

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with KPFF Consulting Engineers in the Amount of \$173,935 for the 148 th Street Non-Motorized Bridge 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:

The City recently negotiated a project coordination agreement with Sound Transit in the area where the 148th Street Non-Motorized Bridge Project overlaps with the Lynnwood Link Extension project. As part of this agreement with Sound Transit, the City agreed to complete some of the work that Sound Transit was required to do under their Special Use Permit in exchange for compensation. That work includes reconstruction of the cul-de-sac at the NE 149th Street end.

Staff have negotiated a supplemental agreement to the existing design contract with KPFF Consulting Engineers to support design for the additional work acquired from Sound Transit. This supplemental agreement will include development of the final design and supporting acquisition of right of way for this work. Council authorization is needed to enter the supplemental agreement with KPFF Consulting Engineers.

RESOURCE/FINANCIAL IMPACT:

This project is currently funded in the 2023-2028 CIP. Final design, right of way and a portion of construction are currently fully funded. A summary of currently estimated project expenditures and revenues is shown below:

Summary of Project Costs:

DESIGN		
DESIGN (KPFF DESIGN ENGINEERS)		
PRELIMINARY DESIGN CONTRACT	\$	897,854
FINAL DESIGN CONTRACT	\$	2,147,473
CUL-DE-SAC AMENDMENT	\$	173,935
CITY STAFF & OTHER RESOURCES	\$	360,000
CONTINGENCY (10%)	\$	360,000
SUBTOTAL	\$	3,939,262
RIGHT-OF-WAY		

ROW COST	\$ 2,600,000	
CONTINGENCY (10%)	\$ 260,000	
SUBTOTAL		\$ 2,860,000
CONSTRUCTION		
PHASE 1 – CONSTRUCTION COST*	\$ 6,850,000	
PHASE 2 – CONSTRUCTION COST*	\$ 18,870,000	
*INLCUDES CONTINGENCY (10%)		
SUBTOTAL		\$ 25,720,000
CONSTRUCTION MANAGEMENT		
PHASE 1 - CM COST	\$ 1,680,000	
PHASE 2 - CM COST	\$ 4,200,000	
CITY STAFF & OTHER RESOURCES	\$ 600,000	
CONTINGENCY (10%)	\$ 650,000	
SUBTOTAL		\$ 7,130,000
TOTAL EXPENDITURES		\$ 39,649,262

Summary of Secured Project Revenues:

REVENUES		
GENERAL FUND	\$ 350,000	
STP NON-MOTORIZED	\$ 2,055,000	
ST SYSTEM ACCESS	\$ 3,700,000	
KING COUNTY PARKS LEVY	\$ 4,750,000	
ST OVERLAP AGREEMENT	\$ 450,000	
TAP GRANT	\$ 2,500,000	
LEAP FUNDING (TIMING UNKNOWN)	\$ 7,000,000	
STP NON-MOTORIZED	\$ 5,440,000	
FEDERAL EARMARK (REASONABLY SECURED)	\$ 4,000,000	
SUBTOTAL		\$ 30,245,000
TOTAL REVENUE		\$ 30,245,000
FUNDING GAP (EXPENDITURES - REVENUES)		\$ 9,404,262

There is adequate funding for this contract amendment. Pursuit of funding for the remaining construction cost is currently underway.

RECOMMENDATION

Staff recommends the Council authorize the City Manager to execute a supplemental agreement to the professional services contract with KPFF Consulting Engineers in the amount of \$173,935 for the 148th Street Non-Motorized Bridge Project.

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

BACKGROUND

On June 24, 2019, the City Council authorized the City Manager to enter into a contract with KPFF, Inc. for the preliminary design services for the N 148th Street Non-Motorized Bridge project. The initial contract with KPFF was for work up to and including 30% design and environmental review. The staff report for the Council authorization to enter into this contract can be found at the following link: [Authorizing the City Manager to Execute a Professional Services Agreement with KPFF Consulting Engineers in the Amount of \\$897,854 for Preliminary Design of the 148th Street Non-Motorized Bridge Project.](#)

On June 1, 2020, staff presented results of a [Type, Size and Location Analysis](#) with recommended preferred design and project delivery approach options to City Council. The recommended options were formally authorized and subsequently advanced to 30% design. The staff report for this Council discussion can be found at the following link: [Discussion of the Project Status and Progress for the N 148th Street Non-Motorized Bridge Project.](#)

