



## **Request for City Council Committee Action From the Department of Public Works**

**Date:** May 6, 2008  
**To:** Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee  
**Subject:** **UPA Marquette and 2<sup>nd</sup> Avenue Transit Project: Municipal State Aid Variance**

**Recommendation:**

Adopt a resolution directing the City Engineer to proceed with a formal request for a variance from State Aid to allow the City of Minneapolis to let bids prior to receiving final State Aid approval on the Marquette and 2<sup>nd</sup> Avenue Transit Project.

**Previous Directives:**

- May 2, 2008 - Authorize negotiation and approval of a Subrecipient Agreement with the Metropolitan Council, the designated recipient of the Urban Partnership Agreement FTA funds
- April 4, 2008 – Authorized Public Works to negotiate with private property owners to acquire and execute easements
- April 4, 2008 – Passed Resolution designating areaway improvements
- April 4, 2008 – Set a public hearing to be held on May 20 to consider abandonment and removal of areaways in conflict with the project and directing staff to give notice in accordance with Section 95.90 of Minneapolis Code of Ordinances
- April 4, 2008 – Accepted URS proposal for design and construction administration services
- March 21, 2008 – Approved preliminary cross-section and layout
- December 21, 2007 – Authorized negotiation and execution of a Subrecipient application with the Metropolitan Council, the designated recipient of the Urban Partnership Agreement FTA funds
- December 21, 2007 – Authorized Public Works to proceed with the Marquette and Second Avenue Transit Project design work
- December 21, 2007 – Authorized development and issuance of a Request for Proposal (RFP) for a consultant to assist with design and construction management services in support of the Marquette and Second Avenue Transit Project
- June 29, 2007 – Approved Downtown Action Plan

**Prepared by:** Bill Fellows, P.E., Project Manager, Transportation Planning and Engineering  
Don Elwood, P.E. Director, Transportation Planning and Engineering

**Approved by:**

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Steven A. Kotke, P. E., City Engineer, Director of Public Works

**Presenters:** Bill Fellows, P.E., Project Manager

**Reviews**

Permanent Review Committee (PRC):	Approval	NA	Date
Civil Rights Affirmative Action Plan	Approval	NA	Date
Policy Review Group (PRG):	Approval	NA	Date

**Financial Impact** (Check those that apply)

- No financial impact - or - Action is within current department budget (If checked, go directly to Background/Supporting Information)
- Action requires an appropriation increase to the Capital Budget
- Action requires an appropriation increase to the Operating Budget
- Action provides increased revenue for appropriation increase
- Action requires use of contingency or reserves
- Business Plan:  Action is within the plan.  Action requires a change to plan.
- Other financial impact (Explain): The project is funded through the federal Urban Partnership Agreement grant. A state local match is required that is still in discussion at the Legislature. If the state local match is approved, no additional city funds will be required. If the entire local match is not approved, there will be financial impacts to the city.
- Request provided to department's Finance Dept. contact when provided to the Committee Coordinator

**Community Impact**

- Neighborhood Notification – Numerous meetings were held with the Project Steering Committee, stakeholders and the general public during the preparation of the Downtown Action Plan. Meetings are currently being held with property owners and other downtown stakeholders.
- City Goals – meets the goals of:
  - A Safe Place to Call Home
    - The city's infrastructure will be well-maintained
  - Connected Communities
    - Connected network of transportation options
    - Streets will be destinations
  - Enriched Environment
    - Energy into renewable and alternative energy
    - Fully implement the City's Sustainable Work Plan
- Comprehensive Plan – implements the transportation polices set forth in the city's comprehensive plan and the actions approved in the Downtown Ten-Year Transportation Action Plan

**Background/Supporting Information:**

In April, 2007, Mn/DOT and Metropolitan Council submitted an application for Urban Partnership Agreement (UPA) federal funding – a new funding program targeted toward congestion reduction through transit improvements, tolling/congestion pricing, technology and telecommuting. The Marquette and Second Avenue Transit Project is included in this grant application.

On August 22, 2007, the US Department of Transportation announced the award of \$85.9 million from 2006 and 2007 federal funds to the Metropolitan Council to support the transit portion of the UPA. A request has been made by the Metropolitan Council to the State of Minnesota for the necessary grant award enabling legislation and for the 20% local match (\$21.5 million).

This project requires a variance from State Aid to allow the City of Minneapolis Public Works Department to let bids prior to receiving final State Aid approval on the Marquette and 2<sup>nd</sup> Avenue Transit Project. State Aid Rule 8820.2800 subpart 2 requires “only those projects for which final plans are approved by the state aid engineer before opening bids are eligible for state aid construction funds”. The variance is being requested to help ensure that the project can move forward to meet the required construction completion deadline of December 31, 2009 and ensure the ability to use Municipal State Aid funds as required for the project.

Colvin Roy  
Resolution No. \_\_\_\_\_

**Directing the City Engineer to proceed with a formal request for a variance from State Aid to allow the City of Minneapolis to let bids prior to receiving final State Aid approval on the Marquette and 2<sup>nd</sup> Avenue Transit Project.**

Whereas, the City wishes to reconstruct Marquette and 2<sup>nd</sup> Avenue from 1<sup>st</sup> to 12<sup>th</sup> Street.

Whereas, Minnesota Department of Transportation (MnDOT) State-Aid Rule 8820.2800, subpart 2 requires a variance to allow the City of Minneapolis to let bids prior to receiving final State-Aid approval.

Whereas, State-Aid Rules provide that a political subdivision may request a variance from the Rules.

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:  
That the City Engineer is hereby directed to submit to the Commissioner of Transportation a formal request for a variance from (MnDOT) State-Aid Rule 8820.2800, subpart 2 to permit the bid letting prior to receiving final State-Aid approval.