

# T Transportation Committee

**Meeting Date: June 14, 2010**

**Metropolitan Council Meeting: June 23, 2010**

## **ADVISORY INFORMATION**

<b>Date:</b>	<b>June 3, 2010</b>
<b>Subject:</b>	<b>Central Corridor Light Rail Transit: Civil East Construction</b>
<b>Districts/ Member(s):</b>	<b>All</b>
<b>Policy/Legal</b>	
<b>Reference:</b>	<b>Metropolitan Council Procedure 3-3c (Requires Council Approval over \$1 million)</b>
<b>Staff</b>	<b>Brian J. Lamb, General Manager, 612-349-7510</b>
<b>Prepared/Presented:</b>	<b>Mark W. Fuhrmann, Deputy Gen Mgr, 651-602-1942</b> <b>Rich Rovang, CCLRT Project Director, 651-602-1941</b>
<b>Division/Department:</b>	<b>Metro Transit / Central Corridor Project Office</b>

### **Proposed Action/Motion**

Authorize the Regional Administrator to:

- Award and execute a contract with the lowest responsive and responsible bidder, Walsh Construction, for the Central Corridor Light Rail Transit (CCLRT) Civil East Construction in St. Paul, Minnesota at a cost of \$205,111,234.05.
- Issue a Limited Notice to Proceed in an amount of \$20,000,000.

Award of this contract and issuance of a Limited Notice to Proceed are contingent upon the receipt of a Letter of No Prejudice (LONP) from the Federal Transit Administration (FTA) expected prior to the end of June.

### **Background**

As part of the CCLRT Project, the Civil East contract scope in St. Paul includes 14 stations and 6.9 miles of double track. The Civil East contract generally includes underground public utilities, drainage, street lighting, light rail track, bridge and retaining wall structures, light rail stations, adjustments to areaways (below-ground building spaces), underground communications, signal, and traction power ducts, pull boxes, above and below-grade traffic signal facilities, catenary pole foundations, sidewalk, and roadway pavements.

Bids were received from the six pre-qualified firms. The bids were opened on May 18, 2010 and ranged from \$205,398,234 to \$246,897,927. The low bid includes \$194.7 million of project expense (including up to \$6 million in sales tax), plus \$10.4 million of betterments (stakeholder scope). The project budget for Civil East construction contract was \$212 million.

The contract will be awarded based on the base bid and the betterments the stakeholders indicated they will reimburse the Council. The award includes:

Project Expense	\$188,682,473.00
Sales Tax	\$6,000,000.00
Betterments:	
Ramsey County	\$348,000.00
City of St Paul	\$5,965,945.00
District Energy	\$2,885,710.00
Capitol Region Watershed District	\$225,000.00
MnDOT	\$347,006.05
Capitol Area Architectural Planning Board*	\$392,000.00
Xcel	\$265,100.00
Total Bid	\$205,111,234.05

\*Met Council non-project funded

**Rationale**

This is the first major construction contract for the CCLRT Project. It includes work necessary for systems testing by the summer of 2013 in order to maintain the revenue service date in 2014 and avoid construction delay and cost escalation impacts. The Central Corridor Project Office (CCPO) is seeking to complete a portion of this work under a LONP from the FTA.

The Disadvantaged Business Enterprise (DBE) goal was 15% which was applied to both the base bid and the betterments. The lowest responsive and responsible bidder, Walsh Construction, has met the goal based on participation and good faith efforts.

The execution of a construction contract in excess of \$1,000,000 requires Council approval.

**Funding**

Sufficient funding commitment from local sources is available to award the construction contract under the LONP and to issue a Limited Notice to Proceed. In addition, the LONP ensures the eligibility of these expenditures for Federal funding reimbursement upon execution of the Full Funding Grant Agreement (FFGA) expected in the fourth quarter of 2010. The full Notice to Proceed will not be granted until authorized by the Council upon execution of the FFGA.

The Betterment Bid Items of \$10,036,761.05 will be reimbursed to Met Council by the Stakeholders under approved cooperative funding agreements.

**Known Support/Opposition**

FTA, Local funding partners, and both public and private utilities have been consulted and support the project, the contract award under the Letter of No Prejudice and issuance of a Limited Notice to Proceed.