On March 29, 2021, the City Council authorized the City Manager to enter into a contract with KPFF, Inc. for the final design services for the Bridge Project. The staff report for the Council authorization to enter into this contract can be found at the following link: [Authorizing the City Manager to Execute an Amendment to the Professional Services Agreement with KPFF Consulting Engineers in the Amount of \\$2,147,473 for Final Design of the 148th Street Non-Motorized Bridge Project.](#)

DISCUSSION

The City recently negotiated a project coordination agreement with Sound Transit in the area where the 148th Street Non-Motorized Bridge Project overlaps with the Lynnwood Link Extension project. As part of the agreement, the City has agreed to complete some of the work that Sound Transit was required to do under their Special Use Permit in exchange for compensation. This supplemental agreement will advance design and incorporation of that work into the 148th Street Non-Motorized Bridge Project.

The scope of work for KPFF Consulting Engineers is attached to this staff report as Attachment A. Work to be completed under this scope includes final design of NE 149th Street the cul-de-sac and related elements, including additional storm drainage design, arborist evaluation, and right of way support.

The alternative to authorizing the award of this contract is to not award the supplement to the contract in which case, the work would not proceed and the City would not meet the obligations defined in the agreement with Sound Transit. This is not recommended.

COUNCIL GOAL(S) ADDRESSED

This project supports the City Council Goal #3: *Continue preparation for regional mass transit in Shoreline.*

RESOURCE/FINANCIAL IMPACT

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RECOMMENDATION

Staff recommends the Council authorize the City Manager to execute a supplemental agreement to the professional services contract with KPFF Consulting Engineers in the amount of \$173,935 for the 148th Street Non-Motorized Bridge Project.

ATTACHMENTS

Attachment A - KPFF Consulting Engineers Supplemental Agreement Scope of Services

**11/1/2022
Exhibit A-1
Scope of Work**

**City of Shoreline N 148th Non-Motorized Bridge Project
Amendment 5 – Additional Drainage, ROW, Arborist Evaluation & Cul-
de-sac Design Services**

PROJECT DESCRIPTION

The City of Shoreline has conducted a feasibility analysis to evaluate and recommend a preferred alignment alternative for a new pedestrian and bicycle bridge crossing Interstate 5 (I-5) linking the west side of freeway to the planned Sound Transit Shoreline South/148th light rail station. The preferred trail and bridge alignment connects to 1st Ave NE along NE 148th where it crosses I-5 and lands at the northern plaza of the station.

This project is one of many that will improve the area serving the future Shoreline South/145th Station which is expected to open in 2024.

This phase of the project will build on the recently completed 30% design phase and will develop final design and construction documents for the bridge and trail connections.

PROJECT OBJECTIVES

The primary work objectives of this supplement are to:

1. Provide design services for N149th Street Cul-de-sac
2. Provide ROW maps and parcel descriptions for east side parcels in Phase 1
3. Provide Temporary Construction Easement negotiation services for Phase 1 cul-de-sac design
4. Provide supplemental arborist evaluation of five (5) existing trees potentially impacted by construction of proposed detention vault. Arborist recommendations will be incorporated into Phase 1 landscape plans, specifications and cost estimate
5. Provide additional drainage design for east side

PROJECT TEAM

The project team includes:

Owner	City of Shoreline
Prime Consultant Structural Engineering Civil Engineering	KPFF Consulting Engineers KPFF Consulting Engineers KPFF Consulting Engineers
<u>Subconsultants:</u> Bridge Architecture Urban Design Landscape Architecture Illumination & Electrical Public Outreach Environmental Permitting Geotechnical Engineering Surveying Right-of-Way	LMN Architects KPG Inc. KPG Inc. KPG Inc. Stepherson & Associates Landau Associates Landau Associates Furtado & Associates RES Group NW

SCOPE OF WORK**TASK NO. 1.0 – PROJECT MANAGEMENT AND ADMINISTRATION**

KPFF will provide additional project management and administration associated with the design tasks described in this amendment. This includes meetings, project administration and coordination

Assumptions

- None

Deliverables

- None

TASK NO. 5.0 – EASEMENT & PROPERTY ACQUISITION SUPPORT SERVICES

The following new tasks include:

