

T Transportation Committee

Executive Summary

Item: 2007- 263

Meeting date: August 27, 2007

ADVISORY INFORMATION

Date: July 26, 2007

Subject: Subordinate Funding Agreement #1 with the Minnesota Department of Transportation for the Central Corridor Light Rail Project

District(s), Member(s): All

Policy/Legal Reference: Mn Statutes, Section 473.399

Staff: Brian Lamb, General Manager, 612.349.7510

Prepared/Presented: Mark Fuhrmann, Deputy General Manager, 612.349.7513

Gary Berger, Central Corridor Manager of Administration, 612.215.8208

Division/Department: Metro Transit

Proposed Action/Motion: Authorize the Regional Administrator to execute Subordinate Funding Agreement #1 in the amount of \$336,617 with the Minnesota Department of Transportation for the Central Corridor Light Rail Project.

Issue(s) Subordinate Funding Agreements (SFA) provides for the passthrough of funds from the Metropolitan Council to the Minnesota Department of Transportation (MN/DOT). The funds reimburse MN/DOT for costs incurred in the construction of the Central Corridor Light Rail Project. Each SFA defines the amount of funds committed, the specific purpose of the funds and MN/DOT's responsibilities.

Overview and Funding: The Metropolitan Council established the contractual framework with MN/DOT at its May 23, 2007 meeting when it authorized the Regional Administrator to execute a Master Funding Agreement for the development of light rail transit in the Central Corridor. Each SFA under the Master Funding Agreement provides a method for the transfer of funds from the Council to MN/DOT so that MN/DOT can carry out its responsibilities.

Funds are to be used to reimburse MN/DOT for allowable professional staff costs and IT/phone costs directly incurred by the Central Corridor Light Rail Project. The attachment entitled "MN/DOT Cost Estimate Through 2007" is a schedule of the costs that will need to be reimbursed. Costs for these services are \$336,617.

Summary: The Metropolitan Council authorize the Regional Administrator to execute SFA #1 with the MN/DOT for transfer of funds from the Council to MN/DOT in the amount of \$336,617 for the Central Corridor Light Rail Transit Project.

Reference Numbers

CCLRT Project: 65701

Metropolitan Council:

MNDOT: 90947

PROJECT: CENTRAL CORRIDOR LIGHT RAIL TRANSIT PROJECT

MASTER AGREEMENT NAME: MASTER FUNDING AGREEMENT - MNDOT

PARTIES TO MASTER AGREEMENT:

- **Metropolitan Council**
- **State of Minnesota acting through its Commissioner of the Minnesota Department of Transportation**

SUBORDINATE FUNDING AGREEMENT NUMBER MNDOT-1

This Subordinate Funding Agreement Number MNDOT-1 is entered into by and between the above-named parties.

WHEREAS:

1. The parties entered into a Central Corridor Light Rail Project (“Project”) Master Funding Agreement, effective May 7, 2007.
2. The parties provided in that agreement that certain aspects of funding for the Project would be determined in subsequent Subordinate Funding Agreements.
3. The funding for this Subordinate Funding Agreement Number MNDOT-1 will be provided by State Bonds appropriated in state fiscal years 2005 and 2006.
4. The parties desire to enter into this Subordinate Funding Agreement in order to provide funding for the Project as described below.

NOW, THEREFORE, the parties hereby agree as follows:

1. **Maximum Amount of Authorized Funding:** Not to exceed \$336,617.

2. **General Purpose for Funds:** Funds are to be used to reimburse MNDOT for allowable professional staff costs and IT/phone costs directly incurred for the Central Corridor Light Rail Project.

3. **Specific Description of Funding Authorization:** MNDOT professional staff costs and IT/phone costs will be reimbursed in accordance with the schedule attached and incorporated herein as Exhibit A, entitled "Mn/DOT Cost Estimate Through 2007". Payments made by the Met Council will be based on the actual payroll records and invoices in accordance with the positions and activities approved.

4. **IT and Phone Services:** It is anticipated that the Central Corridor LRT Project will transition from MNDOT IT services to Met Council IT services on or about September 1, 2007. Immediately after the completion of that transition the Central Corridor LRT Project will cease reimbursement to MNDOT for IT services.

5. **Integration.** The terms, conditions and definitions of the Central Corridor Light Rail Master Funding Agreement, entered into by and between the parties, are expressly incorporated into this Subordinate Funding Agreement.

