

T Transportation Committee
Meeting date: August 24, 2009

Metropolitan Council Meeting: August 26, 2009

ADVISORY INFORMATION

Date: August 17, 2009
Subject: Central Corridor Light Rail Transit 4th Street Utility Construction Contract, Project 65701
District(s), Member(s): All
Policy/Legal Reference: N/A
Staff Prepared/Presented: Brian J. Lamb, General Manager, 612-349-7510
Mark W. Fuhrmann, Deputy Gen. Manager, 651-602-1942
Rich Rovang, AGM – Transit Systems Dev., 651-602-1941
Division/Department: Metro Transit / Central Corridor Project Office

Proposed Action

Authorize the Regional Administrator to award and execute a contract with the lowest responsive and responsible bidder, Carl Bolander & Sons, for the Central Corridor Light Rail Transit (CCLRT) 4th Street Advanced Utility Construction Contract in St. Paul, Minnesota at a base cost of \$12,049,675.20. An additive alternate will be accepted at a cost of \$451,486.00, resulting in the total contract amount of \$12,501,161.20. The additive alternate is fully reimburseable to the Council by District Energy/District Cooling (DE/DC). Award of this contract is contingent upon receipt of a Letter of No Prejudice (LONP) from the Federal Transit Administration (FTA). Staff will report on the current status of the LONP at the meeting.

Background

As part of the Central Corridor Light Rail Transit (CCLRT) Project, the 4th Street Advanced Utility Construction Contract includes relocating existing underground public utilities for a total of six blocks along 4th Street from 200 feet west of Minnesota Street to Broadway Street in St. Paul. The project also provides for private utilities' relocations, to be reimbursed by the private utilities, including District Energy hot water pipe (included in the base bid) and District Cooling chilled water pipe (included in the additive alternate). On May 13, 2009, a Met Council Action authorized the Regional Administrator to negotiate and execute upon receipt of the Record of Decision and the LONP three cooperative agreements with public and private utilities for the 4th St Advanced Utility Construction Contract.

Also included in this portion of the CCLRT Project are track and roadway sub-base, adjustments to areaways (below ground building spaces), CCLRT system ductbanks, pull boxes, above and below-grade traffic signal facilities, OCS pole foundations, sidewalks, and roadway pavements. Scope items not included in this contract are trackwork (guideway), signaling, communications and traffic equipment, LRT station foundations, and traction power systems.

There were three bidders and bids were opened for this project on August 13, 2009. The engineer's estimate was \$16,123,661.67 which includes additive alternate #1. All three bids received were below the engineer's estimate. The Disadvantaged Business Enterprise (DBE) goal was 15% which was applied to both the base bid and the additive

alternate. The lowest responsive and responsible bidder, Carl Bolander & Sons, has reported a DBE participation of 14.8%, which was the highest DBE participation reported among the three bids.

Rationale

To complete all work necessary in the Civil East contract for system testing by the summer of 2013 in order to maintain the revenue service date in 2014 and avoid construction cost escalation impacts and 6 months of indirect costs on the project budget, the Central Corridor Project Office (CCPO) is seeking to complete this critical early utility work under an LONP. Authorization to award and execute a contract for the 4th Street Advanced Utilities Construction Contract at this time allows construction to begin in the Fall 2009 under a Letter of No Prejudice and maintain the project schedule. The execution of a construction contract in excess of \$1,000,000 requires Council approval.

Funding

Sufficient funding from local sources is available to award the construction contract under the LONP. 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 late spring 2010.

The additive alternate of \$451,486.00 is fully reimbursable to the Council as is \$1,950,250.50 of the base bid which includes reimbursable private DE/DC utility work and St. Paul betterments. The total reimbursable costs in the contract to Met Council will be \$2,401,736.50.

Known Support / Opposition

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