



**Southwest Light Rail Transitway (SWLRT)  
Business Advisory Committee Meeting  
October 24, 2018  
Southwest Project Office  
6465 Wayzata Blvd, Suite 500  
St. Louis Park, MN 55426  
7:30 AM – 8:30 AM**

**Meeting Summary**

**In Attendance:**

*BAC Members/Alternates:* Dan Duffy, Will Roach, Gary Orcutt, Matthew LaJoy, Dave Perner, Stuart Ackerberg

*Agency Staff and Guests:* Brian Runzel, Dan Pfeiffer, James Mockovciak, David Davies, Greg Hunt (City of St. Louis Park); Kim Crockett (Center for the American Experiment), J. Shorrock (Calhoun Isles), Jim Nikora (CICA), Dudley Zhe (CICA)

**I. Welcome and Introductions**

BAC co- Chair Will Roach called the October 24, 2018 BAC meeting to order at 7:35 am. Co-chair Roach presented the May 30, 2018 meeting minutes for approval. The minutes were approved with one change – adding Tony Barranco’s name as present in the May meeting.

**II. Project Update**

SPO Construction Director, Brian Runzel provided a hi-level project update. It included the Twin Cities & Western Railroad/Surface Transportation Board’s findings, FTA’s Risk Assessment Report findings, and, the status of the Letter of No Prejudice (LONP) award.

Kim Crockett, from the *Center of the American Experiment*, was in attendance. She had several questions for Mr. Runzel. Earlier, she said, Mr. Runzel stated SPO was seeking \$187 million dollars in the application for the LONP. The total amount SPO will allocate when the civil contract is awarded was \$216 million dollars. Ms. Crockett asked him to clarify the \$216 million-dollar number. Mr. Runzel explained that SPO already has pre-award authority to begin specific work (amounting to around 29 million dollars). He cited utility relocation as an example. The additional 187 million dollars is what SPO is requesting authorization for from FTA to begin all the work outlined in the LONP Scope (slide 14). This includes mobilization costs, 9 bridges, Southwest Station, freight rail trackwork, and the Kenilworth Tunnel.

Ms. Crockett asked when SPO anticipated receiving the LONP. Mr. Runzel said it was expected soon. Ms. Crockett then asked what would happen if the LONP wasn’t issued by November 15 (the extension deadline guaranteeing the existing civil bid). Mr. Runzel stated he wouldn’t speculate on what will happen. He added that FTA is fully aware of the project’s status. He said he was



encouraged the FTA issued an LONP in California earlier this year. The LA Metro's Purple Line Extension project received an LONP for 491 million dollars.

Ms. Crockett asked if it mattered to the government that there was only one remaining bidder. Mr. Runzel said it did not matter to FTA. Ms. Crockett then asked what would happen if SPO did not receive the FFGA. Mr. Runzel explained that in the thirty plus-year history of the New Starts program every project receiving an LONP has been awarded the FFGA. He said it would be "stunning" not to be given an FFGA after receiving an LONP. Ms. Crockett asked if local funders were prepared to pay for the whole project if an FFGA was not awarded. Co-chair Roach interjected, reminding attendees that the committee had only scheduled an hour-long meeting and needed to proceed. He suggested if Ms. Crockett had additional questions they could be addressed at the end of the meeting.

The Assistant Manager for Public Involvement, Dan Pfeiffer, proceeded with a presentation on the construction outreach and communication plan. Mr. Pfeiffer described the role of construction open houses/meetings, the 24-hour hot line; the function of the website, media campaign and signage will play in mitigating construction disruptions. He also provided a claims process overview and outlined the role of Communication Steering Committee and Construction Information Workgroups (CIWs) formed during construction.

Co-chair Roach asked if there was anything BAC members could do to support the SPO's communication efforts? Mr. Pfeiffer suggested they could ensure information they received is disseminated in the organizations or associations they're affiliated with. He added that getting information out, up front when construction begins is important to prepare stakeholders for what will come.

A guest asked what will happen if a construction related damage complaint is filed. He asked if work will continue or shut down to investigate the complaint. Mr. Pfeiffer said that if active damage were occurring there were requirements in the project specifications mandating the contractor stop and work with council staff to investigate the complaint. He added there were also clear specifications on dust, vibration and noise control measures contractors must abide by. Finally, he said the project is also going to conduct pre-construction surveys with stakeholder's permission.

Co-chair Duffy asked if there would be communication with stakeholders in advance of construction work. Dan Pfeiffer said there would be. Mr. Duffy asked staff to explain the mitigation process with the UofM. Dan Pfeiffer described the agreement between the CCLRT project office and the UofM during Green Line construction; the U's sensitive equipment, floating tables and how the Council worked with them to set up monitoring systems and set time restrictions on construction working hours to avoid disrupting on-going research.



