

# Business Item

Transportation Committee



Committee Meeting Date: August 8, 2022

For the Metropolitan Council: August 24, 2022

## Business Item: 2022-207

METRO Gold Line Bus Rapid Transit – Amendment 1 to Subordinate Funding Agreement No. 19I056F with the City of St. Paul

<b>District(s), Member(s):</b>	District 12 (Gonzalez), District 11 (Vento), District 13 (Lee)
<b>Policy/Legal Reference:</b>	FM14-1 Procurement Policy
<b>Staff Prepared/Presented:</b>	Wes Kooistra, General Manager, 612-349-7510 Nick Thompson, Deputy General Manager, 612-349-7507 Alicia Vap, Acting Gold Line Project Director, 612-349-7079 Robin Caufman, Director of Administration, Capital Projects, 651-602-1457
<b>Division/Department:</b>	Metro Transit / METRO Gold Line Project Office

### Proposed Action

That the Metropolitan Council (“Council”) authorize the Regional Administrator to negotiate and execute Amendment #1 to Subordinate Funding Agreement #19I056F with the City of St. Paul (“the City”) for construction of non-project activities concurrent with the Gold Line Bus Rapid Transit Project (“the Gold Line”) in an amount not to exceed \$1,644,548.89.

### Background

In 2020, the Council and the City entered into Master Funding Agreement #19I056 to establish a framework for interagency funding transfers.

The Council and the City executed SFA #19I056F on May 20, 2022, to transfer up to \$1,204,975.83 from the City to the Council for construction of five locally funded improvements, also known as Concurrent Non project Activities:

- a sewer separation project along Conway Street,
- additional pedestrian lighting along Hudson Road,
- sanitary sewer replacement near Hudson Road,
- conduit installation near the Burns Avenue / Trunk Highway 61 intersection, and,
- private sanitary sewer connections.

SFA #19I056F laid out a process to amend the SFA should the bids come in higher than the engineers estimate; this amendment follows that process.

In June 2022, the Council opened the construction bids for the Gold Line BRT project. Once the lowest bidder had been determined to be responsible and responsive, the engineering team compiled the actual cost of the locally funded work for the City based on the construction bid tab,

which was \$1,644,548.89. This information was shared with the City; they have decided to proceed with the work even though the actual costs are higher. As a result, the Council needs to amend the agreement to reflect the updated costs.

With this amendment, SFA #19I056F transfers up to \$1,644,548.89 from the City to the Council for construction of locally funded work. This work will be delivered by the Gold Line's civil construction contractor as a concurrent non-project activity and is fully funded by the City independent from the base Gold Line. The SFA also provides funding from the City to cover the Council's construction management and inspection costs.

### **Rationale**

Council Policy requires Interagency Agreements valued at greater than \$500,000 and amendments to Interagency Agreements that are more than 10% of the initial value be approved by the Council.

Executing this amendment to SFA #19I056F allows the City to have this work completed concurrent with the Gold Line which benefits the Council and the City by realizing cost savings and avoiding the need to coordinate different contractors working in the same area. The Gold Line design and construction plans include the work to be funded under this SFA #19I056F, and the Council would incur additional costs to remove that scope if this amendment were not executed.

### **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 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**

No impacts to the Gold Line budget. All funding under this agreement will be provided by the City.

### **Small Business Inclusion**

Local work constructed for the City under SFA #19I056F is incorporated into the Gold Line civil construction contract and therefore part of the prime contractor's DBE commitment.

