

# T Transportation Committee

Meeting Date: April 27, 2009

For Metropolitan Council Meeting: May 13, 2009

## ADVISORY INFORMATION

**Date:** April 17, 2009

**Subject:** Cooperative Construction and Relocation Agreement with the Board of Water Commissioners of the City of Saint Paul for Public Water

**District(s), Member(s):** District 7: Annette Meeks      District 8: Lynette Wittsack  
District 13: Richard Aguilar      District 14: Kirstin Sersland Beach

**Policy/Legal Reference:** MN Statutes 473.3999, 473.405, and 471.59

**Staff Prepared/Presented:** Brian J. Lamb, General Manager, 612-349-7510  
Mark W. Fuhrmann, Deputy General Manager, 651-602-1942  
Rich Rovang, AGM – Transit Systems Development, 651-602-1941

**Division/Department:** Metro Transit / Central Corridor Project Office

## Proposed Action/Motion

That the Metropolitan Council authorize the Regional Administrator:

- To negotiate and execute a Cooperative Construction and Relocation Agreement with the Board of Water Commissioners of the City of Saint Paul relative to the 4<sup>th</sup> Street Advance Utility Construction in Saint Paul in an amount not to exceed \$425,000.

## Background

- The Metropolitan Council plans to relocate utilities on 4<sup>th</sup> Street in downtown Saint Paul in advance of larger construction activity for the Central Corridor Light Rail Transit (“CCLRT”) project. The advance utility work is scheduled to begin August 2009.
- The advance utility work will include relocation of Board of Water facilities on 4<sup>th</sup> Street for the six blocks between Minnesota Street and Broadway Street.
- This cooperative agreement will accomplish the following with respect to relocation of Board of Water facilities:
  - Allow the Metropolitan Council to work cooperatively with the Board of Water to efficiently construct, relocate and restore Board of Water’s public utilities;
  - Address design and construction of the work; and
  - Allow the Metropolitan Council to reimburse the Board of Water for staff labor and material costs associated with the work
- Execution of this agreement is contingent on the Metropolitan Council completing the Final Environmental Impact Statement process and receiving a Letter of No Prejudice (“LONP”) from the FTA in July 2009. The LONP will allow the Council to undertake this construction now at its own risk with the commitment from the Federal Transit Administration (FTA) that it will be eligible for federal reimbursement (50% federal share) upon execution of the Full Funding Grant Agreement (FFGA).
- The reimbursement cost for services under this cooperative agreement is not to exceed \$425,000.

**Rationale**

The 4<sup>th</sup> Street Advance Utility Construction work prior to the execution of the FFGA will enable the largest and longest duration contract package (Civil East) to begin work immediately upon receipt of the FFGA and complete heavy construction work in St. Paul in 2013 allowing for service to begin in 2014.

**Funding**

Counties Transit Improvement Board 2009 capital grant in the amount of \$26 million and State Bond funding in an amount of \$70 million is available for this agreement.

**Known Support/Opposition**

The Counties Transit Improvement Board 2009 capital grant for CCLRT includes funding for the 4<sup>th</sup> Street Advance Utility Construction package. This action is supported by the City of Saint Paul.