

T Transportation Committee

Meeting date: August 24, 2009

Metropolitan Council Meeting: August 26, 2009

ADVISORY INFORMATION

Date: August 19, 2009

Subject: Urban Partnership Agreement (UPA) Kenrick Avenue Park & Ride – Construction of Transit-Only Access Ramps, Change Order Allowance

District(s), Member(s): District 16, Wendy Wulff

Policy/Legal Reference: Council Policy 3-3, Expenditures Policy

Staff Prepared/Presented: Brian Lamb, General Manager, 612-349-7510
Tom Thorstenson, Director, Engineering & Facilities, 612-349-7689

Division/Department: Metro Transit / Engineering & Facilities

Proposed Action

Authorize the Regional Administrator to increase the Contract Price for contract number 09PO94, for the construction of Transit-Only Access Ramps to and from I-35 to the Kenrick Avenue Park & Ride, a cumulative amount of 10% of the original Contract Price.

Background

On June 24, 2009, the Council approved the contract award for the Construction of Transit-Only Access Ramps at a cost of \$1,274,995. This contract requires that the contractor perform construction work directly adjacent to fully engaged and fast moving traffic lanes on I-35 between County Roads 46 and 50 in Lakeville.

In order to perform the work safely, Minnesota Department of Transportation (MnDOT) reviewed and approved a proposed lane closure plan on May 21, 2009 before the contract was issued for bid. A Notice to Proceed was issued to the contractor on August 5. Subsequently, on August 7, MnDOT modified lane closure requirements. As a result, the contractor is incurring changes to the work that will likely exceed a cumulative amount of 5% of the Contract Price.

Council Policy 3-3 establishes expenditure procedures relative to procurement actions. Section I. B. 3. authorizes the Regional Administrator to increase the Contract Price a cumulative amount of 5% of the original Contract Price where the Contract Price is greater than \$1,000,000 or as otherwise delegated by the Council.

Rationale

Changes have occurred as a result of MnDOT's modifications to the approved lane closure plan and additional changes are likely. Changes since August 7 approximate \$35,000 and compare to the 5% "change order allowance" of \$63,700. All changes require timely approval and such changes may exceed the 5% change order allowance.

Funding

This contract is funded by the Urban Partnership Agreement and sufficient funds are available should the changes approach 10% of the Contract Price.

Known Support / Opposition

There is no known support or opposition to this action.