



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

Date: November 5, 2009

To: Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee

Referral to: Honorable Paul Ostrow, Chair Ways & Means / Budget Committee

Subject: **Marquette Ave S and 2nd Ave S Reconstruction (1st St S to 12th St S)**

Recommendation:

1. Receive and accept the final costs of all project work under the Paving Capital Fund (04100) described in the following project for the total amount specified and adjust the capital appropriation as specified thereby closing the specified projects.
 - a. Marquette & 2nd Ave Reforestation project for a total of \$0. Paving capital appropriation for 04100-9010937, project CPV054 should be decreased by \$200,000 and excess Net Debt Bonds shall be re-designated in the amount of \$200,000.
2. Request the City Council to reallocate the Capital Bonds from the Paving Capital Fund (04100) to the projects listed below. Request the concurrence of the Board of Estimate and Taxation in the reallocation of already issued Net Debt Bonds.
 - a. As result of the above close out of project CPV054, \$200,000 of Net Debt Bonds becomes available for reallocation. This entire amount shall be reallocated as follows, including an increase to appropriation and revenue source:
 - \$100,000 to Marquette Ave Double Width Transit Lanes, 04100-9010937, project CPV052 revenue source 3846
 - \$100,000 to 2nd Ave Double Width Transit Lanes, 04100-9010937, project CPV053 revenue source 3846
3. Authorize the proper City Officials to execute Amendment #2 to Contract C-25901 with Shafer Contracting. This amendment increases the maximum billing amount from \$20,235,598 to \$21,035,364 to allow for additional work due to changed conditions not provided for in the original scope of the contract. The Amendment is within the project budget. No additional appropriation is needed.
4. Authorize the proper City Officials to execute a third amendment to the contract for an amount not to exceed \$300,000. No additional appropriation is needed.

Previous Directives:

- August 28, 2009 - Council Adopted Shafer amendment 1 for C-25901
- July 31, 2009 – Council Adopted URS amendment 1 for contract C-25499
- June 12, 2009 – Council Resolution 2009R-268, Authorize amendment to the UPA Subrecipient Agreement with the Metropolitan Council to increase the total award amount by \$1,900,000.
- March 27, 2009 Council Accepted low bid from Max Steinger for Streetscape on Marquette Ave & 2nd Ave to include a contingency. Contract includes trees.
- March 27, 2009 – Council Resolution 2009 - Establish parking restrictions along the Marquette and 2nd Avenue transit corridor.

- January 13, 2009 TPW Committee-Marquette & 2nd Ave Transit Project Phase II Construction Plan, including streetscape, Receive and File
- January 3, 2009 Transportation & Public Works Committee – Marquette and 2nd Ave Transit Project Phase II Construction Plan, including Streetscape, Receive and File
- December 11, 2008 Council approved Capital budget Project # PV054 (Marquette & 2nd Ave Reforestation \$200,000 NDB)
- September 26, 2008 – Council Resolution 2008R-424 Amending the Capital Improvement Appropriation Resolution
- September 26, 2008 – Council Resolution 2008R-425 Holding Harmless the State of Minnesota from actions that may arise from bidding the Urban Partnership Agreement Marquette and 2nd Avenue Projects prior to receiving final State Aid approval of the plans
- July 25, 2008 – Council Resolution 2008R-316, Uniform Paving Assessment- Set Public hearing
- July 25, 2008 – Accept qualified low bid for street reconstruction
- June 6, 2008 – Council Resolution 2008R-221 project designation
- May 16, 2008 – Direct the City Engineer to proceed with formal variance request from State Aid Rules
- 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 Engineer, TP&E, 673-5661
 Don Elwood, P.E., Director, Transportation Planning and Engineering

Approved by: _____
 Steven A. Kotke, P. E., City Engineer, Director of Public Works

Presenters: Bill Fellows

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

No Financial Impact

Community Impact

- **Neighborhood Notification:**
- **City Goals:** -- meets the goals of:

- A Safe Place to Call Home – Trees clean the air which will give residents a healthier environment
- Connected Communities – Achieves goal by providing great spaces for walking
- Enriched Environment – This is the key city goal this project affects (Urban Forest)
- A Premier Destination – Encourages cleaner, Greener downtown
- **Comprehensive Plan:**
- **Zoning Code:**

Background/Supporting Information:

Recommendations 1 & 2

Project CPV054 was included in the 2008 Capital Budget for the greening of Marquette Ave & 2nd Ave. About 170 new trees and 30 planters were included in the Marquette and 2nd Ave reconstruction project. Closing project CPV054 and re-allocating the funds to projects CPV052 (Marquette Ave) & CPV053 (2nd Ave) is an administrative action to facilitate tracking project costs.

Recommendation 3 & 4

On August 28, 2009 Council approved Amendment 1 to the Shafer Construction contract. Amendment 1 was for change orders executed to date, in the amount of \$1,714,113. The additional work was related to the watermain replacement, signal and lighting modifications, areaways, and transit related work requested by Met Transit. The executed change orders were due to unforeseen conditions, plan revisions, and changes in work scope and amounted to less than 10% of the original contract value.

Amendment 2 is for \$1,099,766, including \$299,766 in additional change orders since Amendment 1 (September, 2009), an estimated \$500,000 in current and projected quantity overruns, and a \$300,000 contingency.

Change orders since Amendment 1 include \$104,231.47 for a fiber connection between Metropolitan Council's Heywood facility and the City of Minneapolis Border facility to enable traffic signal control, \$25,403.40 for signal and lighting caisson foundations, and \$ 136,543.96 for transit service cabinets. The transit service cabinet change order is to be paid by Metropolitan Council. Current known quantity overruns include Pavement Sawing (345% or \$175,200 over), Bituminous Patching Mixture (435% or \$134,370 over), Portable Concrete Barrier (604% or \$100,850 over), Storm Water Casting Assembly (290% or \$73,200 over), Catch Basin Standpipe Erosion Control (\$270% or \$111,500 over), and Police Officer (636% or \$66,440 over). Other items are below the original estimated quantities. The overall construction budget is within the budgeted 17.5% contingency.

Due to the unique nature of this project, we are requesting that if necessary, the City Engineer have the authority to execute a third and final contract amendment, not to exceed \$300,000. This authority is needed to ensure the project is completed by federally mandated December 31, 2009 deadline.

The maximum contract amount including Amendment 2 is fully funded by the UPA grant. If Amendment 3 becomes necessary, it will also be fully funded by the UPA grant. No additional appropriation is needed.

Cc: Council Member Lisa Goodman, Ward 7
 Jack Qvale, Board of Estimate and Taxation
 Mike Abeln, Finance
 Craig Troutman, Finance