

WHEN RECORDED RETURN TO:

Richland City Clerk  
505 Swift Blvd, MS-05  
Richland, WA 99352

Contract No. 343-18

**INTERLOCAL COOPERATIVE AGREEMENT**

*BETWEEN*

**CITY OF RICHLAND, CITY OF WEST RICHLAND, AND BENTON COUNTY,  
WASHINGTON**

*FOR*

**2018 TRI-CITIES REGIONAL NORTH-SOUTH TRAVEL CAPACITY STUDY**

**THIS INTERLOCAL COOPERATIVE AGREEMENT** is entered into this 13 day of December, 2018, between the City of Richland, a municipal corporation of the State of Washington, hereafter referred to as "Richland," the City of West Richland, a municipal corporation of the State of Washington, hereafter referred to as "West Richland", and Benton County, a political subdivision of the State of Washington, hereafter referred to as "the County." Richland, West Richland and the County are referred to individually herein as a "Jurisdiction" and collectively as "the Jurisdictions."

**I. RECITALS**

WHEREAS, RCW 39.34.010 permits local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage, and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, pursuant to RCW 39.34.080, each Jurisdiction is authorized to contract with any one or more public agencies to perform any governmental service, activity, or undertaking which each public agency entering into the contract is authorized by law to perform; provided that such contract shall be authorized by the governing body of each Jurisdiction to the contract, and shall set forth its purposes, powers, rights, objectives and responsibilities of the contracting parties; and

WHEREAS, the Jurisdictions are members of the Benton-Franklin Council of Governments;  
and

WHEREAS, the Benton-Franklin Council of Governments is the Tri-Cities region's federal-  
and state-authorized transportation planning organization; and

WHEREAS, the Benton-Franklin Council of Governments completed Transition2040 in  
2017. Transition2040 was the most recent update to the Tri-Cities regional transportation plan; and

WHEREAS, Transition2040 identified existing and intensifying traffic congestion for  
northbound and southbound travel through Richland as a significant regional transportation  
challenge; and

WHEREAS, Transition2040 included conceptual level system modification projects  
intended to mitigate the congestion challenge; and

WHEREAS, Transition2040 did not analyze the relative effectiveness of the identified  
system modifications, nor did it involve the public in selection and prioritization of the modification  
projects; and

WHEREAS, each of the Jurisdictions is particularly impacted by the congestion challenge  
and/or the proposed system modifications; and

WHEREAS, Richland experiences the most concentrated and largest share of traffic  
congestion associated with the northbound and southbound travel in the Tri-Cities; and

WHEREAS, West Richland experiences some congestion as travelers seek alternatives to  
congestion in Richland, and one of the system modifications would construct a new northbound and  
southbound route partially located in West Richland; and

WHEREAS, the County includes properties through which the new northbound and  
southbound route would travel; and

WHEREAS, the Jurisdictions wish to advance the planning that began with Transition2040  
so that a prioritized strategy of system improvements is developed for the region; and

WHEREAS, the Jurisdictions have secured a partnership with the Washington State  
Department of Transportation to participate in a study to advance regional planning; and

WHEREAS, the Jurisdictions' best interests are served by completing a joint planning study  
to avoid duplication of effort, and to prepare a plan predicated on regional consensus.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the  
Jurisdictions agree as follows:

## II. AGREEMENT

**Section 1. Purpose and Scope of Work:** The purpose of this Agreement is to formalize the roles and responsibilities of the Jurisdictions in relation to implementation of the 2018 Tri-Cities Regional North-South Travel Capacity Study.

**Section 2. Administration:** This Agreement shall be administered by the Richland Public Works Director or designee. Such person shall be responsible for:

- a. Establishing policies for implementing this Agreement;
- b. Utilizing Richland's professional services purchasing procedures to solicit and select a consultant to complete the study;
- c. Providing periodic progress reports to the elected officials of each Jurisdiction and WSDOT;
- d. Monitoring progress of the Jurisdictions and other agencies in the fulfillment of their respective responsibilities.

