

Transportation Committee

Meeting date: November 23, 2020

For the Metropolitan Council meeting of December 9, 2020

Subject: METRO Orange Line- Amended MnDOT Construction Authorization

District(s), Member(s): District 7 – Robert Lilligren

Policy/Legal Reference: MN Statutes 473.411, Council Policy 14-2

Staff Prepared/Presented: Jim Harwood, Asst. Director Engineering & Facilities, 612-349-7339

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Division/Department: Metro Transit BRT Projects

Proposed Action

That the Metropolitan Council authorizes additional expenditure within agreement 17I009 with the Minnesota Department of Transportation not to exceed \$7,574,848, for a revised total authorization not to exceed \$54,446,598.

Background

On March 22, 2017 through business item 2017-65, the Metropolitan Council authorized the Regional Administrator to negotiate and execute agreement 17I009 with MnDOT in an amount not to exceed \$46,871,750. This agreement enables the construction of Orange Line transit improvements along I-35W by MnDOT within a larger \$239 million roadway reconstruction project led by MnDOT.

The 2017 agreement authorization value was based on the estimated local share of construction, with an estimated additional \$3.27 million of project delivery costs anticipated for future Council approval following federal funding award. The project's full funding grant was awarded in June 2019.

Based on actual bids received by MnDOT in August 2017, transit-related construction to be paid by Council to MnDOT total \$51,520,569.59, an increase of \$1,380,569.59. An additional \$7 million of federal CMAQ funds awarded through the 2017 Regional Solicitation within will be drawn directly by MnDOT for transit station construction.

Finally, additional Council authorization is requested for potential change orders within the MnDOT project. Change orders to date total \$526,064, around 1 percent of the construction cost. Authorization is requested up to 5 percent of the bid costs, or \$2,926,028.43. Payment will be limited to the actual cost of change orders for transit-related work.

In combination, increased authorization of \$7,574,848 is requested through this action in agreement 17I009, for a revised total payment value not to exceed \$54,446,598.

Rationale

Council policy requires interagency agreements above \$500,000 to be approved by the Council. The ongoing partnership with MnDOT is progressing on time and within budget, and authorization of the actual construction costs will enable continued work toward completion in 2021.

Thrive Lens Analysis

METRO Orange Line supports Thrive 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 prosperity outcome by advancing an infrastructure project that will create regional economic competitiveness, and equity outcomes by better connecting the region's residents to enhanced, accessible transit service.

Funding

Funding is available within the Council's Authorized Capital Program in project #62405. Funding sources include federal Small Starts, state bonds awarded for Orange Line construction, and county funding grants.

Known Support / Opposition

No known opposition.