First Amendment

to

Tacoma Link Expansion Funding Agreement

This First Amendment to the Tacoma Link Expansion Funding Agreement effective May 18, 2017, is between the City of Tacoma ("City") and the Central Puget Sound Regional Transit Authority ("Sound Transit") and is dated _____ 2017. The purpose of this Amendment is to reflect the agreed upon changes to the calculation of the City's funding obligations under the Tacoma Link Expansion Funding Agreement ("Agreement").

Recitals:

A. At baselining of the TLE Project, Sound Transit established a project budget of $217,346,000.

B. As a result of the estimated TLE Project Cost at 60 percent design and in accordance with section 2.6 of the Agreement, the Parties discussed decreasing the scope or lowering the cost of the TLE Project, and increasing funding for the TLE Project.

C. The Parties have decreased the scope and lowered the estimated cost of the TLE Project, however, the estimated cost remains above $185 million.

D. Sound Transit has agreed to increase Sound Transit's funding for the TLE Project and the Parties have agreed to amend this Agreement accordingly.

The Parties therefore agree as follows:

1. Section 2 of the Agreement is amended by the addition of new subsection 2.13 reading as follows:

   2.13 The City will try, in good faith and acting in the best interest of the public and in compliance with applicable laws and regulations, to work with Sound Transit to provide, flexible construction windows, optimized traffic control during center platform construction, and parking enforcement in construction zones.

2. Section 2.4 of the Agreement is amended to read as follows:

   2.4 City Contribution.

   If the TLE Project Costs (as determined during Reconciliation in section 3.6) are equal to or greater than $185 million, then the City's share of the TLE Project Cost shall be $47,744,444. If the TLE Project Costs (as determined during

Reconciliation in section 3.6) are less than $185 million, then the City's share of the TLE Project Costs will be adjusted as follows (the "City's Adjusted Share"):

$47,744,444— [($185M − TLE Project Costs)(4/9)]

3. Section 2.5 of the Agreement is amended to read as follows:

2.5 Cost Estimate. A second cost estimate will be performed by Sound Transit at 60 percent design in accordance with Section 3.2, 3.3, and 3.4. This cost estimate will be used to determine if the TLE Project scope will need to be adjusted under section 2.6 below.

4. Section 3.2 of the Agreement is amended to read as follows:

3.2 Calculation of City's Estimated Monetary Share and Installment Payments. The formula for calculating each annual installment payment of the City's Estimated Monetary Share is as follows:

$47,744,444 − estimated City grant funds − estimated City in kind contribution/4

5. Section 3.3 of the Agreement is amended to read as follows:

3.3 Sixty Percent Design Estimate. At 60 percent design, Sound Transit will baseline the project for its internal budgetary purposes. This process will result in a determination of the estimated TLE Project Cost at 60 percent design. The estimate of TLE Project Costs at 60 percent design will include the estimated monetary value of the City's in-kind contributions affirmed under Section 3.5.

6. Section 3.4 of the Agreement is amended to read as follows:

3.4 Review of 60 percent Cost Estimate. Sound Transit will provide the City with a reasonable opportunity to review and comment on the draft 60 percent design cost estimate before it is finalized by Sound Transit. Sound Transit's cost estimators will seek and promptly consider and respond to input from the City's Designated Representative, Tacoma Public Utilities and Environmental Services during the development of the 60 percent design cost estimate and will make a good faith effort to reconcile written comments received from the City. Toward that end, Sound Transit staff and consultants will work cooperatively with the City to develop the final 60 percent cost estimate and will make its cost estimators, calculations and basis for the estimate, reasonably available to the City to facilitate the City's review, the sharing of information and the reconciliation of City comments. If changes suggested by the City in a written comment are not included in the final 60 percent design cost estimate, Sound Transit's cost estimator will provide the City's Designated Representative with a summary explaining why a change was not included. If the Project Scope is

decreased Sound Transit will perform another cost estimate in accordance with Section 3.3.

7. Section 3.6 of the Agreement is amended to read as follows:

3.6 Reconciliation. After final acceptance ("Final Acceptance") of the completed TLE Project, as that term is defined under Sound Transit's construction contract, Sound Transit will reconcile the TLE Project Costs, including the Actual Cost of the City's in-kind contributions, and the City's grant contributions, and payment of annual installments to determine whether the City is entitled to a refund. If Final Acceptance occurs before the City's fourth installment payment under Section 3.1 is due, then the City's fourth installment payment will be the amount due determined from the calculation and reconciliation of TLE Project Costs. Following reconciliation, refunds by Sound Transit will be paid to the City within the later of 60 days following reconciliation or the due date for the final annual installment. The reconciliation will be subject to the same review process as set forth at Section 3.4 for review of the 60% cost estimate.

