# Metropolitan Council/Hennepin County

Meeting of the SWLRT Executive Change Control Board Friday, December 13, 2024

Members Present: Chair Zelle Marion Greene Heather Edelson

Deb Barber

#### 1. CALL TO ORDER

Chair Zelle called the December 13, 2024, meeting of the Executive Change Control Board to order at 11:07AM.

## 2. MINUTES FROM November 8, 2024

Commissioner Edelson made a motion to approve the draft minutes of November 8, 2024, Council Member Barber seconded the motion. Following a vote, the minutes were approved.

### 3. RESOLUTION 2024-ECCB-020

Jim Alexander, Project Director, explained this resolution. Alexander said he is pleased to bring this action before the Board today as it is the culmination of over a year's worth of work with the FTA and their oversight consultant in reviewing the Project cost and schedule. A Risk Workshop was held with the FTA in December 2023 to review project cost and schedule. We have reached agreement on cost and schedule. The outcome of the review resulted in validating a \$2.86 billion cost estimate and revenue service beginning in 2027. We are asking the Board to approve the \$2.86 billion budget and acknowledge Revenue Service in 2027; this is necessary to conclude the risk review process with the FTA.

Alexander said the table in the action item includes approximately \$117 million in contingency; this number will evolve over time as the project reaches completion. When we signed the FFGA, the Project budget was approximately \$2 billion and included just over \$200 million in contingency. Overall, the Project is approximately 85% complete (including Civil, Systems and light rail vehicles). Alexander said a request for bids for Kenilworth landscaping will be advertised in 2025. Approximately 99% of the anticipated contracts for the project are either active or closed. The Kenilworth LRT tunnel structure is about 95% complete and the contractor has begun installing rail through the eastern segment of the tunnel. The tunnel structure is complete from the east end to nearly the CICA building, west of Cedar Lake Parkway. The Systems contractor will be moving into the tunnel this winter to start work ahead of their schedule.

Alexander said regarding the extension of time due to the delay to the Civil construction, approximately 34½ months was added to both the Civil and Systems contracts. This board approved a total of \$285 million in contingency use for the Civil construction delay. The \$2.86 billion estimate assumes the \$285 million and includes contingency to cover additional cost should that be needed. The initial push was to get issues resolved that were known as of December 31, 2021; there are issues that need to be resolved that were known after 2021 (namely the delay in the secant piling), which will be the focus in reaching resolution on cost in 2025. We will keep this board updated as we progress the resolution of those costs. We will use the same process we used previously in resolving cost issues with Venable (outside legal counsel) advising the Council along with cost accountants and claim consultants to make sure we reach fair and reasonable costs. For the follow-on Systems contract, we previously issued a two-part change order for extension of time for approximately \$43 million, which was approved by this board and is included in the \$2.86 billion estimate. There is an additional 9-month extension due to the secant delay, which will require resolution of costs. The \$2.86 billion estimate includes contingency to cover the anticipated cost due to this delay. This delay is incorporated in the 2027 schedule.

Alexander said we had a number of Council actions recently extending contract durations. With the resetting of the budget, we included the associated costs in the base. This included adding approximately \$9 million to the contract with Braun Intertec for quality management services, approximately \$23 million to the contract with Kimley-Horn and Associates for construction management services, approximately \$11 million to the contract with AECOM for architectural and engineering support services, and approximately \$756 thousand to the contract with RailPros for freight rail flagging services. In conjunction with Blue Line Extension project, we have renegotiated the terms of the office lease, as staff was able to negotiate reduced costs.

Council Member Barber made a motion to approve 2024-ECCB-020, Commissioner Greene seconded the motion. Following a vote, Resolution 2024-ECCB-020 was approved.

## 4. MONTHLY REPORT ON CHANGE ORDERS

Nic Dial, Deputy Project Director, reviewed the report on change orders; there were 32 Civil change orders and 14 Systems change orders. Nic highlighted some of the change orders that are over \$150,000.

Commissioner Greene made a motion to approve the monthly report on change orders, Council Member Barber seconded the motion. Following a vote, the report was accepted.

The group discussed moving the next scheduled meeting date of January 10 at 11:00AM to January 15 at 10:30AM. Commissioner Greene made a motion to move the next ECCB meeting from January 10 to January 15 at 10:30AM, and Commissioner Edelson seconded the motion. Following a vote, the new date was accepted.

### 5. ADJOURN

Chair Zelle declared the meeting adjourned at 11:44AM.

Respectfully Submitted,

Emily Getty, Recording Secretary