# Metropolitan Council/Hennepin County

Meeting of the SWLRT Executive Change Control Board January 13, 2023

Members Present: Acting Chair Molly Cummings Debbie Goettel

Deb Barber Chris LaTondresse

# 1. CALL TO ORDER

Acting Chair Molly Cummings called the January 13, 2023 meeting of the Executive Change Control Board to order at 11:03 AM.

### 2. MINUTES FROM DECEMBER 9, 2022

Commissioner LaTondresse made a motion to approve the draft minutes of December 9, 2022. Council Member Barber seconded the motion. Following a vote, the minutes were approved.

#### 3. **RESOLUTION 2023-001**

Jim Alexander, Green Line Extension Project Director, explained the resolution, which adds \$9.8 million to the contract with AECOM. AECOM provides design support during construction including addressing requests for information from the contractors and preparing design plan and specification modifications associated with change orders. The additional amount is expected to cover work through 2023. This contract will be revisited on a year-by-year basis.

Council Member Barber made a motion to approve Resolution 2023-01, Commissioner LaTondresse seconded the motion. Following a vote, Resolution 2023-01 was approved.

### 3. **RESOLUTION 2023-002**

Nic Dial, Director of Construction, explained the resolution, which is to add \$3.875 million to the Kimley-Horn contract. The additional amount is expected to cover work through 2023. Kimley-Horn provides construction management and support services work. This contract also will be revisited on a year-by-year basis.

Commissioner Goettel asked if we plan to keep this contract until the remainder of the project. Nic Dial responded it is needed until the end of the civil work. It may be necessary to continue services for Systems related work.

Commissioner Goettel made a motion to approve Resolution 2023-02. Council Member Barber seconded the motion. Following a vote, Resolution 2023-02 was approved.

#### 3. **RESOLUTION 2023-003**

Nic Dial explained the resolution, which is for an increase to the freight rail maintenance allowance. The \$850,000 is estimated for freight maintenance work through 2023. Any remaining amounts in the allowance will roll into the following year. Staff will assess allowance needs beyond 2023 at the end of the 2023 construction season.

Council Member Barber asked if we anticipate this cost to continue at this rate. Nic said currently it is about the same as last year, but we do anticipate that we will see these costs begin to drop.

Council Member Barber made a motion to approve Resolution 2023-03. Commissioner LaTondresse seconded the motion. Following a vote, Resolution 2023-03 was approved.

## 4. MONTHLY REPORT ON CHANGE ORDERS

Nic Dial reviewed the report on new change orders under \$350,000. Since the last ECCB meeting, there were five new change orders to the Civil Construction contract and eleven for the Systems contract. All 16 change orders on this list had dollar amounts below the ECCB approval level.

Nic highlighted the changes that were over \$100,000.

Commissioner Goettel asked about Systems Change Order 57 and asked about the timing of this. Nic responded that the design was completed some time ago (contract was awarded in 2019). The original item as specified is no longer available. Dan Soler said when bidding so far in advance of the work, it is common that some items in the original spec may not be available anymore. Commissioner Goettel asked if the contingency is for the delta, which Dan responded that the contingency is for change orders. Commissioner Goettel said this should be a learning item for the future.

Commissioner Goettel asked about the status of the Systems agreement. Jim said the goal is to have a change order in place by February that will include the re-baseline schedule and a process to resolve the cost associated with the new schedule. The resolution process language will be similar to what we have used with the Civil contractor. Once the change order is in place the parties will work to resolve the amount which will ultimately be added to the contract value by change order. Jim noted that we have nationally recognized experts who will evaluate the contractor's data to help the Council determine a fair and reasonable price for the extended contract time. We will keep ECCB posted as we learn more.

Commissioner Goettel made a motion to receive the monthly report on change orders. Council Member Barber seconded the motion. Following a vote, the report was received.

#### 5. ADJOURN

The meeting adjourned at 11:25. The next regular meeting is scheduled for February 10 may have to be adjusted, as Hennepin County has conflicts on that day.

Respectfully Submitted,

Dawn Hoffner, Recording Secretary