

T Transportation Committee
For the Metropolitan Council meeting of April 25, 2007

Item: 2007-97

Reconsider

ADVISORY INFORMATION

Date Prepared: April 25, 2007

Subject: Reconsider March 28, 2007 Action for Independent Testing Laboratory Contract for the 28th Avenue Park-and-Ride in Bloomington, Project 63612; Substitute Motion

Summary:

Chair Bell noted that information provided by staff and the changed situation resulting from the inability to reach agreement with the highest ranked firm, Stork Twin City Testing Corp, justifies a reconsideration of the Council's March 28, 2007 action on Business Item 2007-97

Recommendation:

That the Metropolitan Council:

1. authorize the Regional Administrator to negotiate and execute a professional services contract with STS Consultants, Ltd., for the Independent Testing Laboratory services during the construction of the 28th Avenue Park and Ride Facility, and
2. have the technical authority to act on behalf of the Bloomington Port Authority Trust in making payments to vendors on the 28th Avenue Park and Ride Construction Project.

T Transportation Committee
For the Metropolitan Council meeting of
March 28, 2007

Item: 2007-97

CONSENT

ADVISORY INFORMATION

Date Prepared: March 13, 2007

Subject: Independent Testing Laboratory Contract for the 28th Avenue Park-and-Ride in Bloomington, Project 63612

Summary of Committee Discussion:

After staff made a brief presentation, Council Member Susag asked if staff would be administering the construction contract for the 28th Avenue Parking Structure. The Metropolitan Council is to sign and administer the construction contract. The contractor is to submit pay requests to the Council for payment during construction. Staff would verify the pay request and if approved pass to Bloomington and the Port Authority Trust. Upon their approval the Trust is to wire transfer funds to the Council and the Council would make payment to the contractor.

Council Member Susag moved approval and Council Member Hilker seconded. The item passed without further discussion.

Recommendation:

That the Metropolitan Council (1) authorize the Regional Administrator to negotiate and execute a professional services contract with Stork Twin City Testing Corporation for the Independent Testing Laboratory services during the construction of the 28th Avenue Park-and-Ride Facility, and (2) that the Metropolitan Council have the technical authority to act on behalf of the Bloomington Port Authority Trust in making payments to vendors on the 28th Avenue Park and Ride Construction Project.

T Transportation Committee

Meeting date: March 12, 2007

ADVISORY INFORMATION

Date:	March 7, 2007
Subject:	Independent Testing Laboratory Contract for the 28 th Avenue Park-and-Ride in Bloomington, Project 63612
District(s), Member(s):	District 5, Russ Susag
Policy/Legal Reference:	Procurement of Professional Services
Staff Prepared/Presented:	Brian J. Lamb, General Manager (612-349-7510) Mark W. Fuhrmann, Deputy General Manager (612-349-7513) Tom Thorstenson, Director, Engrg & Construction (612-349-7689) Pat Jones, Manager, Facilities Engineering (612-349-7606)
Division/Department:	Metro Transit/Engineering & Construction

Proposed Action/Motion

That the Metropolitan Council (1) authorize the Regional Administrator to negotiate and execute a professional services contract with Stork Twin City Testing Corporation for the Independent Testing Laboratory services during the construction of the 28th Avenue Park-and-Ride Facility, and (2) that the Metropolitan Council have the technical authority to act on behalf of the Bloomington Port Authority Trust in making payments to vendors on the 28th Avenue Park and Ride Construction Project.

Issue(s)

Council approval is required for professional services contracts in excess of \$250,000.

Overview and Funding

At its meeting February 28, 2007, the Metropolitan Council authorized the Regional Administrator to award and execute a contract for the construction of the 28th Avenue Park & Ride Facility in Bloomington, Minnesota. To comply with State and local codes and regulations, independent testing services are required to test and inspect the work of the contractor. A Request For Proposal (RFP) was issued for professional services firms to provide construction observation and inspection & testing services for this project.

Four firms responded to the RFP. An Evaluation Panel evaluated and ranked the proposals in accordance with established Council procedures for projects funded with federal funds. The Evaluation Panel has recommended award to Stork for the services, as being in the best interest of the Council. Stork's cost estimate of \$249,800 compares favorably with Metro Transit's estimate. In the unlikely event that final negotiations with Stork are unsuccessful, then in accordance with Brooks Act requirements, staff would initiate negotiations with the next highest ranked company (STS Consultants Ltd.).

Funding for this project will be provided by lease revenue bonds issued by the Bloomington Port Authority.

28th Ave Park & Ride - Construction Passthrough

We are asking for authority to allow the Council to act on behalf of the Bloomington Port Authority Trust in making payments to vendors on the 28th Avenue Park and Ride Construction Project. We are requesting an addition to the March 2007 Unified Capital Program Amendment - Transportation Item # 2007-66 which is planned to go to the Metropolitan Council on March 28, 2007 for approval.

The Council will receive funds from the trust established by the Bloomington Port Authority to make payments to vendors on behalf of the trust for construction of the 28th Ave Park and Ride. This amendment authority request provides the Council the technical authority to accept the trust funds and make the payments to vendors. The requested amount of the 28th Ave Park and Ride Construction Passthrough is \$19,212,410. This amount will be a corresponding source of local revenue from the trust resulting in no capital expense impact to the Council.