



# Snohomish County Council

## Legislation Text

File #: 2023-0034, Version: 1

### Executive/Council Action Form (ECAF)

Motion 23-019, authorizing approval of the Revised PO Regarding the Underpass Agreement and Associated Easement Agreement with BNSF for the Meadowdale Beach Park and Estuary Restoration Project

**DEPARTMENT:** Conservation and Natural Resources

**ORIGINATOR:** Rachel Dotson

**EXECUTIVE RECOMMENDATION:** Approved by Lacey Harper 1/6/23

**PURPOSE:** Submitted for consideration of revised PO for the Underpass Agreement with BNSF.

**BACKGROUND:** On 07 June 2021, the Snohomish County Council approved and authorized the County Executive to execute the 1) Underpass Agreement with BNSF and 2) Easement Agreement within the BNSF right-of-way; the Agreements with BNSF included construction estimates for a total of \$1,954,777 and a Purchase Order (PO) was created in order to pay invoices up to \$2,512,185; per section 4.6 of the Underpass agreement with BNSF, Snohomish County must reimburse BNSF in full for the actual costs of all work performed by BNSF under the Agreement; Snohomish County DCNR has received invoices from BNSF for the costs of the railroad work performed by BNSF that exceed the PO by \$281,939.58; a revised PO, in the amount of \$500,000.00 is needed to pay the outstanding BNSF invoice and estimated future invoices.

#### FISCAL IMPLICATIONS:

EXPEND: FUND, AGY, ORG, ACTY, OBJ, AU	CURRENT YR	2ND YR	1ST 6 YRS
309-51094621326599	500,000		
<b>TOTAL</b>	500,000		

REVENUE: FUND, AGY, ORG, REV, SOURCE	CURRENT YR	2ND YR	1ST 6 YRS
<b>TOTAL</b>			

**DEPARTMENT FISCAL IMPACT NOTES:** Funding available within current budget

**CONTRACT INFORMATION:**

ORIGINAL	CONTRACT#	BNSF Underpass Agreement	AMOUNT	\$2,512,185.00
AMENDMENT	CONTRACT#	BNSF Underpass Agreement	AMOUNT	\$3,012,185.00

**Contract Period**

ORIGINAL	START	06/14/2021	END	12/14/2022
AMENDMENT	START	06/14/2021	END	06/14/2023

**OTHER DEPARTMENTAL REVIEW/COMMENTS:** Reviewed/approved by Risk - Shelia Barker 1/6/23 and Finance - Nathan Kennedy 1/6/23