

# Committee Report

Transportation Committee



**Committee Meeting Date:** October 14, 2024

**For the Metropolitan Council:** October 23, 2024

## Business Item: 2024-276

METRO Gold Line Bus Rapid Transit, Contract 22P005 - Amendment 4

### Proposed Action

That the Metropolitan Council (Council) authorize the Regional Administrator to execute Amendment 4 to Contract 22P005 with KLJ Engineering, Inc. (KLJ) for Gold Line Construction Monitoring for Contaminated Materials for a total contract value not to exceed \$1,545,190.74.

### Summary of Transportation Committee Discussion/Questions

Meghan Litsey, Environmental Compliance Lead, summarized KLJ's work on the Gold Line Project and outlined the request for a contract value increase.

In the discussion following the presentation, Council Member Cameron asked what safety precautions are in place around all construction projects and facility maintenance to manage exposure to contaminated and regulated materials. Lesley Kandaras, General Manager, responded that follow-up information could be provided later to answer the question.

Council Member Vento expressed interest in a Council-wide assessment of risks related to older buildings and whether the Council is financially anticipating costs to remove or contain regulated materials. Chair Barber suggested this topic could be discussed further with Ryan O'Connor, Regional Administrator.

Council Member Tyrone Carter asked what role the state and federal Environmental Protection Agency had in the management of the Project's contaminated materials. Meghan Litsey responded that although federal funds support the project, all coordination and reporting are with the Minnesota Pollution Control Agency at the state level.

Motion by Vento, seconded by Morales. Motion carried.

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<b>District(s), Member(s):</b>	District 12 (Vento), District 13 (Lee), District 14 (Carter)
<b>Policy/Legal Reference:</b>	FM 14-2 - Expenditures for the Procurement of Goods, Services, and Real Estate Policy
<b>Staff Prepared/Presented:</b>	Nick Thompson, Deputy General Manager, 612-349-7507 Alicia Vap, Gold Line Project Director, 612-349-7079 Meghan Litsey, Gold Line Environmental Compliance Lead, 651-602-1982
<b>Division/Department:</b>	Metro Transit - METRO Gold Line

### Proposed Action

That the Metropolitan Council (Council) authorize the Regional Administrator to execute Amendment 4 to Contract 22P005 with KLJ Engineering, Inc. for Gold Line Construction Monitoring for Contaminated Materials for a total contract value not to exceed \$1,545,190.74.

### Background

The Council executed Contract 22P005 (contract) on October 5, 2022, with KLJ Engineering, Inc. in the amount of \$1,313,226.43 for Construction Monitoring for Contaminated Materials for the Gold Line Bus Rapid Transit Project (Project). The Council executed Amendment 1 to the contract on May 22, 2023, a no-cost amendment to expand the project scope to perform field work and report preparation for the improvements at the East Metro Garage. The Council executed Amendment 2 to the contract on July 2, 2024, to increase the contract value by \$69,709.58 to provide construction monitoring for contaminated materials at the East Metro Garage and perform unanticipated per- and polyfluoroalkyl substances (PFAS) investigation and groundwater dewatering management where the project encountered PFAS-contaminated groundwater. The Council executed Amendment 3 to the contract on September 24, 2024, to extend the contract termination date to May 30, 2025, and authorize additional funds in the amount of \$61,602.06 to allow the required construction monitoring to continue in September 2024.

In November 2024, the Project is expected to achieve substantial completion of construction. Amendment 4 is needed to add funding for the construction monitoring for contaminated materials services to continue through October 2024, and complete required documentation once construction is finished to describe how contaminated soil and groundwater was managed according to project plans during the construction phase. Amendment 4 will increase the contract total by \$100,642.67 for a total contract value of \$1,545,190.74.

### Rationale

Council Policy requires contract amendments exceeding 10% of the original authorized contract value to be approved by the Council if the original value exceeds \$500,000.

This contract amendment will continue to provide the Gold Line BRT project team with necessary support for construction monitoring and contaminated material services and to meet reporting requirements.

### **Thrive Lens Analysis**

Investment in high-quality transportation options will advance the Thrive outcome of Prosperity by making the region more economically competitive through increased workers' access to employment, and support to employers by increasing available workforce with affordable, convenient transportation.

The Gold Line Project advances the Equity outcome by distributing transit resources throughout the region and improving access to jobs, educational opportunities, and health services to diverse communities.

### **Funding**

Funds for this contract amendment are an eligible cost and are included in the Gold Line Project budget and the Council's authorized capital budget under Project #61402.

### **Small Business Inclusion**

The current DBE achievement for Contract 22P005 is 15.0%, as of September 2024. The Project has a DBE contract goal of 10% as established by the Office of Equity and Equal Opportunity (OEEO). At the time of award, KLJ Engineering committed to 23% DBE utilization. OEEO will continue to monitor the project to ensure the DBE requirements are met, inclusive of all amendments.

