



Request for City Council Committee Action From the Department of Public Works

Date: October 25, 2011

To: Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee

Subject: **RiverLake Greenway Project – Contract Amendment #1 to Contract with Max Steininger**

Recommendation:

Authorize proper city officers to amend the construction agreement with Max Steininger, Inc. by \$135,065.48 from \$458,823.26 to \$593,888.74 to allow for the payment of additional work performed as part of the federal project. Funds are available in the project budget and no additional appropriation is necessary.

Previous Directives:

- August 20, 2010; Resolution 2010R-394, Acceptance of the low bid submitted to the Public Works Department on OP No 7322 from Max Steininger, Inc., in the amount of \$458,823.26 to furnish and deliver all labor, materials, and incidentals necessary to accomplish the RiverLake Greenway Project Phase III (S.P. 141-090-27, MN Project No TEA-NMTP2710 (192)).
- August 20, 2010; Resolution 2010R-394, Proper city officers be authorized and directed to execute a contract for said service, all in accordance with City specifications and contingent upon approval of the Civil Rights Department.
- August 20, 2010; Authorize city officers to negotiate and execute an agreement with the low bidder to accomplish the RiverLake Greenway Project, contingent upon Mn/DOT EEO and City Attorney review and approval;
- August 20, 2010; Authorize city officers to negotiate and execute an agreement with MnDOT to be reimbursed for design expenses in the amount of \$250,000;
- August 20, 2010; Authorize city officers to negotiate and execute agreements with Mn/DOT to be reimbursed for approved construction engineering expenses in the total amount of \$150,000
- August 20, 2010; Authorize city officers to negotiate and execute an agreement with SEH, Inc., in an amount not to exceed \$100,000, to provide construction engineering services for the project, and extend the expiration date of the consulting Pool contract for this scope only from February 14, 2011 to December 31, 2011.
- December 18, 2009; Resolution 2009R-616, Approve layout for the RiverLake Greenway (Phase 3) Project from I-35W to West River Parkway.
- April 3, 2007; Council Action authorizing the proper City Officers to submit pedestrian and bicycle projects to the Transit for Livable Communities for the first round of Non-motorized Transit Pilot Program funding.
- October 5, 2007; Resolution 2007R-512, Appoint Commissioner of Transportation as agent of the City of Minneapolis and enter into an agreement to accept grants for the Non-Motorized Transportation Pilot Program.

- December 12, 2007; Resolution 2007R-645, Project was adopted into the 2008-2012 Capital Program.
- December 12, 2007; Resolution 2007R-648, Request that the Board of Estimate and Taxation incur indebtedness, issue and sell bonds.

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Approved by:

Steven A. Kotke, P.E., City Engineer, Director of Public Works

Presenters: Donald Pflaum, Transportation Planner 673-2129

Reviews: Permanent Review Committee (PRC): Not Applicable
 Civil Rights Affirmative Action Plan: Not Applicable
 Policy Review Group (PRG): Not Applicable

Financial Impact

Action is within current department budget

Community Impact

Neighborhood Notification: NA

City Goals: Plan

Comprehensive Plan: Complies with Comprehensive Plan

Zoning Code:

Background/Supporting Information

The RiverLake Greenway (Phase 3) project is a federally funded on-street bicycle facility between I-35W and the Mississippi River. Construction of this project began in September 2010 and contract work was completed in June 2011. Several change orders/work orders were required to satisfactorily complete the project. Change orders are an increase or decrease of quantities at the bid price. Work orders include additional work items that were not part of the original project scope. If the project scope is altered significantly a supplemental agreement with the state is required.

Below are descriptions of the work orders, change orders, and supplemental agreements that were needed to complete this project. All of these items are within the project budget and do not require additional appropriation.

Work Order #1 - Pertains to additional sewer pipe work that was needed to make stormwater flow at bump-outs correctly. The original plan set misplaced the catch basins and the mistake was caught in the field. This work order cost \$1,561.56 (\$1,248.80 federal contribution; \$312.20 city contribution).

Work Order #2 - Mill Overlay work/Replace Loop Detector. It was determined in the field that the pavement condition at two intersections was not adequate. Improvements were made to ensure that the pavement markings were visible and that the pavement was safe for bicyclists. In the paving process, a loop detector was cut and needed to be replaced. This work order cost \$59,206.27 (\$47,365.02 federal contribution; \$11,841.25 city contribution).

Work Order #3 - Several traffic related changes were made during the construction period to improve traffic operations, including the addition of bollards and the modification of several traffic control devices to ensure safety and easier/cheaper maintenance. This work order cost \$8,515.50 (\$6,812.40 federal contribution; \$1,703.10 city contribution).

Work Order #4 - The neighborhood planting plans were not done before the project was bid. Since it was determined that the expense was federally eligible (the city pays 20%) a decision was made to add this element to take advantage of remaining eligible federal funds. This work order cost \$27,247.46 (\$21,797.97 federal contribution; \$5,449.49 city contribution).

Work Order #5 - This work order pertains to an unforeseen condition along Chicago Avenue where a streetcar track was discovered. Extra work was needed to extract the track and backfill the hole. This work order cost \$10,751.80 (\$8,761.44 federal contribution, \$2,190.36 city contribution).

Supplemental Agreement #1 - The movement of a traffic diverter from 12th Avenue S to 11th Avenue S - No budget impacts.

There were additional change orders totaling \$27,782.89 associated with additional paving work around new curbs in addition to some smaller miscellaneous items (changes in sign quantities, pavement marking quantities, etc.). This paving work was needed to ensure smooth roadway conditions. Most of these tasks were eligible for federal reimbursement.

The original bid for this project was \$458,823.26, almost 50% of the engineer's estimate. As a result the \$1,000,000 federal construction grant in addition to the \$630,000 in net debt bonds will not be fully utilized. There is adequate funding in the project budget to complete the change orders/work orders mentioned above. This amendment will close the contract with Max Steininger.

The construction agreement only pertains to items that are federally eligible. Most of the \$135,065.48 in additional funding required to complete this project is eligible for 80% federal funding. The city is responsible for approximately 20% of this amount.

CC: Council Member Colvin Roy
Council Member Glidden