

**E** Environment Committee  
**Meeting date: October 13, 2009**

**For the Metropolitan Council meeting of October 28, 2009**

<b>ADVISORY INFORMATION</b>	
<b>Date:</b>	September 25, 2009
<b>Subject:</b>	Authorization to Amend Cooperation Agreement 09I004 with the City of Richfield, 1-RF-491 Relief Interceptor, MCES Project 805450, Contract 09P066
<b>District(s), Member(s):</b>	District 5, Polly Bowles
<b>Policy/Legal Reference:</b>	Policy 3-3, Expenditures
<b>Staff Prepared/Presented:</b>	Bill Cook 651-602-1811; Bryce Pickart 651-602-1091
<b>Division/Department:</b>	MCES c/o William G. Moore 651-602-1162

**Proposed Action**

That the Metropolitan Council authorize its Regional Administrator to amend Cooperation Agreement 09I004 with the City of Richfield to accommodate changes to services identified during the design phase of Project 805450, 1-RF-491 Relief Interceptor.

**Background**

The Metropolitan Council and City of Richfield entered into Cooperation Agreement 09I004 on February 24, 2009, to construct 1-RF-491 Relief Interceptor Project 805450 during 2010 and 2011. The project will include construction of approximately 20,000 feet of 36-inch and 42-inch diameter gravity interceptor sewer from meter M129 at Xerxes Avenue, along 75th Street to I-35W, cross I-35W at 76th Street, east along 76th Street, north along 11<sup>th</sup> Avenue, and northeast along Diagonal Boulevard to Cedar Avenue where it will terminate at a new junction box connection at interceptor 3-BN-497. Existing road surfaces, curbs, gutters and other surface improvements in the City right of way along the alignment will be completely removed and replaced with a new streetscape. The streetscape will narrow 76<sup>th</sup> Street and add bike lanes, sidewalks, boulevards, and a Three River Parks regional trail at various locations along the alignment. Overhead utilities will also be undergrounded in accordance with City ordinance.

The Cooperation Agreement stipulated anticipated land acquisition, design, and construction services each party would provide the other and estimated reimbursements for these services. During the design phase of the project, additional services were identified that would benefit both parties. The additional services resulted in changes to the estimated reimbursements as summarized on Exhibit A.

**Rationale**

The changes to estimated reimbursement amounts require Council authorization.

**Funding**

The net effect of this revision is increasing the Council's estimated reimbursement to the City from \$375,000 to \$425,000 and increasing the City's estimated reimbursement to the Council from \$350,000 to \$800,000. Funding is provided in the 2009 MCES Capital Budget, Project Number 805450.

BUDGET INFORMATION					
Annual or Capital	Project No.	Estimated Project Cost	Current Authorization	Unencumbered Funds	Amount Requested
Capital	805450	\$22,000,000	\$25,000,000	24,900,000	\$50,000

**Known Support / Opposition**

The City and majority of residents and businesses have been very supportive of the project to date because of the plan to provide streetscaping and undergrounding of utilities.

## EXHIBIT A

### ADDITIONAL CITY SERVICES TO COUNCIL

- Replace trees adjacent to the construction limits that die one year after work is complete in the event attempts to save the trees fail.

The total reimbursement from the Council and to the City shall not exceed \$425,000 (\$375,000 prior to proposed amendment).

### ADDITIONAL COUNCIL SERVICES TO CITY

- Line approximately 100 linear feet of existing City 12" sanitary sewer on the intersection of Nicollet Avenue and 76<sup>th</sup> Street with cured in place pipe (CIPP).
- Remove and replace existing City 9" sanitary sewer on 11<sup>th</sup> Avenue between 73<sup>rd</sup> and 76<sup>th</sup> Streets.
- Relocate utility poles, sidewalks, and control boxes on I-35W bridge to accommodate the new bike trail on West 76<sup>th</sup> Street.
- Remove the existing 6' sidewalk on the north side of West 76<sup>th</sup> Street between 76<sup>th</sup> Street and the I-35W bridge. Replace with a 14' wide multi-use trail.
- Replace existing wood light poles with new cobra heads.
- Pay utility undergrounding costs. City will reimburse Council \$350,000 to accommodate a portion of utility undergrounding costs.

The revised total reimbursement from the City to the Council shall not exceed \$800,000 (\$350,000 prior to proposed amendment).