

**E** Environment Committee  
For the Metropolitan Council meeting of January 11, 2012

Item: 2011-363

**ADVISORY INFORMATION**

Date Prepared: December 21, 2011

Subject: Authorization to Negotiate and Execute an Amendment to the Construction Cooperation and Cost Sharing Agreement with the City of East Bethel, MCES Project Nos. 801620 and 801621, Contract No. 10I027

**Proposed Action:**

That the Metropolitan Council authorize its Regional Administrator to negotiate and execute an amendment to the Construction and Cost Sharing Agreement with the City of East Bethel, MCES Project Nos. 801620 and 801621, Contract No. 10I027.

**Summary of Committee Discussion / Questions:**

Council Member Rummel asked what happens to water that is not reclaimed, and if incentive grants are available. Staff responded that all water will be used in land application, and grants are not available for this project.

Council Member Wulff asked if the bad soils will affect the community developing property. Staff responded that there are constraints in one area, and the city was aware of that when it prepared its comprehensive plan.

Motion to approved proposed action was made, seconded, and passed unanimously.

**E** Environment Committee  
Meeting date: December 13, 2011

For the Metropolitan Council Meeting of January 11, 2012

| ADVISORY INFORMATION      |   |
|---------------------------|---|
| Date:                     | December 7, 2011  |
| Subject:                  | Authorization to Negotiate and Execute an Amendment to the Construction Cooperation and Cost Sharing Agreement with the City of East Bethel, MCES Project Nos. 801620 and 801621, Contract No. 10I027 |
| District(s), Member(s):   | District 9, Edward Reynoso  |
| Policy/Legal Reference:   | MN Statutes 473.504 and 471.59 and Cost Sharing Policy  |
| Staff Prepared/Presented: | Jim Roth 651-602-1123, Bryce Pickart 651-602-1091   |
| Division/Department:      | MCES c/o William G. Moore 651-602-1162  |

**Proposed Action**

That the Metropolitan Council authorize its Regional Administrator to negotiate and execute an amendment to the Construction and Cost Sharing Agreement with the City of East Bethel, MCES Project Nos. 801620 and 801621, Contract No. 10I027.

**Background**

In 2010, the Metropolitan Council entered into a construction cooperation and cost sharing agreement with the City of East Bethel to design, construct, and acquire easements for a gravity wastewater interceptor and treated water conveyance facilities in a joint project as part of the city's Phase I, Project Utility Improvement Project. The estimated cost for the Council was \$8.1 million based on preliminary engineering estimates prepared prior to completion of design and the receipt of bids.

Based on the low bid for construction and including a 5% change order allowance, it was determined that the Council's share for design, construction and land acquisition is estimated to be \$8.7 million. The increase resulted from the actual bids for construction being approximately ten percent above the preliminary engineering estimate.

**Rationale**

Construction cooperation agreements exceeding \$250,000 require Metropolitan Council Authorization. The original agreement amount was \$8.1 million. The proposed amendment will increase the amount to \$8.7 million.

**Funding**

Funding is provided in the MCES Capital Program, Project 801600.

| <b>Budget Information</b> |                  |                        |                       |                    |                  |
|---------------------------|------------------|------------------------|-----------------------|--------------------|------------------|
| Annual or Capital         | Project Nos.     | Estimated Project Cost | Current Authorization | Unencumbered Funds | Requested Amount |
| Capital                   | 801620<br>801621 | \$28,000,000           | \$28,000,000          | \$16,400,000       | \$600,000        |

**Known Support / Opposition**

The City of East Bethel supports this amendment.