8. Exhibit A to the Agreement is amended and attached.

9. Except as specified in this Amendment, the remaining terms of the Agreement shall remain in full force and effect.

The Parties have executed this First Amendment to the Tacoma Link Expansion Funding Agreement as of the day and year first above written; provided that, in the event no date is stated above, the Agreement shall be effective upon the date of the last signature below.

SOUND TRANSIT

Peter Rogoff
Chief Executive Officer

Date: _____

CITY OF TACOMA

Elizabeth Pauli, City Manager

Date: _____

Approved:

Kurtis D. Kingsolver, P.E.,
Director Public Works

Bill Gaines, Director of Utilities/CEO

Date: _____

Andy Cherullo, Finance Director

Attest:

Doris Sorum, City Clerk

Approved as to form:

Sound Transit Legal Counsel

Approved as to form:

Deputy City Attorney

Amended Exhibits:

A Project Description

First Amended EXHIBIT A

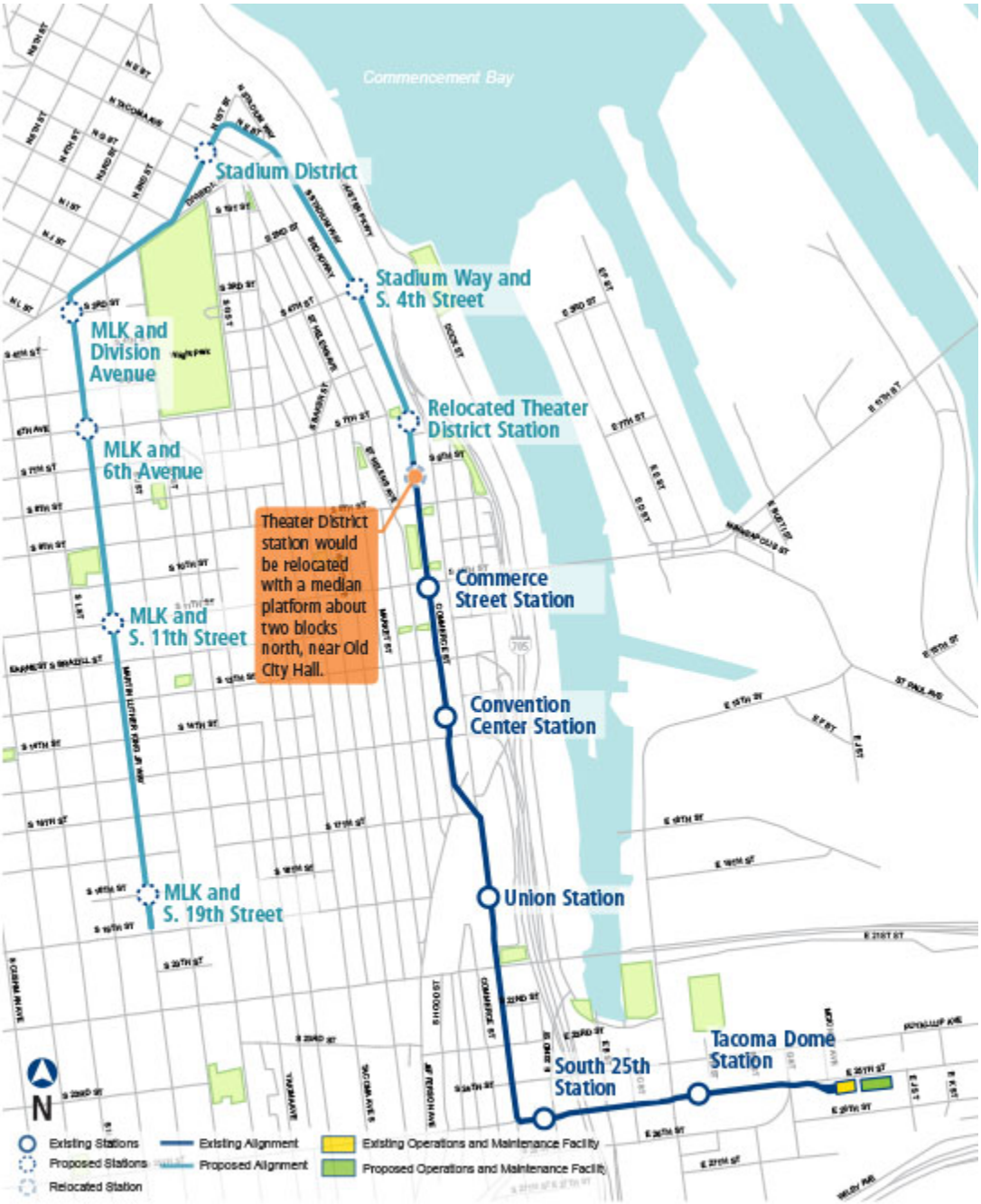
(*Project Description*)

