



ADVISORY INFORMATION

Date October 23, 2012
Prepared:
Subject: **Amend Interagency Agreement with Minnesota Department of Transportation to fund Highway 36 and Rice Street Park & Ride Construction, Change Order Authorization**

Proposed Action:

That the Metropolitan Council authorizes the Regional Administrator to:

- Increase the Contract Price for contract number 11P166, for the construction of Highway 36 and Rice Street Park and Ride, up to 17.3% of the original Contract Price.
- Amend an Interagency Agreement with the Minnesota Department of Transportation (MnDOT) for the construction of the Highway 36 and Rice Street Park and Ride to increase available funding of \$250,000.00.

Summary of Committee Discussion / Questions:

Robert Rimstad presented the item. There were no comments or questions.

Councilmember Brimeyer asked what the contamination in the soil was and the source of the contamination. Robert Rimstad explained that the contamination was some volatile organic compounds/spilled diesel fuel and smaller chunks of asphalt.

A motion was then made by Councilmember Commers seconded by Councilmember Doãn and passed unanimously.



Transportation Committee

Meeting date: October 22, 2012

Metropolitan Council Meeting: November 14, 2012

ADVISORY INFORMATION

Date: October 15, 2012
Subject: Amend Interagency Agreement with Minnesota Department of Transportation to fund Highway 36 and Rice Street Park & Ride Construction, Change Order Authorization
District(s), Member(s): District 11, Sandy Rummel
Policy/Legal Reference: MN Statutes 473.405 and 471.59
Council Policy 3-3, Expenditures Policy
Staff Prepared/Presented: Brian Lamb, General Manager, 612 349-7510
Marilyn Porter, Director Engineering & Facilities
Pat Jones, Assistant Director Engineering & Facilities
612-349-7606
Robert Rimstad, Project Manager, 612 349-7768
Division/Department: Metro Transit / Engineering and Facilities Department

Proposed Action

That the Metropolitan Council authorizes the Regional Administrator to:

- Increase the Contract Price for contract number 11P166, for the construction of Highway 36 and Rice Street Park and Ride, up to 17.3% of the original Contract Price.
- Amend an Interagency Agreement with the Minnesota Department of Transportation (MnDOT) for the construction of the Highway 36 and Rice Street Park and Ride to increase available funding of \$250,000.00.

Background

On July 11, 2012, the Council approved the contract award for the Highway 36 and Rice Street Park and Ride at a cost of \$2,227,124. The site of this Park and Ride is located on MnDOT Right of Way and the construction is being paid for by MnDOT Chapter 152 funds. The Metropolitan Council is paying for the design and administering the construction contract.

During design, this project had identified an area of soil contamination on the project site requiring removal and offsite disposal. Once the contractor began removing the contaminated soil, the quantity of the soil increased, exceeding the planned quantity for removal by 10,000 cubic yards and budgeted amount by approximately \$300,000. This difference in estimated versus actual quantities was due to the original survey surface elevations being off and a need for more vertical excavation than identified on the plan set.

The Council had anticipated some additional contaminated soil removal, but not in the amount that was removed. An additional \$250,000 of Chapter 152 funding was

requested and authorized from MnDOT due to the additional costs of the excavation of contaminated material and disposal offsite.

Rationale

The contaminated soils must be removed from the site to maintain compliance with the Council's Response Action Plan in accordance with the Minnesota Pollution Control Agency Voluntary Investigation Cleanup Program.

Council Policy 3-3 allows for 5% change order authority on construction contracts without further authorization by the Council. With this request, the council would authorize use of a total of 17.3% change order authority under this contract as detailed below.

The Interagency Agreement with the Minnesota Department of Transportation (MnDOT) needs to be amended to include the increased funding for the project.

Funding

The additional funding is available from MnDOT Chapter 152 Funds.

Known Support / Opposition

MnDOT supports the construction of the park and ride and this action.