other, Consultant (CWA):	\$410,754	\$2,420,255	\$2,831,009		\$2,831,009	
	f.	State (CWA):	\$20,000	\$40,000	\$60,000		\$60,000	
	g.	Total PE Cost Est. (a thru f)	\$5,559,575	\$3,575,520	\$9,135,095	\$660,954	\$4,239,141	\$4,235,000
Right of Way % Federal Aid Participation Ratio for RW	h.	Agency						
	i.	Other						
	j.	Other						
	k.	State						
l.	Total R/W Cost Est. (h thru k)	\$0	\$0	\$0	\$0	\$0	\$0	
Construction % Federal Aid Participation Ratio for CN	m.	Contract						
	n.	Contract (State Fund)						
	o.	Contract _Non-Participate						
	p.	Other _Consultant						
	q.	Other _Consultant (State Fund)						
	r.	Agency						
	s.	Agency - (State Fund)						
	t.	Other _Non-Participate						
	u.	State						
	v.	State - (State Fund)						
	w.	Total Const. Cost Est. (m thru v)	\$0	\$0	\$0	\$0	\$0	\$0
x.Total Project Cost Estimate (g+i+w)			\$5,559,575	\$3,575,520	\$9,135,095	\$660,954	\$4,239,141	\$4,235,000


**Local Agency Federal Aid
Project Prospectus**

Prefix	Route	()	Date	11/08/2021	
Federal Aid Project Number	STPU	0523	010	DUNS Number	961859345
Local Agency Project Number	2916322	(WSDOT Use Only)		Federal Employer Tax ID Number	91-1683888
Agency City of Shoreline	CA Agency <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Federal Program Title <input checked="" type="checkbox"/> 20.205 <input type="checkbox"/> Other			
Project Title SR 523 (N/NE 145th Street), Aurora Ave to I-5		Start Latitude N47.73	Start Longitude W 122.35		
		End Latitude N47.73	End Longitude W 122.32		
Project Termini From-To Aurora Ave N (SR99) Interstate 5		Nearest City Name Shoreline		Project Zip Code (+4) 98133-6722	
Begin Mile Post SR523MP0	End Mile Post MP 1.0	Length of Project 0.9 miles	Award Type <input checked="" type="checkbox"/> Local <input type="checkbox"/> Local Forces <input type="checkbox"/> State <input type="checkbox"/> Railroad		
Route ID SR 523	Begin Mile Point SR 523 MP 0	End Mile Point SR 523 MP 1.0	City Number 1169	County Number 17	County Name King
WSDOT Region Northwest Region <input type="checkbox"/>	Legislative District(s) 32	Congressional District(s) 7		Urban Area Number 1	

Phase	Total Estimated Cost (Nearest Hundred Dollar)	Local Agency Funding (Nearest Hundred Dollar)	Federal Funds (Nearest Hundred Dollar)	Phase Start Date	
				Month	Year
P.E.	\$9,135,095	\$4,900,095	\$4,235,000	June	2016
R/W	\$14,303,885	\$14,303,885	\$0	September	2020
Const.	\$12,019,817	\$7,099,817	\$4,920,000	June	2023
Total	\$35,458,797	\$26,303,797	\$9,155,000		

Description of Existing Facility (Existing Design and Present Condition)

Roadway Width 60 feet	Number of Lanes 4
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145th Street is an existing 4-lane roadway. It lacks a sidewalk system that complies with ADA requirements. There are no bicycle lanes along the corridor. Accident rates are high for this type of facility.

Description of Proposed Work

Description of Proposed Work (Attach additional sheet(s) if necessary)

Design/PE and environmental phase of the 145th Street Improvement Project from Aurora Ave (SR99) to I-5. This project is phased as follows: Phase 1 (I-5 to Corliss Ave) - SL16A; Phase 2 (Corliss Ave to Wallingford Ave) - SL16B; Phase 3 (Wallingford Ave to Aurora Ave) - SL16C.

