

## Transportation Committee

Meeting date: February 11, 2019

For the Metropolitan Council meeting of February 27, 2019

<b>Subject:</b>	Orange Line BRT Knox Avenue Transitway Cooperative Construction Agreement
<b>District(s), Member(s):</b>	District 5 (Vacant), District 7 (Cunningham), District 8 (Letofsky), District 15 (Chavez)
<b>Policy/Legal Reference:</b>	MN Statutes 473.405, 473.411 and 471.59
<b>Staff Prepared/Presented:</b>	Wes Kooistra, General Manager, 612-349-7510 Charles Carlson, Director, BRT/Small Starts, 612-349-7639 Jim Harwood, Lead Project Manager, E&F, 612-349-7339
<b>Division/Department:</b>	Metro Transit Engineering and Facilities BRT Projects

### Proposed Action

That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a Cooperative Construction Agreement with the Minnesota Department of Transportation for construction of the Orange Line BRT I-494 and Knox Avenue underpass.

### Background

The Orange Line project has been split into three separate major construction contracts. The Lake Street Station and 12th Street Transit bridge are included in MnDOT's 35W@94 project currently under construction. The work to construct the underpass of Knox Avenue at I-494 is planned to be bid this winter and requires execution of a cooperative construction agreement (CCA) with MnDOT to award a contract. The CCA will both provide approval to do the construction work within MnDOT ROW but also allow for MnDOT to provide construction oversight and inspections for the work. The majority of the work of this construction contract is reconstructing I-494 near the 35W interchange to allow for the underpass.

This agreement states this fee will be 8% of the total actual construction cost. As the construction cost is currently estimated at \$20.7M, the estimated fee for MnDOT is \$1.656M though the percentage will be applied to actual construction costs incurred. Metro Transit will hold the contract and have construction staff assigned to provide general construction administration of the total project.

### Rationale

Minnesota Statutes § 473.411, subdivision 4 authorizes the Council to make arrangements with and cooperate with the Commissioner of Transportation for the purposes of constructing, maintaining and improving the trunk highway system. Council Policy requires Interagency Agreements valued at greater than \$1,000,000 be approved by Council.

### Thrive Lens Analysis

METRO Orange Line BRT supports Thrive outcomes in outcomes including livability, prosperity, and equity by providing new access to economic and personal opportunity through the I-35W South corridor. The proposed action advances the stewardship outcome by advancing Orange Line implementation with agency partners.

**Funding**

This agreement will not be executed until after execution of the Small Starts Grant Agreement. Those federal funds will be utilized for payments associated with this CCA.

**Known Support / Opposition**

There is no known opposition.