

**T** Transportation Committee  
For the Metropolitan Council meeting of April 22, 2009

**ADVISORY INFORMATION**

**Date Prepared:** April 14, 2009

**Subject:** Phase II Environmental Site Assessment for the Central Corridor Light Rail Transit Project

**Proposed Action:**

That the Metropolitan Council authorize the Regional Administrator:

- To negotiate and execute professional services contracts with Braun Intertec to conduct a Phase II Environmental Site Assessment, in an amount not to exceed \$1,301,898.
- To issue a Notice-To-Proceed to Braun Intertec to conduct a Phase II Environmental Site Assessment.

**Summary of Committee Discussion / Questions:**

Mark Fuhrmann presented. He called Kathryn O'Brien to answer a question about how Braun Intertec compared to other bidders as far as price. Fuhrmann and O'Brien explained that this procurement is for professional services and therefore must follow the requirements of the Brooks Act, per the Council's procurement policy. This requires that the highest qualified firm be selected for the work. The price associated with this firm is then evaluated against an independent cost estimate. Under the Books Act, no other bid prices are reviewed. Motion by Scherer, seconded by Hilker and passed unanimously.

# T Transportation Committee

**Meeting date: April 13, 2009**

**For Metropolitan Council meeting: April 22, 2009**

## **ADVISORY INFORMATION**

<b>Date:</b>	April 1, 2009
<b>Subject:</b>	Phase II Environmental Site Assessment for the Central Corridor Light Rail Transit Project
<b>District(s), Member(s):</b>	District 7: Annette Meeks District 8: Lynette Wittsack District 13: Richard Aguilar District 14: Kirstin Sersland Beach
<b>Policy/Legal Reference:</b>	Procurement of Professional Services
<b>Staff Prepared/Presented:</b>	Brian Lamb, General Manager, 612-349-7510 Mark Fuhrmann, Deputy General Manager, 651-602-1942 Rich Rovang, AGM – Transit Systems Development 651-602-1941 Kathryn O'Brien, Principal Contract Administrator, 651-602-1937 Chris Gran, Director of Purchasing 612-349-5060
<b>Division/Department:</b>	Metro Transit / CCPO

### **Proposed Action**

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### **Background**

The Central Corridor Light Rail Transit (CCLRT) project will require purchase of rights-of-way by Mn/DOT and Met Council. A Phase I Environmental Site Assessment (Phase I) of the project area was completed in October 2007. A number of properties with known and potential contamination were identified within the project limits.

The purpose of a Phase II Environmental Site Assessment is to complete a more thorough investigation of properties to be acquired for this project. This includes drilling and sampling to identify the presence, magnitude, and extent of contaminated soil and/or ground water and regulated waste that may be encountered during construction activities in the project corridor. This work will also include the development of Response Action Plans for proper management of contaminated materials encountered during construction. The information obtained from this drilling investigation will be used by the Central Corridor Project Office to determine final project design plans and specifications. In addition, this information will be used to obtain written assurances and liability protections from Minnesota Pollution Control Agency (MPCA) with respect to residual contamination on project right-of-way. The written assurances would state that no additional remediation would be necessary for use of the property as a transitway, and liability protections would release Met Council and MnDOT from any liability for contamination encountered during construction of for potential future clean up for residual contamination.

On March 31, 2009, 15 proposals were received in response to a Request for Proposals. The proposals were evaluated by an Evaluation Panel comprised of Met Council, Mn/DOT and City of St. Paul staff. The proposal from Braun Intertec was determined to be responsive and most advantageous to the Council. The Braun proposal was in the amount of \$1,301,898. The Independent Cost Estimate for this Request for Proposal was \$1.45 million. There were no DBE requirements established on this contract. However, the selected contractor has chosen a DBE to complete a portion of the work on this project.

**Rationale:**

The Phase II ESA is a required task for the project development process of New Starts projects. Completing this task is critical to keeping the project on schedule and will provide the Council liability protection on acquired rights-of-way.

**Funding**

Funding in the amount of \$75.2 million is available for all Preliminary and Advanced Preliminary Engineering activities including contracted Professional Services.

**Known Support/Opposition**

There is no known opposition to the proposed action.