Local Agency Contact Person Cory Nau, PE	Title Engineer II	Phone (206) 801-2325
Mailing Address 17500 Midvale Avenue N	City Shoreline	State WA
	Zip Code 98133-4905	
Project Prospectus	By _____ Approving Authority	
	Title City Manager	Date

Agency City of Shoreline	Project Title SR 523 (N/NE 145th Street), Aurora Ave to 1	Date 11/08/2021
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Type of Proposed Work		
Project Type (Check all that Apply)	Roadway Width 48-60 feet	Number of Lanes 4-5
<input type="checkbox"/> New Construction <input type="checkbox"/> Path / Trail <input type="checkbox"/> 3-R <input checked="" type="checkbox"/> Reconstruction <input checked="" type="checkbox"/> Pedestrian / Facilities <input type="checkbox"/> 2-R <input type="checkbox"/> Railroad <input type="checkbox"/> Parking <input type="checkbox"/> Other <input type="checkbox"/> Bridge		

Geometric Design Data			
Description	Through Route	Crossroad	
Federal Functional Classification	<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural <input type="checkbox"/> NHS	<input checked="" type="checkbox"/> Principal Arterial <input type="checkbox"/> Minor Arterial <input type="checkbox"/> Collector <input type="checkbox"/> Major Collector <input type="checkbox"/> Minor Collector <input type="checkbox"/> Local Access	<input checked="" type="checkbox"/> Principal Arterial <input checked="" type="checkbox"/> Minor Arterial <input checked="" type="checkbox"/> Collector <input type="checkbox"/> Major Collector <input type="checkbox"/> Minor Collector <input type="checkbox"/> Local Access
	<input type="checkbox"/> Flat <input checked="" type="checkbox"/> Roll <input type="checkbox"/> Mountain	<input checked="" type="checkbox"/> Flat <input type="checkbox"/> Roll <input type="checkbox"/> Mountain	
Posted Speed	35 mph	Varies, 25 - 40 mph	
Design Speed	35 mph	Varies, 25 - 40 mph	
Existing ADT	23,000 - 30,000	Varies, 120 - 34,000	
Design Year ADT	30,000 - 38,000	Varies, 150 - 42,000	
Design Year	2040	2040	
Design Hourly Volume (DHV)	2,800 - 3,600	20 - 4,200	

Performance of Work		
Preliminary Engineering Will Be Performed By Consultant Services	Others 85 %	Agency 15 %
Construction Will Be Performed By	Contract %	Agency %

Environmental Classification	
<input type="checkbox"/> Class I - Environmental Impact Statement (EIS) <input type="checkbox"/> Project Involves NEPA/SEPA Section 404 Interagency Agreement <input type="checkbox"/> Class III - Environmental Assessment (EA) <input type="checkbox"/> Project Involves NEPA/SEPA Section 404 Interagency Agreements	<input checked="" type="checkbox"/> Class II - Categorically Excluded (CE) <input checked="" type="checkbox"/> Projects Requiring Documentation (Documented CE)

Environmental Considerations
None.

Agency City of Shoreline	Project Title SR 523 (N/NE 145th Street), Aurora Ave to]	Date 11/08/2021
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Right of Way

<input type="checkbox"/> No Right of Way Needed * All construction required by the contract can be accomplished within the exiting right of way.	<input checked="" type="checkbox"/> Right of Way Needed <input type="checkbox"/> No Relocation	<input checked="" type="checkbox"/> Relocation Required
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Utilities

No utility work required
 All utility work will be completed prior to the start of the construction contract
 All utility work will be completed in coordination with the construction contract

Railroad

No railroad work required
 All railroad work will be completed prior to the start of the construction contract
 All the railroad work will be completed in coordination with the construction contract

Description of Utility Relocation or Adjustments and Existing Major Structures Involved in the Project
 Will be determined as part of design.

FAA Involvement

Is any airport located within 3.2 kilometers (2 miles) of the proposed project? Yes No

Remarks

The purpose of this revised Prospectus is to update the Local Agency Contact Person.

This project has been reviewed by the legislative body of the administration agency or agencies, or it's designee, and is not inconsistent with the agency's comprehensive plan for community development.

Agency City of Shoreline

Date

By _____ Mayor/Chairperson