Tacoma Link Expansion

Project Description

The Tacoma Link Expansion project is the proposed expansion of the existing Tacoma Link system that includes constructing and operating an additional 2.4 mile rail segment with 6 new stations and one relocated station, along with an expanded maintenance facility. The expanded segment would connect to the existing Tacoma Link system at Theater District Station. On November 19, 2015, the Sound Transit Board of Directors selected the project to be built for the Tacoma Link Expansion. A map of the project is shown in Figure 1. The project is a partnership between Sound Transit, the City of Tacoma, and the Federal Transit Administration. The purpose of the project is to improve mobility and access to the regional transit system for Tacoma residents, employees, and visitors by connecting the existing Tacoma Link system with additional major activity centers and destinations within the city.

Figure 1 – Tacoma Link Expansion Alignment



Route and Station Locations

The expansion alignment is approximately 2.4 miles long. The alignment will extend north from the 9th Street/Theater District Station via Stadium Way; continue west via North First Street and Division Avenue, and continue south on MLK, Jr. Way to South 19th Street. The Theater District Station will be relocated north of South 7th Street on Commerce Street. The six new stations on the expansion segment are located near the following intersections:

- Stadium Way / S 4th St
- N 1st St / N G St
- MLK, Jr. Way / S 3rd St
- MLK, Jr. Way / 6th Ave
- MLK, Jr. Way / S 11th St
- MLK, Jr. Way / S 18th St

The new terminus station for Tacoma Link will be north of the MLK, Jr. Way/S 18th Street intersection. The project will include a tail track at S 19th Street to accommodate approximately 10-minute headways. The project will directly connect to the existing Tacoma Link system, using Tacoma Link vehicle technology. An expansion of the Tacoma Link Operations & Maintenance Facility to the east of the existing facility will also be part of the project.

Track Alignment/Roadway Configuration/Traffic Signals and Signage

Except for traction power substations and the expansion of the Operations & Maintenance Facility, no permanent construction is anticipated to occur outside of City of Tacoma street right-of-way. Tracks will be placed in the travel lanes on each side of the road. The tracks will be constructed with a concrete slab with two rails embedded in the concrete. The project will generally only mill and overlay the roadway surface from the track slab to the curb, as well as re-stripe the roadway, and construct new curb ramps where required to comply with federal ADA standards. Sub-roadway structure will not be the responsibility of the project between the track slab and the curb (except where required for utility relocation). The mill and overlay will meet City of Tacoma design standards as well as the Restoration Policy.

At signalized intersections, the Tacoma Link vehicle will operate like other vehicles in the roadway, following normal traffic patterns and remaining part of the traffic flow. Train-specific signal heads will be installed at signalized intersections to provide continuity of operation throughout the Tacoma Link system, and in general these signals will mirror the traffic signal indication. Some intersections will require special phasing or signaling for the Tacoma Link vehicle to traverse the intersection safely. These intersections and their treatment are described as follows:

- Stadium Way at S 4th St – potential modification to signal phasing to prevent queues behind outbound Tacoma Link vehicles stopping at the station

- Division Ave at MLK, Jr. Way – a protected left turn phase will be required for Tacoma Link vehicles to turn from westbound Division Avenue to southbound MLK, Jr. Way
- MLK, Jr. Way at S 18th St – new signal to control Tacoma Link vehicle movement into and out of tail track, and departing the station on the Inbound track

During the environmental analysis phase, existing and future traffic volumes and intersection delay were analyzed along the route, and they will be re-analyzed during the final design phase. If traffic conditions are impacted by Tacoma Link operations, or if Tacoma Link is delayed by traffic, mitigation measures such as transit signal priority (TSP) may be introduced at specific intersections. Efforts will be made to maintain both programmed traffic signal progression (to avoid negative impacts to programmed traffic) and Tacoma Link headways. TSP and other signal revisions are part of the project's capital cost and constructed with the project.