- ROW Plans and Exhibits for a Temporary Construction Easement (TCE) for five (5) parcels on the east side of project currently owned by Sound Transit
- ROW Plan & Exhibit for a TCE on one (1) privately owned parcel. TCE is required for construction of the N149th Street cul-de-sac
- ROW appraisal, negotiation, and closing services for a TCE on one (1) privately owned parcel. TCE is required for construction of the N149th Street cul-de-sac

5.01 – Administrative and Meetings

RES Group NW (RESGNW) will coordinate property acquisition activities with the appropriate City staff. Coordinate on schedule, budget, and deliverables for the duration of the work. Prepare parcel files (hard copy and electronic) meeting the documentation requirements of the effective Federal Guidelines at the time of acquisition to include, but is not limited to, fair offer letters, recording and ancillary documents, a standard diary form indicating all contacts with owner(s), and other items necessary for negotiations.

RESGNW will attend up to four (4) tele/videoconference meetings with the City to discuss ROW related topics. KPFF, in conjunction with the City, shall coordinate the date, time and agenda items for this meeting. RESGNW will submit weekly status reports to the City.

Assumptions

- City will coordinate and schedule meetings with appropriate City staff.
- Weekly status reports will be submitted once negotiations begin.

Deliverables

- Weekly status reports (electronic copies)

5.03 – Appraisal Services

Following the review of the right-of-way plan, RESGNW will contract with SOVA Consulting will prepare a Project Funding Estimate (PFE) and Administrative Offer Summary (AOS) for one (1) impacted parcel. The PFE report will utilize consistent comparable sales and valuation techniques. AOS will be written for those acquisitions valued under \$25,000 in the PFE. Should any appraisals be required, RESGNW will make a recommendation with cost estimates for appraisal consultants to the Prime or the City.

Submit all PFE and AOS to the City for review and establishment of Just Compensation by the City.

Assumptions

- Contract for PFE and AOS will be through RESGNW. Costs will be included as a reimbursable expense.

Deliverables

- One (1) PFE and AOS (electronic copy)

5.04 – Negotiation Services

RESGNW will perform property acquisition negotiation services for up to one (1) parcel for the project, this includes a temporary easement. These services include:

- RESGNW will prepare a letter of introduction to property owner.
- Prepare offer and conveyance documents and submit offer packages for review by City and the governing funding agency, if applicable, utilizing WSDOT Local Agency forms or equivalent.

- Promptly present offers and negotiate in good faith with property owners to acquire necessary real property rights.
- Set up and maintain complete real property acquisition files for each impacted tax parcel or larger parcel.
- Conduct a minimum of three (3) significant and meaningful contacts with each property owner before recommendation of impasse in negotiations. Prepare Administrative Settlement Justification statements for up to one (1) property. Provide written notice to the City of impasse in negotiations. Provide written notice to the City of recommendation for condemnation, if applicable.

Assumptions

- Process will follow federal requirements for property acquisitions.
- All forms and documents shall comply with WSDOT standards and in accordance with statutory requirements.
- The City will review offer packages prior to presentation to property owners.

Deliverables

- One (1) electronic copy of complete real property acquisition files for the project and up to one (1) parcel as well as all original, signed conveyance documents required for recording and any other original documents required to comprise a complete property acquisition record (electronic copy)
- Requests for Payment supported by a signed a W-9 and other documents required to process payment (electronic copy)

5.05 – Closing Services

RESGNW will provide the following closing services for the project:

- Conduct comprehensive checklist reviews for each acquisition file to support City's acquisition file review.
- Provide closing services to property owners for up to one (1) parcel.
- Submit signed conveyance documents with requests for payment and other supporting documents including signed W-9(s) and Excise Tax Affidavits, as applicable to the City for document recording and payment processing.

Assumptions

- The Consultant will transmit the signed conveyance documents and payment requests to the City for approval and processing
- The City will record conveyance documents and make payment for any and all compensation payments to property owner. The City will pay for all fees charged by trustees, and/or beneficiaries to clear encumbrances of record and other closing costs such as title policies, recording fees, and escrow fees if applicable

Deliverables

- One (1) electronic copy of complete real property acquisition file for the project and up to one (1) parcel as well as all original, signed conveyance documents required for recording and any other original documents required to comprise a complete property acquisition record

5.06 – ROW Plans and Legal Descriptions

Furtado and Associates (F&A) will provide Parcel Maps and legal descriptions for all permanent acquisitions and TCEs. F&A will perform the following ROW services:

