



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

**Date:** March 25, 2008

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

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

**Subject:** Marquette and 2<sup>nd</sup> Avenue Transit Project

- 1) Negotiate and execute easements, if necessary
- 2) Designate areaway project
- 3) Set Public Hearing to abandon and remove areaways
- 4) Marquette Avenue (Project No 6740) and 2<sup>nd</sup> Avenue S (Project No 6739):  
Acceptance of Design and Construction Administration Bid

### **Recommendation:**

1. Authorize Public Works to negotiate with private property owners to acquire and execute easements and additional right of way, if necessary.
2. Passage of a Resolution designating the location, streets and areaway improvements to be made in the Marquette and 2<sup>nd</sup> Avenue Transit Project corridor (Marquette Avenue from 1<sup>st</sup> Street to 12<sup>th</sup> Street and 2<sup>nd</sup> Avenue from 1<sup>st</sup> Street to 12<sup>th</sup> Street).
3. Setting a public hearing to be held on May 20, 2008, before the Transportation and Public Works Committee to consider the abandonment and removal of areaways in conflict with the street and streetscape construction projects and directing staff to give notice in accordance with the provisions of Section 95.90 of the Minneapolis Code of Ordinances.
4. Acceptance of the best quality bid, as prescribed by the Federal Transit Authority (FTA) process, of URS/SEH in the amount of \$4,117,400.00 to furnish all labor, materials, equipment, permits and incidentals necessary to accomplish the design and construction administration of the Marquette Avenue and 2<sup>nd</sup> Avenue Transit Project.

Further recommend that proper City Officers be authorized and directed to execute a contract for these services.

### **Previous Directives:**

- March 4, 2007: Council Action – Approved preliminary cross-section of selected areas with amendment.
- December 11, 2007: Council Action – Authorized to negotiate and execute a Sub recipient application with Metropolitan Council.
- December 11, 2007: Council Action – Directed Department of Public Works to proceed with project design work.
- December 11, 2007: Council Action – Authorized to develop and issue a RFP for project design work pending PRC approval.

- June 29, 2007: Resolution 2007R-323, Supporting the Minnesota Department Of Transportation proposal for an Urban Partnership Agreement project for the Twin Cities Metropolitan Area.

**Prepared by:** Christopher Engelmann, Project Engineer, Transportation Planning and Engineering, 673-3274  
 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, 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.
- X 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.
- \_\_\_ Request provided to department's Finance Dept. contact when provided to the Committee Coordinator

**Community Impact**

**Neighborhood Notification** – Meetings are currently being held with property owners and other downtown stakeholders. A letter has been sent by Mn/DOT and Metropolitan Council to property owners and building managers along Marquette and 2<sup>nd</sup> Avenue to announce the project. City staff also sent a follow-up letter announcing a public meeting and initiating discussions with property owners/managers. A communications plan is being prepared for the final design and construction process.

**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 policies set forth in the city's comprehensive plan and the actions approved in the Downtown Ten-Year Transportation Action Plan

**Background/Supporting Information:**

The Downtown Action Plan, which was approved by City Council on June 29, 2007, includes reconstruction of Marquette and Second Avenues to incorporate two transit lanes on each street. The plan also calls for wider sidewalks, additional transit passenger waiting facilities and additional streetscaping.

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. In August, 2007, the Twin Cities was selected to receive a UPA grant. This \$133 million grant includes the Marquette and Second Avenue Transit Project with a stipulation that all work must be completed by December 31, 2009. A state match of \$55 million is required. This requires legislative authorization, which is currently being debated by the State Legislature.

**Authorize Public Works to obtain (if necessary) addition right-of-way**

Staff is requesting authorization to allow Public Works to negotiate with private property owners to acquire and execute easements and additional right of way, if necessary. This request for authorization is being made at this time due to the very short time frame to design and construct this project.

**Designate the location, streets and areaway improvements to be made**

The purpose of this action is to designate the areaway abandonment portion of the Marquette and 2<sup>nd</sup> Avenue Transit Project.

The location of the areaway abandonment is in the Marquette and 2<sup>nd</sup> Avenue corridors between 1<sup>st</sup> Street and 12<sup>th</sup> Street. The plan for this project is to remove and abandon areaways that are anticipated to be in conflict with the future street and streetscape project in the Marquette and 2<sup>nd</sup> Avenue corridor.

**Abandonment and Removal of Conflicting Areaways**

Section 95.90 of the Minneapolis Code of Ordinances provides a procedure for dealing with areaway encroachments that would interfere with public improvements being made in the public right-of-way such as street construction. Before the City may abandon and remove conflicting areaways (upon the failure of the abutting property owner to resolve or agree to resolve the conflict) and then later assess the costs, a public hearing must be held. It is our recommendation that this areaway public hearing be held May 20, 2008. This is being requested earlier than usual due to the project time constraints (grant required completion date of December 31, 2009) and anticipation of the full future project designation and public hearing. Prior to the areaway public hearing notices being given, the City Engineer will have provided the initial notice required in Section 95.90 of the Minneapolis Code of Ordinances.

**Acceptance of Design and Construction Administration Bid**

On December 11, 2007, Council authorized Public Works to develop and issue a Request for Proposal (RFP) for design and construction management services to assist with the Marquette Avenue and 2<sup>nd</sup> Avenue Transit Project. Proposals were received and reviewed on a qualitative basis as prescribed by FTA process. The highest quality proposal was selected and their bid

reviewed. Therefore, Public Works is recommending the acceptance of the best quality bid of URS/SEH in the amount of \$4,117,400.00 to furnish all labor, materials, equipment, permits and incidentals necessary to accomplish the design and construction administration of the Marquette Avenue and 2<sup>nd</sup> Avenue Transit Project.

Cc: Council Member Lisa Goodman  
Bill Schroeder  
Suzette Hjermstad