**COMMISSIONER OF MINNESOTA
DEPARTMENT OF TRANSPORTATION**

METROPOLITAN COUNCIL

By: _____

By: _____

Thomas Weaver
Regional Administrator

Its: _____

Date: _____

Date: _____

Approved as to form:

Approved as to form:

MNDOT Contract Management

Metropolitan Council
Office of General Counsel

DEPARTMENT OF ADMINISTRATION

By: _____

Its: _____

Date: _____

Mn/DOT Cost Estimate Through 2007

	Regular Hourly Rate	Regular Loaded Hourly	Overtime Hourly Rate	Overtime Loaded Hourly	Estimated Reg Hours Jun-Dec	Estimated OT Hours Jun-Dec	Estimated Cost Jan- Dec 2007
CCPO Staff							
Dodds, Bryan	\$ 38.22	\$ 69.98	\$ 38.22	\$ 61.95	100	0	\$ 6,998
Kingsley, Teresa	\$ 19.31	\$ 35.36	\$ 28.97	\$ 46.95	100	0	\$ 3,536
Ptacek, Carissa	\$ 26.60	\$ 48.70	\$ 26.60	\$ 43.12	1,020	100	\$ 53,991
Schadauer, Michael	\$ 48.57	\$ 88.93	\$ -	\$ -	200	0	\$ 17,786
Thurner, Jodeen	\$ 23.93	\$ 43.82	\$ 35.90	\$ 58.19	100	0	\$ 4,382
Van Santen, Luke	\$ 30.66	\$ 56.14	\$ 30.66	\$ 49.70	400	0	\$ 22,455
Principal Engineer (beginning September 2007)	\$ 38.22	\$ 69.98	\$ 38.22	\$ 61.95	600	0	\$ 41,988
Other Mn/DOT							
Bridge Engineer	\$ 38.22	\$ 69.98	\$ 38.22	\$ 61.95	120	0	\$ 8,398
Right of Way Manager	\$ 38.22	\$ 69.98	\$ 38.22	\$ 61.95	10	0	\$ 700
Real Estate Specialist	\$ 31.88	\$ 58.37	\$ 31.88	\$ 51.68	60	0	\$ 3,502
Real Estate Specialist 2	\$ 34.04	\$ 62.33	\$ 34.04	\$ 55.18	30	0	\$ 1,870
Engineering Specialist	\$ 29.96	\$ 54.86	\$ 29.96	\$ 48.57	60	0	\$ 3,291
Senior Engineering Specialist	\$ 32.36	\$ 59.25	\$ 32.36	\$ 52.46	250	0	\$ 14,813
Attorney 2	\$ 33.04	\$ 60.50	\$ 33.04	\$ 53.56	20	0	\$ 1,210
Principal Land Surveyor	\$ 38.22	\$ 69.98	\$ 38.22	\$ 61.95	20	0	\$ 1,400
Senior Land Surveyor	\$ 34.02	\$ 62.29	\$ 34.02	\$ 55.15	20	0	\$ 1,246
Transportation Generalist Senior	\$ 21.98	\$ 40.25	\$ 32.97	\$ 53.44	60	0	\$ 2,415
Office Administrative Specialist	\$ 19.31	\$ 35.36	\$ 28.97	\$ 46.95	40	0	\$ 1,414
Utilities Engineers	\$ 38.22	\$ 69.98	\$ 38.22	\$ 61.95	900	0	\$ 62,983
IT Specialist (Desktop Support) 6/1 - 8/31	\$ 35.23	\$ 64.51	\$ 35.23	\$ 57.11	310	0	\$ 19,997
IT Specialist (Network Support) 6/1 - 8/31	\$ 35.23	\$ 64.51	\$ 35.23	\$ 57.11	385	0	\$ 24,835
State Program Administrator Coordinator	\$ 35.58	\$ 65.15	\$ 35.58	\$ 57.68	60	0	\$ 3,909
Principal Accounting Officer	\$ 30.66	\$ 56.14	\$ 30.66	\$ 49.70	100	0	\$ 5,614
Environmental Specialist	\$ 37.93	\$ 69.45	\$ 37.93	\$ 61.48	80	0	\$ 5,556
Other State Agency							
Attorney General(s)		\$ 105.00	\$ -	\$ -	60	0	\$ 6,300
Subtotal							
					5,105	100	\$ 320,587
Direct Expenses (at 5%)							
							\$ 16,029
Total							
							\$ 336,617

Dodds, Bryan based on Principal Engineer maximum pay rate
 Kingsley, Teresa based on OAS Sr maximum pay rate
 Ptacek, Carissa based on Graduate Engineer 2 maximum pay rate
 Schadauer, Mike based on Principal Administrative Engineer maximum pay rate
 Thurner, Jodi based on State Program Administrator Intermediate maximum pay rate
 Van Santen, Luke based on Project Consultant Senior maximum pay rate

Bridge Engineer based on Principal Engineer maximum pay rate
 Right of Way Manager based on Principal Engineer maximum pay rate
 Information Technology Specialist based on ITS 3 maximum pay rate
 Environmental Specialist based on Administrative Planning Director, State maximum pay rate
 All others at maximum pay rate for the classification

Regular hourly rates are increased by 32.5% for fringe benefits, 31.2% for a labor additive,
 and 19.4% for a maintenance/overhead additive
 Overtime hourly rates are increased by 11.5% for fringe benefits, 31.2% for a labor additive,
 and 19.4% for a maintenance/overhead additive
 The fringe rate varies by individual according to insurance programs and other chosen benefits. 32.5% is chosen here as an approximation.