ROW Plan Preparation

F&A will prepare a draft and a final set of additional Right-of-Way Plans at a scale of 1" = 20' per Client standards and include:

- Quarter section, Township and Range
- Existing ST property limits
- Updated property ownership on ROW Plans
- Street labels
- Adjacent property lines, parcel identification (ID) numbers, Client ROW ID numbers, and owner names
- ROW centerlines with bearings and distances
- Fee take parcels
- Easements, existing (as appropriate) and proposed (temporary and permanent)
- Call-outs for parcels to be dedicated by Client to others (specify city, agency, etc.)
- Modifications to existing easements
- Temporary construction easements (TCE)

Assumptions

- F&A will submit one set of ROW plans for the draft PE submittal.
- F&A will submit one set of ROW plans for the final PE submittal.
- Existing ROW lines will be modified by Subcontractor based upon survey.
- A maximum of one (1) ROW plans are required

Deliverables

- CAD and PDF files of ROW Plans

Parcel Maps Preparation

- F&A will prepare draft and final Parcel Maps for the sites requiring partial acquisitions or easements in a format similar to those previous prepared for Client.
- The Subcontractor will prepare legal descriptions for the sites requiring partial acquisitions or permanent easements.
- Parcel Maps shall follow the Client template, per ROW Engineering Guide and include:
 - Two locational markers (e.g. - adjacent streets) if possible
 - Centerline of adjacent streets
 - Metes and bounds line work for parcel
 - Existing easements (as appropriate)
 - Proposed acquisitions including types and areas
 - Feature line work (e.g. nearby buildings, walls, curbs, edge of pavement)
 - North arrow, legend, scale, and title block

Assumptions

- Legal descriptions for temporary construction easements (TCEs) will not be prepared.
- Each parcel map & legal description will be delivered as a draft and signed when ready for acquisition.
- There will be a maximum of five (5) properties requiring parcel maps & legal descriptions.
- Parcel maps & legal descriptions will require no more than two (2) drafts (one revision) each
- Title reports for affected properties will be provided by the Client

Deliverables

- Up to five (5) Draft Parcel Maps and Legal Descriptions
- Up to five (5) Signed Parcel Maps and Legal Descriptions

Temporary Construction Easement

Furtado and Associates (F&A) will provide legal description and exhibit for one (1) Temporary Construction Easement (TCE) (Exhibit A). F&A will perform the following ROW services:

Assumptions

- F&A will submit one TCE draft set.
- F&A will submit one TCE final set.

Deliverables

- One (1) Temporary Construction Easement exhibit and associated legal description

TASK NO. 10.0 – BRIDGE & TRAIL 100% DESIGN**10.01 – Civil Engineering**

KPFF will perform additional drainage engineering to develop a drainage system that meets the DOE stormwater and City of Shoreline Stormwater requirements. The design will include a flow control vault and conveyance system to the vault. The team will analyze multiple scenarios including differing vault sizes and feasibility for a vault just for this project vs a regional facility including different options of areas included. This will include the preliminary design to develop drainage alternatives and work with City staff to determine the solution to advance to construction plans. The preferred alternative as approved by city staff will be developed into the 100% and Bid documents. Design services will include:

- Drainage figures for the entire area, identifying needs from cul-de-sac (CDS), 3rd Ave Extension, 149th full build out, trail requirements, multiple iterations
- Review AAA development drainage report and concept designs for 3rd Ave Extension
- Coordinate, design and markup drainage changes needed in the L200 package
- Perform detention vault modeling for all the different scenarios reviewed
- Multiple meetings with City staff and drainage reviewer

- Prepare 100% Drawings, drainage report, drainage calculations, specifications and quantities for the vault and conveyance to the vault
- Prepare exhibits with suggested revisions to AAA development design and parameters for future development on 149th and CDS to align with the regional detention facility design.

Assumptions

- 1 regional detention vault location to be designed (North of CDS).
- CDS design is by others. It is expected that some redesign of N148 Phase I conveyance system may be necessary to coordinate with CDS design. If needed, this will be included in a future amendment.
- 3rd Ave Extension design is by others. The regional facility designed under this task will not have enough capacity to mitigate for that project.
- Detention Vault is a bidder designed element.

