

Transportation Committee

Meeting Date: November 28, 2016

For the Metropolitan Council meeting of December 14, 2016

Subject: LS Black Construction Contract 14P182 - Change Orders in Excess of 10%

District(s), Member(s): District 7, Gary L. Cunningham

Policy/Legal Reference: Council Expenditure Policy 3-3

Staff Prepared/Presented: Brian Lamb, General Manager, 612-349-7510
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Division/Department: Metro Transit/Engineering & Facilities

Proposed Action

That the Metropolitan Council (Council) authorize the execution of change orders for contract 14P182 with LS Black Constructors in the amount of \$53,418, in excess of 10% of the original contract value.

Background

On November 18, 2016 Business Item 2015-281 was approved by Council authorizing the regional administrator to award a construction contract to LS Black Constructors in the amount of \$9,650,000. This contract was for the construction of a new pedestrian bridge at the US Bank Stadium Station. The bridge has been constructed and is a critical part of transit operations for events at US Bank Stadium.

Through the construction process it was determined that several errors were made in the design by the consultant team that led to the Council incurring additional costs in the construction of the project. Between these costs and other change orders that occurred through the course of the construction project, the Council has exceeded the 10% allowable change order authority that is able to be approved at a staff level with appropriate signature authority by \$53,418.

The Council is currently seeking payment of \$465,462.88 from the consultant to reimburse the Council for the extra costs incurred as a result of the design errors. This accounts for approximately half of the change order costs incurred by Council on the project.

Rationale

The execution of change orders in excess of 10% cumulatively, regardless of amount, on contracts in excess of \$2,000,000 must be approved by Council.

Funding

Authorized funding is available in Project 62322.

Known Support / Opposition

There is no known opposition to this project.