**Section 3. Funding:** The Jurisdictions hereby commit to provide funding as set forth below:

- a. Richland will provide up to **\$70,000** to fund consultant work as described in the 2018 Tri-Cities Regional North-South Travel Capacity Study Prospectus, attached hereto as **Exhibit A** and incorporated herein by this reference.
- b. Upon written request by Richland, West Richland will provide up to **\$10,000** to fund consultant work as described in **Exhibit A**.
- c. Upon written request by Richland, the County will provide up to **\$10,000** to fund consultant work as described in **Exhibit A**.
- d. West Richland and the County will provide the funds identified in this Section within thirty (30) calendar days of Richland invoicing. Richland shall issue invoices after approval of the project consultant agreement by the Richland City Council.
- e. Richland shall secure Washington State Department of Transportation funding through a separate agreement. The Jurisdictions acknowledge that the Washington State Department of Transportation funding commitment is anticipated to be no less than **\$70,000**.

**Section 4. Richland's Project Responsibilities:** Richland hereby commits to the following project responsibilities:

- a. Richland will prepare and publish a Request for Proposals (RFP) for the planning study described in **Exhibit A**.
- b. Richland will convene a Technical Advisory Committee consisting of Public Works staff designated by each Jurisdiction to evaluate the proposals submitted in response to the RFP.
- c. Richland will negotiate and execute a professional services agreement with the selected consultant.
- d. Richland will convene a project kickoff meeting with invitations provided to each Jurisdiction.
- e. Richland will provide periodic, but no less frequent than monthly, status updates to the Technical Advisory Committee.
- f. Richland will coordinate presentation of the draft study results to the elected bodies of each Jurisdiction.

- g. Richland will distribute copies of the final study report to each Jurisdiction.

**Section 5. West Richland and County Responsibilities:** West Richland and the County hereby commit to the following project responsibilities:

- a. Designate a Technical Advisory Committee representative who will actively participate in project meetings and correspondence.
- b. Provide support to the public outreach elements of the study using typical practices employed by the Jurisdiction. Because the specific public outreach program for this study will be designed by the selected consultant, each Jurisdiction must be prepared to engage in program design and implementation with the selected consultant.
- c. Coordinate presentation of the study results with the Jurisdiction's elected body.

**Section 6. Modification:** This Agreement may be modified only by written consent of each Jurisdiction. The designated representative of each Jurisdiction's choosing is authorized under this Agreement to administratively execute amendments to this Agreement for any purpose other than to modify the dollar values contained herein.

**Section 7. Term of Agreement and Termination:**

- a. This Agreement shall become effective upon the date of full execution.
- b. This Agreement shall expire upon study completion, which shall occur on the date Richland issues final payment for services rendered to the study consultant.

**Section 7. Inspection of Records:** The records and documents with respect to all matters covered by this Agreement shall be subject to inspection by any Jurisdiction during the term of this Agreement, and for no less than three (3) years after this Agreement's termination.

**Section 8. No Separate Legal Entity:** It is not the intention that a separate legal entity be established to conduct this cooperative undertaking, nor shall any acquiring, holding or disposing of real or personal property occur under this Agreement.

**Section 9. Severability:** In the event any term or condition of this Agreement or application thereof to any person, entity or circumstance is held invalid, such invalidity shall not affect any other terms, conditions or applications of this Agreement which can be given effect without the invalid term, condition, or application. To this end, the terms and conditions of this Agreement are declared severable.

**Section 10. Venue, Applicable Law and Personal Jurisdiction:** All questions related to this Agreement shall be resolved under the laws of the State of Washington. In the event that any Jurisdiction deems it necessary to institute legal action arising from this Agreement, such action shall be instituted in Benton County Superior Court.

*[Signature page to follow]*

IN WITNESS WHEREOF, the Jurisdictions have signed this Agreement as of the day and year written below.

**CITY OF RICHLAND**

  
\_\_\_\_\_  
CYNTHIA D. REENTS, City Manager

Date: 11/2/18


**ATTEST:**

  
\_\_\_\_\_  
MARCIA HOPKINS, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
HEATHER KINTZLEY, City Attorney

**BENTON COUNTY**

  
\_\_\_\_\_  
Board Chair  
Benton County Commission

Date: 12-4-18

**ATTEST:**

  
\_\_\_\_\_  
Clerk of the Board

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Deputy Prosecuting Attorney, Civil

**CITY OF WEST RICHLAND**

  
\_\_\_\_\_  
BRENT GERRY, Mayor

Date: 12/13/2018

**ATTEST:**

  
\_\_\_\_\_  
JULIE RICHARDSON, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
BRONSON BROWN, City Attorney

