



MEMO TO: Planning and Public Works Committee of the Whole

FROM: Patty S. Criddle, P.E., Senior Engineer

DATE: March 12, 2019

SUBJECT: Redmond Technology Station (RTS) Pedestrian Bridge Agreements

I. PURPOSE ☐ For Info Only ☐ Potential Agenda Item ☒ Scheduled for Council Action

- Provide a status update on the RTS Pedestrian Bridge (Bridge)
- Briefing on required agreements and amendments
 - WSDOT Trail Lease Amendment
 - Construction Agreement
 - OTC Funding Agreement Amendment
 - Operations and Maintenance Agreement
- Review schedule for Council review and approval of agreements and amendments

II. RECOMMENDATION

Council approval of the following agreements at the April 16, 2019 Council Meeting: WSDOT Trail Lease Amendment, Construction Agreement, and OTC Funding Agreement Amendment.

	Agreement	PPW Committee	Study Session	Council Action
1	WSDOT Trail Lease Amendment	March 12		April 16
2	Construction Agreement	March 12	March 26	April 16
3	OTC Funding Agreement Amendment	March 12	March 26	April 16
4	Operation and Maintenance Agreement	Aug 13	Aug 27	Sept 17

III. DEPARTMENT CONTACTS

Kristi Wilson, Interim Director of Public Works	425-556-2529
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IV. DESCRIPTION/BACKGROUND

Background

The Overlake Transit Center (OTC) Funding Agreement between Sound Transit, the City of Redmond, Microsoft and the Community Facility District 2014-01 (CFD) provided for the construction of a pedestrian bridge and other improvements by Sound Transit as a part of the Sound Transit East Link Light Rail Extension (ST2 light rail) project to Overlake, with funding provided by Microsoft via the CFD. The Bridge would connect Microsoft's west campus directly to the OTC light rail station. This agreement was executed in 2014.

Since 2014, the OTC Station has been renamed the Redmond Technology Station (RTS). In addition, in 2016, Microsoft proposed a new Bridge alignment to create a connection between Microsoft's west and east campus while providing access to the RTS. Microsoft directed Sound Transit to stop work on the Bridge improvements to pursue this new Bridge alignment that would be compatible with their east campus redevelopment plans. Working with the City, Sound Transit and the Washington Department of Transportation, Microsoft has completed 30% design of the new Bridge.

In December 2018, Microsoft decided to complete design and construct the Bridge separate from Sound Transit's ST2 light rail project to Overlake. Microsoft intends to begin early construction work (utility relocation) for the Bridge in May 2019. Microsoft has also decided to not use the CFD to pay for the Bridge. These changes require amending numerous agreements and developing and executing new agreements.

Description of Agreements

The following agreements must be amended and a new agreement developed and executed in order for Microsoft to begin early construction work (utility relocation) for the Bridge in May 2019.

WSDOT Trail Lease Amendment

The City and WSDOT are amending the existing Trail Lease that connects the RTS station to the SR 520 Regional Bike Trail via Microsoft's west campus. The amendment is necessary due to the realignment of the Bridge to connect the east campus to the west campus. The lease is no-cost, with a term of twenty (20) years and the option to renew for two additional ten (10) year periods.

Construction Agreement

Microsoft will fund and construct the Bridge and the City will own the Bridge. The Construction Agreement establishes funding obligations and roles and responsibilities between Microsoft and the City for the construction of the Bridge. The agreement provides that Microsoft will dedicate the Bridge to the City upon City construction acceptance, commits Microsoft to hire a construction management firm to oversee Microsoft's construction contractor (Kiewit), addresses liability and indemnification, and provides for Microsoft to reimburse the City for staff and consultant costs associated with City review of construction and real property services.

OTC Funding Agreement Amendment

The agreement between the City, Sound Transit, Microsoft, and the CFD provides that Microsoft will fund and Sound Transit will construct the Bridge as part of the ST2 Light Rail project to Overlake. This agreement is being amended to remove the Bridge from the Sound Transit project. The remaining scope of work items that Sound Transit will construct per the agreement are: a

transit office, canopy coverage for waiting areas at the RTS, and additional paving in the transit loop at the RTS.

Ancillary Agreements

The CFD 2014-1 must also be amended and a new Operations and Maintenance Agreement must be developed and executed, however these amendments and new agreement can be executed after the start of early construction work on the Bridge.

CFD 2014-1 Amendment

The CFD included the same scope of work that was included in the OTC Funding Agreement. The CFD also needs to be amended to remove the Bridge from the CFD scope of work. Revenue that has already been collected by the CFD for construction of the Bridge cannot be refunded to Microsoft until the CFD is amended to remove the Bridge. This amendment is not on the critical path for the start of Bridge construction and will be developed and brought to Council after the other agreements/amendments have been approved.

Operations and Maintenance Agreement

An Operations and Maintenance Agreement for the Bridge must be executed between Microsoft and the City of Redmond since the City will take ownership of the Bridge upon construction acceptance. This agreement defines maintenance responsibilities and funding commitments of each party. The City plans to hire a third-party property management firm to manage the operations and maintenance of the Bridge and its amenities and will invoice Microsoft for their maintenance responsibilities. The target date for execution of this agreement is prior to the start of Bridge construction, which is anticipated to be October 2019.

V. TIME CONSTRAINTS

The WSDOT Trail Lease, OTC Funding Agreement Amendment, and Construction Agreement, must be executed prior to early construction work (utility relocation) which is scheduled to start in May 2019. Bridge construction is anticipated to begin in October 2019.

VI. LIST OF ATTACHMENTS

Attachment A: RTS Bridge Layout

Attachment B: Agreements Schedule