

# Committee Report

Transportation Committee



Committee Meeting Date: January 9, 2023

For the Metropolitan Council: January 25, 2023

## Business Item: 2023-07

METRO Green Line Extension Kimley-Horn Contract Amendment No. 4 for Construction Management Support Services, Contract. 17P060

### Proposed Action

That the Metropolitan Council authorize the Regional Administrator to negotiate and execute Amendment No. 4 to Contract 17P060 with Kimley-Horn and Associates, Inc. (Kimley-Horn), for Construction Management Support Services (CMSS) to add \$3,870,000 for a total contract amount not to exceed \$17,870,000.

### Summary of Transportation Committee Discussion/Questions

Metro Transit Green Line Extension Project Director Jim Alexander presented this item. There were no questions or comments from Council members.

Motion by Chamblis, seconded by Zeran. Motion carried.



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<b>District(s), Member(s):</b>	All
<b>Policy/Legal Reference:</b>	FM14-2 - Expenditures for the Procurement of Goods and Services Greater than \$500,000
<b>Staff Prepared/Presented:</b>	Wes Kooistra, General Manager, 612-349-7510 Nick Thompson, Deputy GM Capital Programs, 651-602-1754 Jim Alexander, Project Director, 612-373-3880 Joan Hollick, Deputy Project Director, 612-373-3820 Nic Dial, Construction Director, 612-373-3974
<b>Division/Department:</b>	Metro Transit / Green Line Extension Project Office

### Proposed Action

That the Metropolitan Council authorize the Regional Administrator to negotiate and execute Amendment No. 4 to Contract 17P060 with Kimley-Horn and Associates, Inc. (Kimley-Horn), for Construction Management Support Services (CMSS) to add \$3,870,000 for a total contract amount not to exceed \$17,870,000.

### Background

The contract with Kimley-Horn was executed in September 2017 in the amount of \$8.5 million prior to the November 2018 contract award for Civil Construction. Amendment No. 2 added an additional \$5.5 million to the contract for services through 2022. Amendment No. 3 further extended the contract through February 2023. Amendment No. 4 seeks to add \$3.87 million to the contract amount and extend the contract to December 31, 2023. The costs in this amendment result from a higher than anticipated number of work tasks from its base contract as well as project delays which resulted in Kimley-Horn's role being extended over time. The CMSS contract will be required for the remainder of Civil Construction which is scheduled to be completed in September 2025; the Southwest Project Office will assess Project needs through 2024 and 2025 as the 2023 construction season concludes.

This amendment is required so that the Council can continue Kimley-Horn's construction management role on the Project. The CMSS consultant contributes expertise into the SWLRT organizational chart. For example, CMSS provides the roles of Civil Construction Manager and the Utility Assistant Council-Authorized Representative (ACAR) who are fully integrated in the field team and critical to the Project. The CMSS team is also integral to the Project Management Team's efforts in updating the construction schedule and negotiating associated costs. An interruption to this process would be detrimental to progressing the Project.

## Rationale

The amendment of a professional contract exceeding 10% of the original authorized value requires Council approval.

## Thrive Lens Analysis

Successful completion of the METRO Green Line Extension will advance the following Thrive MSP 2040 outcomes:

**Stewardship:** Transit investment provides an opportunity to reinvest and grow the capacity of our communities, with more inclusive development and intentional investment. It encourages businesses to invest in communities, which means access to resources, community amenities, jobs, and other community assets.

**Equity:** Connections to other METRO lines and countless local bus routes will bring people to jobs, jobs to communities, and returns to communities across the region.

**Livability:** The METRO Green Line Extension will add 14.5 miles to the existing line, which connects downtown Minneapolis, downtown Saint Paul, and places in-between. This segment connects Eden Prairie, Minnetonka, Hopkins, and St. Louis Park to both downtown Minneapolis and Saint Paul, and major destinations at the University of Minnesota and the State Capitol.

**Prosperity:** The METRO Green Line Extension reflects strategic investment in regional infrastructure that will promote economic competitiveness and create prosperity for the region. Despite being under construction, the METRO Green Line Extension has already seen more than \$1.6 billion of investment within a half-mile of the Line. Another \$500 million in investment is planned.

**Sustainability:** As many as 700,000 more people will be living, working, and moving around the Twin Cities region by 2040. As a result, a robust transportation system is needed to provide the region with choices and more mobility.

**Prosperity:** The METRO Green Line Extension reflects strategic investment in regional infrastructure that will promote economic competitiveness and create prosperity for the region.

## Funding

The work for this amendment is a Southwest LRT Project (61001) eligible cost. Funds for the work are available in the Project budget. This work is included in the Council's authorized capital budget.

## Small Business Inclusion

The Office of Equity and Equal Opportunity (OEEO) reviewed the scope of the Contract to determine a Disadvantaged Business Enterprise (DBE) goal in 2017. Given the limited scope of the Project known at the time, no goal was assigned to the Contract in 2017. In addition, there was a limited availability of DBE firms which did not have a conflict of interest. OEEO did provide a list of DBEs for outreach, which resulted in Kimley-Horn utilizing the DBE subcontractor Mass Transit Consultants to perform as the Utility ACAR under this contract. As of December 31, 2022, DBE participation was at 14.0% and ongoing participation by this DBE firm is expected.