

## EXHIBIT E: COLLABORATIVE DESIGN PROCESS

11/14/2011 Discussion Draft

Marked to show changes from 11/7

Following execution of the MOU, Sound Transit will begin the final design process with the goal of achieving a 60% Project design plan and Project baseline budget within approximately two and one half years. Typically 60% design plans include reports, drawings showing design information sufficient to support the cost estimate based on actual material quantities, special provisions, supplemental technical specifications, and permit review drawings to determine compliance with applicable land use codes. The final 60% cost estimate proposed for baselining the Project budget is based on these 60% design plans and further must reflect design as reviewed by Bellevue and ST as well as all requirements of the Project land use approvals and associated permit conditions.

Sound Transit and the City are committed to working together in a collaborative manner throughout the final design process and anticipate continuous and regular dialog during the course of design and construction in order achieve the joint goals of reducing costs and delivering a quality project on schedule and in compliance with applicable codes and regulations. While the specific tasks outlined below focus on the process of developing 60% design drawings, the parties recognize the need for continued collaboration beyond that point, through completion of construction drawings, final technical construction permitting, construction coordination and construction impact mitigation and project close-out. The parties intend to address these other areas of collaboration at a future date appropriate to the phase of the Project. By working together in this fashion, both parties intend to reduce cost and schedule risks throughout the duration of the project. It is the intent of the parties to establish a decision making framework within the CDP process that allows decisions to be made at the lowest appropriate levels, with issues that require significant policy decisions or resolution of disputes to be elevated in a predictable, consistent manner when necessary.

### PROCESS & PROCEDURE

The Sound Transit Board is the final authority for all Project decisions. As a funding partner in the Project, the City will have a clearly defined role on Project scope and design through the Collaborative Design Process (CDP). The parties agree that an objective of the CDP will place a priority ~~be to on~~ advancing engineering design while exploring and accepting scope reductions, modifications and value engineering options that result in material Project cost savings of at least \$60 million, provided that such reductions and modifications ~~do not compromise~~ continue to support East Link's performance with respect to stated Project and City objectives.

Cost saving scope reductions or modifications that are explored but not accepted will be clearly reported prior to Project baselining.

Coordination between Sound Transit and the City will be accomplished using a Leadership Group consisting of three City Councilmembers and three Sound Transit Board Members and a Steering Committee consisting of appropriate department heads from both agencies.

The Leadership Group will meet on an as-needed basis to determine issues of general policy consistent with this MOU and resolve issues that are not resolved at the Steering Committee or Project Management Team levels.

The Steering Committee will meet on a regular basis to resolve issues identified through the CDP. The Steering Committee will establish a Project Management Team and technical working groups to coordinate staff level work needed to achieve the joint goals in accomplishing the Project.

It is acknowledged that the City may, at its expense, utilize consultants to assist it in participating in the CDP. Sound Transit shall coordinate and share information with City consultants used by the City to provide additional technical expertise or labor support for tasks described in the CDP.

Nothing in this Exhibit is intended to waive or modify City of Bellevue permit processes or other powers or authorities. It is understood that at the appropriate stage of design, Sound Transit will submit to the City for required land use approvals and other technical and construction permits, and that the City's participation in CDP, while intended to inform and shape design to avoid code conflict issues, is not a substitute for the permit process.

## TASKS

1. Within 60 days of MOU execution, the City and Sound Transit will develop a CDP Management Plan to be approved by the Steering Committee, which will address the following elements:
  - 1.1. Working principles/goals/roles of the parties
  - 1.2. Organizational chart for the Project Management Team and any identified technical working groups
  - 1.3. Cooperative procedures/decision-making process
  - 1.4. A detailed Project schedule including a review schedule providing sufficient time for each party to review materials in advance of providing input on design, technical and cost estimating issues, as well as specific minimum and maximum turn-around times to be agreed by both parties. The final design consultant will provide an update of the Project schedule to be incorporated into the approved CDP Management Plan and such design consultant's scope of work and schedule shall be consistent with the CDP Management Plan.
  - 1.5. The process to develop an efficient permit processing plan including the following:
    - 1.5.1. Submittal standards (i.e. defining minimum acceptable content and quality, CAD standards, formatting, delivery method)
    - 1.5.2. Submittal timing to allow adequate time to process and approve permits or reach related decisions
    - 1.5.3. Turn-around times for City permit and plan review and for Sound Transit to provide response to permit/plan revision requests
    - 1.5.4. The establishment of permitting, plan review, inspection and other Project-related fee estimates for use in the 60% Project baseline budget and cost reconciliation

- 1.5.5. The parties anticipate action on final land use approvals for the Project in the first quarter of 2014
- 1.6. City's participation in Sound Transit's development of 60% design drawings, including the parties' roles for jointly identifying and investigating the feasibility of reductions to the Project scope, resolution of existing PE comments and other comments already offered by the City on Project design and mitigation, and other savings
- 1.7. City's participation in Sound Transit's development of design and mitigation associated with the City Requested Modifications (if accepted by the parties and included in the Project) including but not limited to ensuring that the design of the flyover of 112<sup>th</sup> Avenue SE is designed to allow only the minimum clearance over the public right-of-way, that the flyover is the minimum practicable and feasible distance given the profile along 112<sup>th</sup> Avenue SE, that the flyover structure includes permanent sound walls along the west side of elevated portions, that Sound Transit's final design process includes specific outreach to and participation by residents adjacent to and along the Project route, that the flyover support structure visual impact is minimized and avoids the use of straddle bents where practical, and cooperative development of the audible warning systems. This task will include a specific schedule that prioritizes the timing of resolution of these preliminary design issues.
- 1.8. City's participation in Sound Transit's Value Engineering process
- 1.9. Sound Transit's participation in City's sub-area and station area planning processes that may affect the Project
- 1.10. City's participation in Sound Transit's 60% baseline budget development, including at a minimum the City's review and input on Sound Transit's detailed 60% design cost estimate. Cost estimate revisions shall be proposed in writing to the Steering Committee; Sound Transit will provide a written response for suggestions not accepted by Sound Transit
- 1.11. Procedures and protocols for regular reports to the City Council, Sound Transit Board and community
- 1.12. Procedures for the City and Sound Transit to coordinate with private utilities related to relocation of such utilities to accommodate those portions of the Project within City rights-of-way
2. Figure G-1 to Exhibit G illustrates how the parties intend to integrate the Code and Permitting Framework with the Collaborative Design Process.