The re-striping will be designed to allow for safe passage and clearance of the Tacoma Link vehicle travel lanes adjacent to other parking, bicycle, and vehicle lanes. New traffic warning and regulatory signs will be placed along the route where necessary to provide safety and information to drivers, bicyclists, and pedestrians.

The project's design philosophy is to blend into the normal traffic stream as practicably and safely as possible. Existing turn lanes, parking lanes, loading zones, bus stops, bicycle lanes, and sidewalks will mostly remain, as they exist today, with exceptions at stations and other areas where revisions are necessary to provide safe crossings and movements. Efficient multimodal access to station areas has been considered in the location of the station platforms. During construction, the design will include provisions for ADA-compliant accessible routes for pedestrians and access to businesses, residences, and community facilities along the route.

Station platforms

Stations will be designed as center platforms, which occupy the middle of the roadway and serve both directions of travel from a single location.

Most platforms will have a boarding area approximately equal to the length of one Tacoma Link vehicle, i.e., approximately 60 feet long. Ramps and curbs would transition the boarding area back to the pavement elevation, and curbed islands will protect the pedestrian areas from vehicular traffic; therefore, each station will occupy a footprint of approximately 105 to 125 feet long. Center platforms will be 12 feet wide. Each platform will be ADA-accessible from the crosswalk, and would have near-level boarding with the Tacoma Link vehicle's low-floor section and deployable bridge plate. Seating, signage, lighting (unless provided by streetlights), a canopy shelter, fare collection equipment, and space for public art would be constructed at each platform.

A center platform will replace existing left-turn lanes at some intersections, restricting turning movements. To accommodate the center platforms, northbound to westbound left turns will be

prohibited on MLK, Jr. Way at 6th Avenue and S 11th Street, and N G Street at N 1st Street will become right-in/right-out only.

Driveways and sidewalks will be reconstructed in areas where it is necessary to accommodate Tacoma Link tracks and/or station platform ramps and curbs.

Utilities/Traction Power Substations (TPSS)

Sound Transit is evaluating utilities that are within a restricted zone under the new tracks. As TLE is an in-street facility, rather than running in an exclusive right-of-way, utilities cannot be relocated completely away from the tracks as they would for light rail. During the final design phase, existing utilities are being individually assessed to determine any conflicts with the proposed track design. Wherever conflicts exist between parallel utilities, or crossing utilities, with the proposed track design, a proposed utility relocation plan is being developed to either protect utilities in place, or relocate affected utilities away from the restricted zone.

Existing utilities within the corridor will be assessed to determine if any stray current protection measures are needed.

The TLE mainline segment will be serviced by four new traction power substations. These substations will provide 750V DC power to the Tacoma Link vehicles through an overhead contact system (OCS), using a single overhead contact wire supported by poles and span wires.

The locations of the substations follow. A load flow performed in final design verified that these locations provide full coverage of the expanded system in the event one substation goes offline.

- Right-of-way on S 2nd Street adjacent to Stadium Way
- Right-of-way on N 2nd Street at N I Street
- Right-of-way on S 8th Street west of MLK, Jr. Way
- City property adjacent to police station west of MLK, Jr. Way, alongside the alley between S 15th and S 16th Streets

The locations of the OCS poles will be developed during the final design phase. Pole design will consider existing streetlight locations and, when possible and cost-effective, replace the existing streetlight poles with a joint-use OCS pole, thereby reducing the total number of poles installed along a street. Sound Transit will attempt to site the poles and TPSS facilities to minimize impacts to views and visual quality.

Operations

The project would add five new Tacoma Link vehicles to the Tacoma Link system. The project's new alignment, stations, and vehicles would be backwards compatible with the existing system, so that both old and new vehicles can traverse the entire system from end to end. The new vehicles would have similar characteristics to the existing fleet, including:

- Similar length and width
- Ability for bi-directional operation
- Low-floor / near-level boarding
- Double articulation
- ADA accessibility with bridge plates