

Other Business

For the Metropolitan Council meeting of July 8, 2015

Subject: Authorization to enter into a Construction and Transit Operations and Maintenance Interface Agreement with the Minnesota Sports Facilities Authority and the Minnesota Vikings with new negotiated terms.

District(s), Member(s): District 7 - Gary Cunningham

Policy/Legal Reference: Minnesota Statutes 473.129 and 471.59

Staff Prepared/Presented: Brian Lamb, General Manager, 612-349-7510

Marilyn Porter, Director Engineering & Facilities, 612-349-7689

Pat Jones, Asst. Director Facilities Engineering, 612-349-7606

James Harwood, Lead Project Manager, 612-349-7339

Division/Department: Metro Transit/Engineering & Facilities

Proposed Action

That the Metropolitan Council authorizes the Regional Administrator to execute a Construction and Transit Operations and Maintenance Interface Agreement with the Minnesota Sports Facilities Authority and the Minnesota Vikings with newly negotiated terms as identified below:

- **The Vikings will fund 50% of the actual construction cost of pedestrian bridge up to the amount of \$3,500,000. Any amount above and beyond \$7,000,000 will be the responsibility of the Met Council.**
- **The Vikings will receive 50% of all revenues generated from advertising at the LRT Station Platform for a period of 30 years commencing on August 1, 2016.**
- **The proposed pedestrian bridge will be 30' wide and include a second elevator bank. The Vikings will pay for all additional design costs associated with the additional bridge width. The current design contract with consulting firm EVS was executed by the Regional Administrator for the amount of \$496,281. The total amended design contract will not exceed \$675,000. The additional design fees require a contract amendment to be authorized by the Council per Delegations of Authority. This Council action will also approve the contract amendment authorization.**

The following terms of the agreement remain the same from the previous Council action:

- Allows for Met Council use of MSFA property for queuing areas, platform access, and pedestrian bridge to accommodate transit needs.
- Met Council will receive \$300,000 in annual promotional support value from Vikings and the MSFA in exchange for LRT station naming rights and certain restrictions on station advertising
 - \$250,000 from Vikings
 - \$50,000 from MSFA

- Operation and maintenance costs of the pedestrian bridge are the responsibility of Met Council. Operation and maintenance costs are to be included in future operating budgets.

The agreement defines the rights and obligations of all parties with respect to the installation, ownership, operations, maintenance and shared use of the Downtown East plaza and bridge areas required for transit purposes.

Background

At the Metropolitan Council meeting on May 27th, Business Item 2015-76 was amended and approved regarding negotiating and entering into an agreement with the MSFA and the Minnesota Vikings related to the Downtown East Light Rail Station area, surrounding block and proposed pedestrian bridge. Council staff was encouraged to continue negotiating the terms of this agreement with the Minnesota Vikings.

Rationale

Authorization to execute this agreement requires Council Approval.

Authorization for professional services contracts above \$500,000 requires Council Approval.

Funding

Capital costs for the Met Council share of this project are available in project 62322. Operating costs are to be included in future operating budgets.

Known Support / Opposition

Concerns were raised by some Council members based upon the negotiated terms addressed in the previous Council action.