## **Exhibit A**

### **Regional North-South Travel Capacity Study**

#### **Background Context**

The 2017 Regional Transportation Plan (Transition2040), the Benton Franklin Council of Governments Congestion Management Program, and local transportation officials identify congestion on north-south oriented corridors through Richland as a regionally significant issue, both at present and into the future. The current roadway network includes two routes supporting this demand, SR240 and George Washington Way. Both corridors experience significant congestion that results in unacceptable levels of service during peak travel periods. Additionally, George Washington Way's alignment runs through the City near its waterfront features and bisects its downtown commercial district. The traffic volumes on George Washington Way have limited the City's implementation of desirable downtown and waterfront enhancement and business recruitment. A more effective system to support the north-south travel demands through Richland is needed to mitigate the environmental and social impacts of congestion and to plan for the predicted population and economic growth of our region.

The Transition2040 Plan included an update to a computerized travel demand model representing the current and future traffic conditions in our region. The Plan also included a list of projects proposed by agency staff to address identified congestion issues. Relevant to this study the Plan included three projects:

1. SR240 – I-182 – Aaron Drive Interchange Improvements
2. George Washington Way – Columbia Point Drive – I-182 Improvements
3. Queensgate Drive – Kingsgate Drive Corridor

The work contributing to the Plan did not include any detailed evaluation of alternative strategies to mitigate the north-south congestion currently experienced and predicted for the future. In addition to the above-mentioned system capital improvements operations optimization and demand management strategies will contribute to managing this issue. To effectively address this significant regional congestion issue it is necessary that additional analysis be completed to select the most effective system changes and to prioritize improvements for funding.

#### **Agency Participation**

The study is proposed as a multi-agency partnership. The City of Richland will act as the project lead as the City most directly experiences the impacts of the congestion. The City of West Richland will participate as a funding and technical partner. Many West Richland residents experience the congestion as they travel to work, school and businesses in Richland. In addition a portion of the Queensgate Drive – Kingsgate Drive Corridor would occupy property in West Richland. Benton County will participate as a funding and technical partner. This is primarily because a portion of the Queensgate Drive – Kingsgate Drive Corridor would occupy property in unincorporated Benton County. The Washington State Department of Transportation (WSDOT) will participate as a funding and technical partner. WSDOT owns and manages SR240, which is a state highway and one of the two existing major arterials serving

the north-south commute through Richland. As such any solution developed by this study will have a significant impact on SR240 and demands on it. These agencies will enter a formal contractual relationship to oversee and implement the study.

Other agency partners are anticipated to participate as technical advisory partners. These include the Benton Franklin Council of Governments, the Port of Benton and Ben Franklin Transit. These agencies and others will be invited to participate in a technical advisory role.

### Study Objectives

The study will seek to deliver a regional consensus about the transportation system improvement strategies to support the north-south commute through Richland and mitigate its impact on the City. The performance target for the system will be to achieve the region's identified level of service standard on all major north-south commute routes.

### Study Design

To deliver on the study objective a consultant will be selected and tasked to complete the following tasks:

1. Review available technical reference material including:
  - a. BFCOG 2017 Regional Transportation Plan (Transition2040)
  - b. SR240 Corridor Studies
  - c. SR240 Value Engineering Studies
  - d. George Washington Way / 1-182 Planning Study
  - e. SR240 Corridor Sketch
  - f. Others
2. Interview Knowledgeable Transportation Planners
3. Identify Key Stakeholders that may include
  - a. Elected officials representing study partners
  - b. Planning Commission members representing study partners
  - c. Transportation Planning and Operations Staff representing study partners
  - d. Large north and central Richland employers representatives including, but not limited to
    - i. PNNL
    - ii. WSU Tri-Cities
    - iii. Department of Energy Contractors
    - iv. Energy Northwest
    - v. Lamb Weston
    - vi. Areva
    - vii. Kadlec
  - e. Ben Franklin Transit Planning and Operations staff
4. Prepare a Public Engagement Plan for the Study to collect and consider various stakeholder input into the final study
5. Review operation of the BFCOG Travel Demand Model relative to the north-south commute trips and routes
  - a. Identify and implement refinements as necessary to improve the model's ability to support the study objectives

