

T Transportation Committee

For the Metropolitan Council meeting of May 13, 2009

ADVISORY INFORMATION

Date Prepared: April 28, 2009

Subject: Cooperative Construction and Relocation Agreement with the City of Saint Paul for Public Sewers

Proposed Action:

That the Metropolitan Council authorize the Regional Administrator:

- To negotiate and execute a Cooperative Construction and Relocation Agreement with the City of Saint Paul relative to the 4th Street Advance Utility Construction of public sewers in Saint Paul in an amount not to exceed \$500,000.

Summary of Committee Discussion / Questions:

Mark Fuhrmann and Rich Rovang discussed the background of why this action was needed, at this time, to prepare for the large Civil East contract that will be awarded during 2010 (a delay into the 2015 construction season would create the potential for a \$25 – 30 million increase in project costs). The Committee action directed staff to modify the proposed action/motion for this item to read as follows:

Proposed Action:

That the Metropolitan Council authorize and direct the Regional Administrator:

- To negotiate and execute a Cooperative Construction and Relocation Agreement with the City of Saint Paul relative to the 4th Street Advance Utility Construction of public sewers in Saint Paul in an amount not to exceed \$500,000.
- That execution of this agreement shall be contingent on the Metropolitan Council completing the Final Environmental Impact Statement process and receiving a Letter of No Prejudice (LONP) from the FTA.

(Underlining denotes changes to the original item.)

The item passed unanimously.

T Transportation Committee

Meeting Date: April 27, 2009

For Metropolitan Council Meeting: May 13, 2009

ADVISORY INFORMATION	
Date:	April 17, 2009
Subject:	Cooperative Construction and Relocation Agreement with the City of Saint Paul for Public Sewers
District(s), Member(s):	District 7: Annette Meeks District 8: Lynette Wittsack District 13: Richard Aguilar District 14: Kirstin Sersland Beach
Policy/Legal Reference:	MN Statutes 473.3999, 473.405, and 471.59
Staff Prepared/Presented:	Brian J. Lamb, General Manager, 612-349-7510 Mark W. Fuhrmann, Deputy General Manager, 651-602-1942 Rich Rovang, AGM – Transit Systems Development, 651-602-1941
Division/Department:	Metro Transit / Central Corridor Project Office

Proposed Action/Motion

That the Metropolitan Council authorize the Regional Administrator:

- To negotiate and execute a Cooperative Construction and Relocation Agreement with the City of Saint Paul relative to the 4th Street Advance Utility Construction of public sewers in Saint Paul in an amount not to exceed \$500,000.

Background

- The Metropolitan Council plans to relocate utilities on 4th Street in downtown Saint Paul in advance of larger construction activity for the Central Corridor Light Rail Transit (“CCLRT”) project. The advance utility work is scheduled to begin August 2009.
- The advance utility work will include relocation of City of Saint Paul's public sewer facilities and restoration work on 4th Street for the six blocks between Minnesota Street and Broadway Street.
- This cooperative agreement will accomplish the following with respect to relocation and restoration of City of Saint Paul's facilities:
 - Allow the Metropolitan Council to work cooperatively with the City of Saint Paul to efficiently construct, relocate and restore Saint Paul public utilities;
 - Address design and construction of the work; and
 - Allow the Metropolitan Council to reimburse the City of Saint Paul for staff labor and material costs associated with the work
- Execution of this agreement is contingent on the Metropolitan Council completing the Final Environmental Impact Statement process and receiving a Letter of No Prejudice (“LONP”) from the FTA in July 2009. The LONP will allow the Council to undertake this construction now at its own risk with the commitment from the Federal Transit Administration (FTA) that it will be eligible for federal reimbursement (50% federal share) upon execution of the Full Funding Grant Agreement (FFGA).
- The reimbursement cost for services under this cooperative agreement is not to exceed \$500,000.

Rationale

The 4th Street Advance Utility Construction work prior to the execution of the FFGA will enable the largest and longest duration contract package (Civil East) to begin work immediately upon receipt of the FFGA and complete heavy construction work in St. Paul in 2013 allowing for service to begin in 2014.

Funding

Counties Transit Improvement Board 2009 capital grant in the amount of \$26 million and State Bond funding in an amount of \$70 million is available for this agreement.

Known Support/Opposition

The Counties Transit Improvement Board 2009 capital grant for CCLRT includes funding for the 4th Street Advance Utility Construction package. This action is supported by the City of Saint Paul.