

CITY COUNCIL AGENDA TOPIC

Resolution authorizing execution of a Design-Build Coordination and Review Agreement (GCB 3852) with the Washington State Department of Transportation (WSDOT) and the City of Bellevue (City) for acceptance of design and construction roles and responsibilities and payment of City staff time associated with the I-90 Fish Passage Project at Lewis Creek.

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Transportation Department

EXECUTIVE SUMMARY**ACTION**

This Resolution authorizes execution of a Design-Build Coordination and Review Agreement between WSDOT and the City for acceptance of design and construction roles and responsibilities and payment of City staff time associated with the I-90 Fish Passage Project at Lewis Creek.

RECOMMENDATION

Move to adopt Resolution No. 10371.

BACKGROUND/ANALYSIS**WSDOT Fish Passage Projects**

As part of the State's fish recovery efforts, WSDOT has made it a priority to reconnect waterways where its road culverts act as fish passage barriers. Since 1991, when WSDOT created a dedicated program, 344 barriers have been corrected, opening a total of 1,161 miles of fish habitat.

Starting in 2024, WSDOT will build four structures under Interstate 90 and local roads in Bellevue and Issaquah to open water flow in Lewis Creek.

I-90 Lewis Creek Fish Passage Project

Culverts on Interstate 90 at Lewis Creek in Bellevue and Issaquah have been identified as fish passage barriers by the Washington Department of Fish and Wildlife (WDFW). The Lewis Creek culvert crossing is east of the I-90/Lakemont Boulevard SE interchange.

This project will replace the existing culverts under I-90 with a new open stream channel and two bridge spans. WSDOT will also build fish-passable structures on SE Newport Way and West Lake Sammamish Boulevard SE for a total of four stream crossings. Upon completion of the project, WSDOT's contractor will return roadways, sidewalks, and trails to their configuration prior to construction.

On October 11, 2021, WSDOT presented to Council an update on the I-90 Fish Habitat Enhancement Projects.

On July 25, 2022, Council authorized execution of Utility Construction Agreement (UTB 1510) between

WSDOT and the City for shared cost reimbursements associated with utility relocations for the WSDOT Sunset Creek Fish Passage Project.

On September 19, 2022, Council authorized execution of a Design-Build Coordination and Review Agreement (GCB 3698) between WSDOT and the City for acceptance of design and construction roles and responsibilities and payment of City staff time associated with the I-90 Fish Passage Project at Sunset Creek.

Design-Build Coordination and Review Agreement (GCB 3852)

The Design-Build method of project delivery proceeds faster than the typical design-bid-build method of delivery; therefore, expedited City review of design elements and construction support time will be required. Under this Agreement, WSDOT will reimburse the City to provide a Project Coordinator and sufficient staff resources for the expedited review and coordination of design and project submittals. City staff time billed through the permitting process will be charged to the Design Builder and will not be reimbursed through this Agreement. Project elements that are subject to this Agreement include design of City streets, bridges, utilities, fiber, and traffic control plans.

POLICY & FISCAL IMPACTS

Policy Impact

While WSDOT has made progress since 1991, twenty-one Northwest Washington tribes have asked the U.S. District Court to find that the State of Washington has a treaty-based duty to preserve fish runs. As a result, a 2013 federal court injunction (United States, et al. vs. Washington, et al. No. C70-9213) requires WSDOT to speed up its fish passage work in western Washington. WSDOT is now working with treaty tribes on a project delivery plan to open 90 percent of habitat blocked by state culverts by 2030. This requires a significant acceleration of the fish passage work.

Fiscal Impact

This agreement obligates WSDOT to pay the City for City staff support through the duration of the project, an amount not to exceed \$220,000. The City will utilize existing staff to fulfill the requirement under the agreement. WSDOT will be responsible for costs associated with permits. This new revenue will be receipted in the General Fund to offset the costs associated with staff.

OPTIONS

1. Adopt the Resolution authorizing execution of a Design-Build Coordination and Review Agreement (GCB 3852) with the Washington State Department of Transportation (WSDOT) and the City of Bellevue (City) for acceptance of design and construction roles and responsibilities and payment of City staff time associated with the I-90 Fish Passage Project at Lewis Creek.
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS

- A. WSDOT Fact Sheet: I-90 & SR 900 – Fish Passage
Proposed Resolution No. 10371

AVAILABLE IN COUNCIL LIBRARY

Design Build Coordination and Review Agreement (GCB 3852)