- b. Conduct analysis using the regional model to compare the effectiveness of improvements alternatives in achieving the study objectives
6. Identify additional analytical tools that will be useful to evaluation of street system operations strategies and improvements addressing travel delay and congestion
7. Create planning level conceptual designs and cost estimates for the three system improvements identified above and up to three additional conceptual designs and cost estimates for improvement ideas generated during the early stages of the study
8. Develop and implement a cost/benefit analysis tool for comparing the relative value of the identified operations strategies and system improvements
  - a. Evaluate the potential benefits of enhanced ridesharing / transit on the system and account for that in rating of alternatives
9. Complete a cost/benefit analysis of identified alternatives and include identified stakeholders and the general public in refinement and review of the analysis
10. Prepare draft study report
11. Present draft study findings to BFCOG TAC and PAC Committees and partner elected bodies
12. Finalize study report

#### Budget and Funding

The study budget is planned at \$160,000, divided as follows by agency:

1. Richland - \$70,000
2. WSDOT - \$70,000\*
3. West Richland - \$10,000
4. Benton County - \$10,000
- - WSDOT has agreed to contribute seventy thousand dollars (\$70,000) that must be spent prior to the end of the state's fiscal year (June 30, 2019), or it may become unavailable for the project.

#### Schedule

Staff anticipates the following implementation schedule:

1. Negotiation of partnership agreements – October 2018
2. Consultant Request for Qualifications – November 2018
3. Consultant Contract – January 2019
4. Study Implementation, including Public Outreach – January, 2019 – June, 2019
5. Finalize Study and Present Recommendations – June – July, 2019



RESOLUTION NO. ~~150-18~~ 164-18

A RESOLUTION of the City of Richland authorizing an interlocal agreement with the City of West Richland and Benton County for completion of a transportation planning study addressing northerly and southerly traffic congestion in Richland.

WHEREAS, the cities of Richland and West Richland (hereafter "Cities") and Benton County are members of the Benton Franklin Council of Governments (BFCOG); and

WHEREAS, BFCOG is the Tri-Cities region's federal and state authorized transportation planning organization; and

WHEREAS, in 2017, BFCOG completed Transition2040, the most recent update to the Tri-Cities Regional Transportation Plan; and

WHEREAS, Transition2040 identifies existing and intensifying traffic congestion for northbound and southbound travel through Richland as a significant regional transportation challenge; and

WHEREAS, Transition2040 includes conceptual level system modification projects intended to mitigate the congestion challenge; and

WHEREAS, Transition2040 does not analyze the relative effectiveness of the identified system modifications, nor does it involve the public in selection and prioritization of the modification projects; and

WHEREAS, the Cities and Benton County are the local jurisdictions most impacted by the congestion challenge and/or the proposed system modifications; and

WHEREAS, Richland experiences the most concentrated and largest share of traffic congestion associated with the northbound and southbound travel in the Tri-Cities; and

WHEREAS, West Richland experiences some congestion as travelers seek alternatives to congestion in Richland. One proposed system modification would construct a new northbound and southbound route partially located in West Richland; and

WHEREAS, Benton County includes properties through which the new northbound and southbound route would travel; and

WHEREAS, the jurisdictions wish to advance the planning initiated with the Transition2040 study, allowing for a prioritized strategy of system improvements to be developed for our region; and

WHEREAS, Richland has secured partnership with the Washington State Department of Transportation (WSDOT) to financially participate in a study to advance regional planning; and

WHEREAS, the jurisdictions' best interests are served by completing a joint planning study to avoid duplication of effort and to prepare a plan that will receive regional consensus.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to execute an interlocal agreement with the City of West Richland and Benton County for completion of a transportation planning study to address northerly and southerly traffic congestion in Richland.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

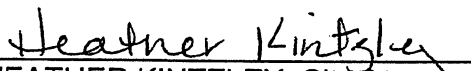
ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 6<sup>th</sup> day of November, 2018.

  
\_\_\_\_\_  
ROBERT J. THOMPSON  
Mayor

ATTEST:

  
\_\_\_\_\_  
MARCIA HOPKINS, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
HEATHER KINTZLEY, City Attorney

**CITY OF WEST RICHLAND  
RESOLUTION NO. 36-18**

**A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON,  
AUTHORIZING THE MAYOR TO EXECUTE INTER-LOCAL AGREEMENT  
REGARDING 2018 TRI-CITIES REGIONAL NORTH-SOUTH TRAVEL  
CAPACITY STUDY WITH CITY OF RICHLAND AND BENTON COUNTY**