A visitor asked how long it will take to respond to a complaint? Mr. Runzel said there will be around 70 people on staff along the alignment managing construction who can respond to urgent problems, but it will depend on the nature of the complaint. Mr. Pfeiffer added that the contractor is required to create a Noise and Vibration Control Plan to meet Council specifications and to create Construction Work Plans for specific activities.

Another visitor asked if the noise and vibration levels had been set. Dan Pfeiffer replied they had been set. He added the noise and vibration levels, and recent testing results were presented to the Calhoun Isles Association at a meeting in September (2018). SPO staff addressed the noise and vibration limits and locations of additional monitoring at this meeting. Brian Runzel added that SPO will share the results of the Council's testing with the eventual contractor. Mr. Pfeiffer said the civil contractor will also have their own noise and vibration professional who will prepare the contractors Noise and Vibration Control Plan.

A third guest stated that vibration magnifies at different frequencies. He asked if the Council is prepared to mitigate any vibration magnifications. Mr. Runzel explained that the Council's specifications address vibration magnification. And the contractor will test equipment to ensure vibration limits are met.

The questioner then asked if the remaining bidder was aware of specific changes in the Council's construction methods, and if not, could the changes impact their bid? Mr. Runzel said the Council had identified alternative piling methods and included vibratory rolling restrictions in the specifications and potential civil contractors were aware of these changes when they submitted their bid. If necessary, a change order could be requested to accommodate additional measures if required. Dan Pfeiffer confirmed that the vibration limit has not changed.

Another guest suggested that the vibration limit had changed to 0.5ppv. Brian Runzel assured him the 0.5ppv level had been in the specifications when first they came out.

Co-chair Duffy asked if there were any remaining issues with TC&W railroad. Mr. Runzel said the relationship had changed for the better. SPO has hosted training sessions with railroad staff. Their consultant stated his confidence in the project by saying SPO had the 'best, most thorough plans' he had seen.

Dave Pelner asked if there was a fixed completion date for construction. Mr. Runzel explained the project schedule was not based on a fixed completion date but on 'durations from a limited notice to proceed (LNTP)' - the number of days defined to complete distinct construction phases from the time the Council issues the LNTP. The bidders had to agree to the Council's durations.

Co-chair Roach asked if there were already subcontractors on board. Dan Pfeiffer replied the contractor usually identifies subcontractors up front and includes their bids in the overall civil bid. Many of the subcontractors probably have previous work experience on local LRT projects. Brian



Runzel added that no contracts will be signed by subcontractors until after the contract is awarded.

Matt LaJoy asked if there were any assurances of the LONP being signed this year? Mr. Runzel stated there are no assurances with federal agencies. He added his confidence that the Council has sustained an elevated level of engagement with FTA officials. And they are very familiar with the project's status. Mr. Pfeiffer added the process has taken longer than previous projects.

Mr. Lajoy asked if the project funding will be guaranteed with the LONP? Mr. Pfeiffer explained LONP's are tools to keep projects moving. They guarantee local money spent is reimbursable if/when FFGA is awarded.

Mr. Lajoy asked how soon after reception of the LONP will construction begin? Brian Runzel stated the Council will have contractor's initial 280-day schedule 30 days after the LNTP.

Stuart Ackerberg asked how confident SPO was that the contract award deadline could be extended beyond November 15. Brian Runzel said the project had included escalation in the contract for items [like steel and other project-related commodities] that experience price fluctuations in our contract. He added staff were limited in their ability to talk directly to the remaining contractor while an active procurement was underway. The limited communication was primarily through written correspondence from the procurement department. These factors make it difficult to speculate on another contract award extension.

Dave Pelner asked what the timing was to apply for and receive the FFGA. Mr. Runzel stated SPO hadn't applied yet. He added the application wouldn't take long to complete since most of the information included is similar to information already provided FTA in previous submissions. Dan Pfeiffer said the congressional budget allocation to the Capital Investment Program [funding transit projects nationwide] this year will be important. The executive branch has until the end of 2019 to spend monies allocated. Last year congress allocated the largest sum in the program's history.

Dan Duffy asked how many projects nationwide SWLRT is competing with for federal funding. Dan Pfeiffer said there were four projects – including SWLRT and the Blue Line who were in the engineering phase.

#### **IV. Future BAC Meetings**

Co-chair Roach asked how often BAC should meet in the future. Mr. Runzel suggested the next meeting could occur after the project receives the LONP. Dan Pfeiffer suggested meeting at the end of January, and quarterly thereafter. Committee members agreed to meet quarterly. Project staff will notify members of the next meeting date.



**V. Meeting Adjourned**

Co-chair Roach adjourned the meeting at 8:35 AM.

DRAFT