

# Business Item

Transportation Committee



Committee Meeting Date: June 10, 2024

For the Metropolitan Council: June 26, 2024

## Business Item: 2024-128

METRO Green Line Extension: Emergency Flagging Services, Contract 21P271 - Amendment 3

<b>District(s), Member(s):</b>	District 3 (Carter), District 6 (Lilligren), District 8 (Cameron)
<b>Policy/Legal Reference:</b>	FM 14-2 Expenditures for the Procurement of Goods, Services, and Real Estate Policy
<b>Staff Prepared/Presented:</b>	Lesley Kandaras, General Manager, 612-349-7513 Nick Thompson, Deputy General Manager, 612-349-7507 Jim Alexander, Project Director, 612-373-3880 Nic Dial, Director of Construction, 612-373-3974
<b>Division/Department:</b>	Metro Transit/METRO Green Line Extension

### Proposed Action

That the Metropolitan Council authorize the Regional Administrator to execute an amendment to Contract 21P271 with RailPros Field Services for flagging services to add \$243,000 for a total contract value not to exceed \$553,000.

### Background

In March 2022, RailPros Field Services was awarded Contract 21P271 in the amount of \$310,000 to provide freight rail flagging in the BNSF Wayzata Subdivision as part of the Southwest LRT (Green Line Extension) Project. The contract's original expiration date was December 31, 2022. The contract duration was extended through Amendment No. 1 to December 31, 2023, and through Amendment No. 2 to December 31, 2024.

This amendment is required due to an increase in flaggers needed due to a reduction in the number of flagging staff provided by BNSF during construction of the Project. When construction began, BNSF provided three flaggers to safeguard the construction work along the BNSF right of way. In March 2022, BNSF scaled back to two flaggers. In October 2023, BNSF reduced their staff on the Project to one employee. Since having three flaggers is required by BNSF, Rail Pros was engaged to provide additional flaggers, depleting the available contract amount at a faster pace than originally anticipated, with funds expected to be depleted in July 2024. To uphold safety standards and maintain uninterrupted freight operations in the BNSF Wayzata Subdivision during Project construction, an amendment is necessary to add funds to the contract. Continued flagging may be needed beyond 2024 and staff will assess flagging needs toward the end of this construction season. The cost associated with this amendment is \$243,000.

### Rationale

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

Amendments to contracts of this value that exceed 10% of the original value constitute sole source procurements requiring Council approval.

### **Thrive Lens Analysis**

Successful completion of the METRO Green Line Extension will advance the following Thrive MSP 2040 outcomes:

**Stewardship:** Transit investment provides an opportunity to reinvest and grow the capacity of our communities, with more inclusive development and intentional investment. It encourages businesses to invest in communities, which means access to resources, community amenities, jobs, and other community assets.

**Equity:** Connections to other METRO lines and countless local bus routes will bring people to jobs, jobs to communities, and returns to communities across the region.

**Livability:** The METRO Green Line Extension will add 14.5 miles to the existing Line, which connects downtown Minneapolis, downtown Saint Paul, and places in-between. This segment connects Eden Prairie, Minnetonka, Hopkins, and St. Louis Park to both downtown Minneapolis and Saint Paul, and major destinations at the University of Minnesota and the State Capitol.

**Prosperity:** The METRO Green Line Extension reflects strategic investment in regional infrastructure that will promote economic competitiveness and create prosperity for the region. Despite being under construction, the METRO Green Line Extension has already seen \$2.8 billion of investment within a half-mile of the line. Another \$780 million in investment is planned.

**Sustainability:** As many as 700,000 more people will be living, working, and moving around the Twin Cities region by 2040. As a result, a robust transportation system is needed to provide the region with choices and more mobility.

### **Funding**

The cost for this change order is a METRO Green Line Extension Project (61001) eligible cost. Funds are available in the Project budget and included in the Council's authorized capital budget.

### **Small Business Inclusion**

This amendment is being procured through the sole source process. The Office of Equity and Equal Opportunity (OEEEO) does not review sole source amendments for DBE sub-contracting opportunities.

