

### Transportation Committee

For the Metropolitan Council meeting of October 14, 2020

**Subject:** METRO D Line – Rejection of Bids for Construction Contract 20P156

#### Proposed Action

That the Metropolitan Council authorize the Regional Administrator to reject all bids received for the D Line System Wide Communication Conduit Construction project, contract number 20P156.

#### Summary of Committee Discussion/Questions

Metro Transit BRT Projects Assistant Director Katie Roth introduced Metro Transit BRT Project Manager Shahin Khazrajafari who presented this item. Zeran asked how this would affect the schedule. Khazrajafari responded that the schedule at this point is not impacted, but the team is looking at alternatives with rebidding and/or combining with major construction. Cummings asked if staff were surprised by having the two bids differing so greatly and what would be changed in the request going forward. Roth answered that staff was surprised but given the time in the season, there was some risk that in order for the contractor to complete the work in the time frame the cost includes working through the winter. Roth continued that better timing of the rebidding would likely improve bids.

Motion by Zeran, seconded by Chamblis. Motion carried.

## Transportation Committee

Meeting date: September 28, 2020

For the Metropolitan Council meeting of October 14, 2020

<b>Subject:</b>	METRO D Line – Rejection of Bids for Construction Contract 20P156
<b>District(s), Member(s):</b>	District 2 (Chamblis); District 5 (Cummings); District 7 (Lilligren); District 8 (Muse)
<b>Policy/Legal Reference:</b>	Council Expenditure Policy 3-3, Procurement of Goods and Services MN Statutes 13.591 and 473.405; Business Data and Metropolitan Council Statutes
<b>Staff Prepared/Presented:</b>	Wes Kooistra, General Manager, 612-349-7510 Charles Carlson, Director, BRT Projects, 612-349-7639 Katie Roth, Assistant Director, BRT Projects, 612-349-7772 Shahin Khazrajafari, Project Manager, D Line, 612-349-7764
<b>Division/Department:</b>	Metro Transit / BRT Projects

### Proposed Action

That the Metropolitan Council authorize the Regional Administrator to reject all bids received for the D Line System Wide Communication Conduit Construction project, contract number 20P156.

### Background

The D Line project involves construction of a fiber optic communication network along the corridor from the Mall of America to its intersection with the existing C Line at 44<sup>th</sup> Avenue North and Penn Avenue. Conduit for this network was bid separately from the major D Line construction contract in order to have this infrastructure in place prior to station construction beginning in 2021. Major D Line construction is currently scheduled for 2021 and 2022.

On August 15, 2020, the Council issued an Invitation for Bids for the D Line System Wide Communication Conduit project. The Council publicly opened bids on September 15, 2020. Two bids were received, in the amounts of \$1,242,485 and \$3,573,056.

Procurement determined the lowest bid was non-responsive. The second bidder is more than 100% above the Independent Cost Estimate, and award is not recommended.

The project will either be rebid later in the D Line project schedule or integrated into the major D Line construction contract.

When all bids are rejected, information contained in the bids (other than the bidders' names and dollar amounts of their bids) remain private and nonpublic until a resolicitation of bids results in a contract award.

### Rationale

The rejection of bids exceeding \$2,500,000 requires Council authorization.

### Thrive Lens Analysis

The proposed action advances the stewardship outcome by advancing D Line project delivery through efficient and effective use of public financial resources.

**Funding**

Project funding is authorized and available within project 62800.

**Known Support / Opposition**

There is no known opposition to the project.