

## Progress Report 11/16/15-6/30/16

### Project #13-1099, Duwamish Gardens Restoration

Submitted by Mike Perfetti on 11/16/2016

Accepted by Ameer Bahr on 11/17/2016

#### CONTACTS

**Primary Sponsor:** City of Tukwila

**Lead Entity:** WRIA 9 LE (King County)

**Managing Agency:** Rec. and Conserv. Office

**Project Contact:** Mike Perfetti  
Mike.Perfetti@TukwilaWA.gov

**Alt Project Contact:** Ryan Larson  
ryan.larson@tukwilawa.gov

**RCO Grant Manager:** Ameer Bahr  
Ameer.Bahr@rco.wa.gov

#### COSTS TO DATE

**Project Start Date:** 12/05/2013

**Original End Date:** 04/01/2016

**Funding End Date:** 07/03/2017

Funding Formula:	Requested		Original		Current	
Puget Sound Acq. & Restoration:	\$0.00	(0%)	\$622,081.00	(50%)	\$1,072,081.00	(54%)
Salmon State Projects:	\$949,434.00	(76%)	\$327,353.00	(26%)	\$327,353.00	(17%)
Sponsor Match:	\$301,523.00	(24%)	\$301,523.00	(24%)	\$581,523.00	(29%)
<b>Total:</b>	<b>\$1,250,957.00</b>	<b>(100%)</b>	<b>\$1,250,957.00</b>	<b>(100%)</b>	<b>\$1,980,957.00</b>	<b>(100%)</b>

**Paid To Date:** \$1,259,490.60 *includes pending billings*

**Last Released Billing:** 12/31/2015

**Remaining RCO Funds:** \$139,943.40

**Pending Billing:** Yes

**Advance Balance:** \$0.00

**Match Bank:** \$5,806.54

**Number of Billings:** 2

**Admin Limit:** \$0.00

**Admin Spent:** \$0.00

**A&E Limit:** \$0.00

**A&E Spent:** \$173,755.97 8.77%

#### AMENDMENTS

#	Type	Applied Date	Description
2	Cost Change	11/12/2015	The project agreement is increased by \$163,577 of 2011-13 PSAR return funds awarded by the Puget Sound Partnership in their letter dated August 27, 2015 and \$36,423 of 2015-17 PSAR funds awarded by WRIA 9 on the 2015 SRFB Project Funding List, and \$200,000 in additional sponsor match bringing the total project agreement amount to \$1,980,957 to afford higher than anticipated construction costs.
1	Cost Change	05/29/2015	The project agreement amount is increased by \$170,335.47 of 2013-15 PSAR, \$79,664.53 of 2011-13 PSAR and \$80,000 sponsor match to afford cost increases primarily associated with the Section 106 Consultation and mitigation of impacts to historic and pre-historic cultural resources as outlined in the MOA (PRISM Attach. No. #215119).

## PROGRESS REPORT QUESTIONS

#	Question	Answer	Answer Description
1 of 5	Are there any significant challenges that might hinder progress or keep you from meeting your project milestones? If so, please tell us about them.	Yes	<p>The project is going smoothly with regards to some of the bigger concerns such as contaminated soils, archaeology, and unknown man-made debris beneath the surface. The in-water work window in August poses the biggest challenge to meeting project milestones. We anticipate that wet earth conditions, buried debris, and construction water management will challenge the ability to excavate the temporary berm during low water conditions during the two low tide weeks in August. While it is foreseen to be manageable, we are on alert as to the sensitive timing constraints of the work.</p>
2 of 5	Describe the work accomplished during this reporting period.		<p>The project was shutdown from September 22, 2015 to May 1, 2016. Phase 2 began on May 2 with the Contractor removing over-winter erosion control plastic, and resuming excavation of the embayment area, including the archaeological area. The Contractor set up pumps to dewater the embayment area and excavate to the deepest interior grades, as river-influenced groundwater permeated the berm on a daily basis. To date, all mechanical excavation within the archaeological area is complete, with the exception of irrigation piping and site furnishing footings. Compost and topsoil have been brought on site and incorporated into existing sandy soils. With the installation of the coir-log supported tidal channel this week, all major excavation, aside from the removal of the temporary berm is complete. The Contractor has installed and anchored all 40+ pieces of large woody debris, and installed all 5 habitat snags. More than 400 lineal feet of pine rail fence and 400 feet of chain link fence have been installed. The rain gardens have been excavated and piping installed. The irrigation point of connection, and mainline is also complete.</p>