**WHEREAS**, the City of Richland, Benton County and the City of West Richland are authorized to enter into interlocal cooperation agreements as set forth in Chapter 39.34 RCW, and

**WHEREAS**, the Jurisdictions are members of the Benton-Franklin Council of Governments;  
and

**WHEREAS**, the Benton-Franklin Council of Governments is the Tri-Cities region's federal- and state-authorized transportation planning organization; and

**WHEREAS**, the Benton-Franklin Council of Governments completed Transition2040 in 2017. Transition2040 was the most recent update to the Tri-Cities regional transportation plan; and

**WHEREAS**, Transition2040 identified existing and intensifying traffic congestion for northbound and southbound travel through Richland as a significant regional transportation challenge; and

**WHEREAS**, Transition2040 included conceptual level system modification projects intended to mitigate the congestion challenge; and

**WHEREAS**, Transition2040 did not analyze the relative effectiveness of the identified system modifications, nor did it involve the public in selection and prioritization of the modification projects; and

**WHEREAS**, each of the Jurisdictions is particularly impacted by the congestion challenge and/or the proposed system modifications; and

**WHEREAS**, Richland experiences the most concentrated and largest share of traffic congestion associated with the northbound and southbound travel in the Tri-Cities; and

**WHEREAS**, West Richland experiences some congestion as travelers seek alternatives to congestion in Richland, and one of the system modifications would construct a new northbound and southbound route partially located in West Richland; and

**WHEREAS**, the County includes properties through which the new northbound and southbound route would travel; and

**WHEREAS**, the Jurisdictions wish to advance the planning that began with Transition2040 so that a prioritized strategy of system improvements is developed for the region; and

**WHEREAS**, the Jurisdictions have secured a partnership with the Washington State Department of Transportation to participate in a study to advance regional planning; and

**WHEREAS**, the Jurisdictions' best interests are served by completing a joint planning study to avoid duplication of effort, and to prepare a plan predicated on regional consensus.

**NOW, THEREFORE**, the City Council of the City of West Richland, Washington, hereby resolves as follows:


**Section 1.** That the Mayor is hereby authorized to execute Inter-Local Agreement regarding the 2018 Tri-Cities Regional North-South Travel Capacity Study with City of Richland and Benton County.

**Section 2.** This Resolution will take effect upon the date of approval and signature.

**PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON,**  
at a regular meeting thereof held this 6th day of November, 2018.

  
\_\_\_\_\_  
Brent Gerry, Mayor

ATTEST:

  
\_\_\_\_\_  
Julie Richardson, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Bronson Brown, City Attorney

**RESOLUTION      2018 898**

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:**

**IN THE MATTER OF AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN BENTON COUNTY AND CITY OF RICHLAND AND CITY OF WEST RICHLAND FOR THE 2018 TRI-CITIES REGIONAL NORTH SOUTH TRAVEL CAPACITY STUDY**

**WHEREAS**, pursuant to RCW 39.34, local government units are permitted to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and

**WHEREAS**, Benton County and City of Richland and City of West Richland desire to participate together in the 2018 Tri-Cities regional north-south travel capacity study for the purposes of evaluating potential alternative routes to the SR 240 corridor; and

**WHEREAS**, pursuant to RCW 36.01.010 and RCW 36.32.120, the legislative authority of each county is authorized to enter into contracts on behalf of the County and have the care of County property and management of County funds and business; and

**WHEREAS**, the Board of Benton County Commissioners constitutes the legislative authority of Benton County and desires to enter into the attached agreement as being in the best interest of Benton County, **NOW, THEREFORE,**

**BE IT RESOVLED** the Benton County Board of Commissioners hereby approves the attached Interlocal Cooperative Agreement between Benton County and City of Richland and City of West Richland for the 2018 Tri-Cities Regional North-South Travel Capacity Study through their Department of Public Works; and

**BE IT FURTHER RESOLVED** that the Chairman of the Board is hereby authorized to execute said agreement on behalf of the Board; and

**BE IT FURTHER RESOLVED** this Agreement shall be effective when executed by all parties and shall automatically terminate when the Study is completed.

Dated this 4th day of December 2018.

**JEROME DELVIN - ABSENT**

\_\_\_\_\_  
Chairman



\_\_\_\_\_  
Chairman Pro-Tem



\_\_\_\_\_  
Member

Attest:   
Clerk of the Board

Constituting the Board of County  
Commissioners of Benton County,  
Washington