



CITY OF LAKE FOREST PARK

CITY COUNCIL

AGENDA COVER SHEET

Meeting Date	April 27, 2023
Originating Department	Public Works
Contact Person	Andrew Silvia, Senior Project Manager
Title	Resolution 23-1895/Authorizing the Mayor to Sign Amendment B to WA State Department of Commerce Contract 18-96616-110 for the Lyon Creek/SR 104 Fish Barrier Removal Project

Legislative History

- First Presentation – April 27, 2023
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Attachments:

1. Resolution 23-1895/Authorizing the Mayor to Sign Amendment B to WA State Department of Commerce Contract 18-96616-110 for the Lyon Creek/SR 104 Fish Barrier Removal Project.
 2. Amendment B to WA Department of Commerce Contract 18-96616-110
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Executive Summary

The Department of Public Works (DPW) seeks to amend an existing funding agreement with the Washington Department of Commerce, which supports the design, right of way acquisition, and construction of the L90 Culvert replacement project, also known as the “Lyon Creek/SR 104 Fish Barrier Removal” project. This amendment is necessary to reflect changes in the scope of work and budget described in the original agreement but would not change the amount of state funding committed to the project.

Background

The City received an appropriation of \$1,164,000 from the state legislature in 2017 to support the design and right-of-way acquisition costs of a project that included the replacement of four Lyon Creek culverts. The City subsequently executed a funding agreement with the WA Department of Commerce in 2018. The project scope described in the funding agreement included the replacement of two City-owned culverts, one WSDOT-owned culvert, and one culvert immediately downstream of the WSDOT culvert on private property. Right of Way acquisition challenges inspired the City to delegate approximately half of the project scope (the culverts on state property and abutting private property) to

WSDOT in 2018. WSDOT is advancing this project's design and intends to construct it in 2024. Right of Way acquisition challenges also inspired the City to remove a third, City-owned culvert from the project scope in 2022. These scope changes must be memorialized in the enclosed grant contract amendment form. WA Department of Commerce has reviewed this proposed contract amendment and is amenable to the project changes described therein.

Fiscal & Policy Implications

There are no significant fiscal implications to this proposal. Executing the supplemental agreement would not alter the amount of state funding (\$1,164,000) supporting the project. This grant does not require a local matching contribution.

Alternatives

<i>Options</i>	<i>Results</i>
• Adopt Resolution	The City will execute the enclosed WA Department of Commerce contract amendment. This will ensure the City's future grant progress billings supporting project costs may be approved by WA Department of Commerce.
• No Action	Failure to amend the funding agreement per the project's scope changes would prevent WA Department of Commerce's ability to approve the City's future grant progress billings. The City's ability to complete the project would be jeopardized by this action.

Staff Recommendation

Review the proposed grant contract amendment and provide staff with any questions or feedback.