3 of 5	Do you anticipate any changes to your project? Please describe those changes here.	Yes	<p>The area called "Added Site Area" in the plans will not be able to be developed into a habitat restoration site with a trail at this time. The acquisition of this narrow band of shoreline property, owned by Amalfi Investments and leased by UPS, was going to be turned over to the City in exchange for a triangular piece of City-owned property along East Marginal Way, plus cash considerations. The City provided an appraisal, performed the boundary line adjustment, title and all documentation, which was signed by both parties. After the fact, the Amalfi Investments representative took exception with some findings in the Sound Transit contaminated soils report and decided to no longer follow through with the agreement. Instead, the Owner is willing to sell the property outright to the City, but now disagrees with the original appraised value, claiming the property to be worth a similar value per square foot, as the hotel site recently purchased by King County for development of the Chinook Winds restoration project. The amount being asked is well above the documented appraised value, and what the City is legally allowed to pay. Negotiations for this property are on-going and are expected to take more time than is allowed in the Construction Contract. In fact, the ability to do the improvements has become exceedingly difficult due to the increasingly limited access to the property due to construction sequencing. Meanwhile, the property in question was cleared in 2015 of invasive blackberry, rough graded according to plans, and a storm pipe repaired. Now, to close out the contract, the City and Contractor must restore the site to a condition that meets the General Construction Stormwater Permit. Additionally, the failure to execute this acquisition has caused some difficulty with the signage elements of the park, because the Parks Commission recommended a park name based on the connection to the Chinook Winds site. With that connection uncertain, a park name has not been chosen, and thus can not yet be written on the two signs and one pavement installation where it is called for in the plans.</p>
4 of 5	Tell us about work planned for the next reporting period.		<p>Irrigation, seeding and planting are coming up in July in preparation for berm removal in August. Park elements such as parking, trail surfacing, the gathering circle and signage will occur in September and October, and beyond if needed. Final close out is expected by around the end of the contract period (with the General Contractor), which expires on January 9, 2017.</p>
5 of 5	Do you anticipate you will need to request an amendment to your project agreement in the next six months (time extension, cost change, scope change, etc.)? If yes, please explain:	Yes	<p>We will want to modify the project agreement, changing work in the Added Site Area from the habitat improvements shown in the plans to erosion control and site stabilization. We will need to incorporate the triangular area into the project. The triangular area will have some berming, planting, irrigation, fencing and a small trail connection to the sidewalk. The cost implications of these changes are currently unknown.</p>

## MILESTONES

Milestone	Target Date	Description	Completed	Delayed	New	
					Target Date	Progress/Reason for Delay
Applied for Permits	06/03/2013		X			
Project Start	12/05/2013		X			
Cultural Resources Complete	07/01/2014	MOA attached to PRISM	X			
Final Design to RCO	07/31/2014	Attach final design as described in Manual 18 Appendix D-3 and design report to PRISM.	X			
Progress Report Submitted	10/01/2014		X			
Annual Project Billing	12/31/2014		X			
Landowner Agreement to RCO	03/31/2015	DNR Right of Entry.	X			
Permits Complete	03/31/2015		X			
Bid Awarded/Contractor Hired	04/01/2015		X			
Progress Report Submitted	05/29/2015		X			
Restoration Started	06/22/2015		X			
Progress Report Submitted	08/31/2015		X			
Progress Report Submitted	12/31/2015		X			
Stewardship Plan to RCO	02/01/2016			X	12/31/2016	There is a Plan in place that needs to be reviewed and updated.
Progress Report Submitted	06/30/2016		X			
RCO Final Inspection	12/01/2016					
Funding Acknowl Sign Posted	12/01/2016					
Restoration Complete	12/01/2016					
Final Design to RCO	12/30/2016	As Builts As described in Appendix D-4.				
Progress Report Submitted	12/31/2016					
Final Report in PRISM	06/30/2017					
Agreement End Date	07/03/2017	End of Agreement; all expenditures must be incurred by this date.				
Final Billing to RCO	08/30/2017					

## PERMITS

Type	Applied Date	Received Date	Expiration Date	Permit Number	Comments
Dredge/Fill Permit [Section 10/404 or 404]	09/30/2013	3/16/2015	3/18/2017	NWS-2011-199	In -water work coming August 2016.
Building Permit	01/31/2014	6/24/2016	12/27/2015	D15-0145	Demolition Permit has expired.
Endangered Species Act Compliance [ESA]	09/30/2013	3/16/2015	3/18/2017	NWS-2011-199	Completed
SEPA	09/30/2013	4/16/2014	4/16/2016	E13-15	Completed
Hydraulics Project Approval [HPA]	09/30/2013	5/28/2014	5/27/2019	131349-1	In -water work coming August 2016.
Cultural Assessment [Section 106]	04/08/2013	2/23/2015			Weekly reporting in progress.
Clear & Grade Permit	09/30/2013				Not required.
Aquatic Lands Use Authorization	09/30/2013	4/21/2015		51-090870	Completed

## Permit Questions

#	Question	Answer	Answer Description
1 of 4	Any additional mitigation requirements? If so, please describe.	No	
2 of 4	Are there any additional permits required? If so, please describe.	No	
3 of 4	Tell us about your progress with securing your permits or ESA consultation.		All permits, including ESA consultation, are in-hand.
4 of 4	Did you use the federal permit streamlining process (Limit 8)? If yes, please attach your Limit 8 Self Certification Form.	No	