Deliverables

- Revised 100% civil drainage plans, specs and estimate (PDF)
- Revised 100% drainage report (PDF)

TASK NO. 12.0 – ARBORIST REPORT

This amendment provides additional services related to:

- Supplemental arborist evaluation of five (5) existing trees potentially impacted by Phase 1
- Incorporation of arborist recommendations into Phase 1 landscape plans

The primary objectives of this amendment are to:

1. Perform Level 2 tree risk assessment of five (5) additional trees
2. Provide recommendations for tree-protection measures and/or removal and mitigation
3. Incorporate recommendations for tree-protection measures and/or removal and mitigation into Phase 1 landscape plans.

12.01 – Arborist Evaluation

Land Meets Water will provide a Level 2 tree risk assessment of the five (5) trees existing trees that may be impacted by installation of a stormwater vault north of the NE 149th St cul-de-sac. In addition, the arborist will provide recommendations for tree protection measure during construction and/or removal and mitigation if it is determined that the health of one or more of the trees will be too greatly impacted.

12.02 – Update Phase 1 Landscape Plans

KPG Psomas will incorporate these recommendations for tree-protection measures and/or removals and mitigation into the Phase 1 landscape plans

Assumptions

- Electronic survey of tree driplines will be provided by KPFF in electronic format.
- Site access will be facilitated by the City and KPFF, including access to the Sound Transit site if necessary.

- Tree risk assessment work will comply with the ISA tree risk assessment Level 2 standards
- Tree protection measures will be consistent with SMC 20.50.370.
- Tree replacements will be in accordance with SMC 20.50.360(C)
- Tree impacts are defined as any site disturbance within the driplines of existing trees to remain.
- Tree drip lines, tree protection measures and/or tree removal and mitigation measures will be shown on the construction plans.

Deliverables

- Arborist technical memorandum
- Incorporation of arborist recommendations into Phase 1 landscape plans

TASK NO. 14.0 – 149TH CUL-DE-SAC DESIGN

14.01 – Civil Engineering

KPFF will perform civil engineering for the addition of the 149th street end Cul-De-Sac (CDS). The design of the CDS will be based on the initial layouts from Sound Transit. The team will grade the CDS to take consideration of future 3rd Ave profile.

Design services will include:

- Alignment and R/W plans, new NE 149th alignment
- Site prep and TESC
- Typical Section
- Roadway Plan, profile and grading detail (new drawing)
- Update grading details for path and stairs
- Update drainage design
- Update Drainage report
- Coordination with AAA development
- Traffic control

Assumptions

- CDS will be incorporated post 100% in the phase 1 construction drawings.
- CDS will be on its own review schedule to get incorporated at IFB.
- The City will conduct one over the shoulder review and one 100% drawing review for the CDS.
- The Cul-de-sac, since it is contained within City Street Right-of-Way will be considered a Roadway project for evaluation of Stormwater thresholds, which is the same assumption as all the future improvements in 149th to the east of the cul-de-sac. The current scope of non-motorized bridge improvements are not contained within City road right of way and are considered a Parcel Project for threshold determination.
- The drainage design will be adjusted post 100% submittal of phase 1. Drainage will be updated for the deliverables of the CDS
- Deviation is required to reduce size of the CDS to fit within existing Right-of-way.
- TCE will be required on private parcel (314 NE 148th St) to connect in driveway.
- CDS will be built in same location. No additional locations will be analyzed.

- No permanent R/W is to be acquired.

Deliverables

- Pre 100% over the shoulder review set
- 100% drawings for review
- Updated Drainage report for addition of CDS
- Issued for bid documents

14.02 – Revise 149th Cul-de-sac URB/LS/IRR/ILL

KPG Psomas will incorporate cul-de-sac revisions into the 148th PSE package (between 100% and Bid documents).

Lighting, urban design, planting and irrigation revisions may include:

- Relocating or revisions to lighting and electrical design
- Revisions to planting and irrigation, based on revised pavement edges.
- Update cost estimates based on revised quantities

Assumptions

- KPFF to provide updated CAD proposed base maps
- Changes will not significantly impact the layout or currently proposed access from the Light Rail station or the shared use pathway.

14.03 – Revise 149th Cul-de-sac Structural Drawings

KPFF will incorporate cul-de-sac revisions into the 148th PSE package (between 100% and Bid documents).

Structural drawing revisions may include:

- Minor revisions to wall layouts based on new grading
- Update to CADD backgrounds

Assumptions

- Changes will not significantly impact the layout or currently proposed access from the Light Rail station or the shared use pathway.

