

Metropolitan Council/Hennepin County

Meeting of the SWLRT Executive Change Control Board  
May 10, 2019

Members Present

Chair Nora Slawik  
Jan Callison

Marion Greene  
Mike Opat

Molly Cummings

**1. CALL TO ORDER**

Chair Nora Slawik called the May 10, 2019 meeting of the Executive Change Control Board to order at 10:00 a.m. at the SWLRT Project Office.

**2. MINUTES FROM APRIL 26, 2019 MEETING**

Commissioner Greene made a motion to accept the minutes from April 26, 2019. Commissioner Callison seconded the motion. Minutes were approved.

**3. REVIEW OF PART ONE CHANGE ORDER #41**

Mr. Brian Runzel, Director of Construction, reported on this two-part change order. This is for the area near the intersection of Highway 212 and Shady Oak Road, which is a sensitive area due to the Evine recording studio. FTA has strict vibration limits for recording studios, so we have been working with Evine in preparation of our construction.

Evine has a 6-hour window where they do not record, from 1 AM - 7 AM. We found the most economical way to minimize vibration is to perform nighttime pile driving during this time, which we are negotiating an amount with the contractor for. This would be a two-part change order. Part one of the change order would get the work started and track progress via time and material for the work, which would be under \$350,000. Part two of the change order may be over \$350,000, depending on how much nighttime pile driving is required and the cost, which we are currently negotiating with LMJV on this cost. Nighttime pile driving is needed; however, we don't know the exact extent to which it is needed. We will start daytime pile driving, and when the vibration limits are reached, we will go to night pile driving. The vibration measurements will be taken from inside of the Evine recording studio.

The earliest start date for the work would be end of May/early June. Commissioner Opat asked the duration of the work. Mr. Runzel said the pile driving work depends on how many crews are used. If just one crew, it could be as much as 6 – 8 months of the nighttime work. We would also be cutting the shifts from 10 hour down to 6-hour shifts, which is a tremendous concession to do.

Chair Slawik asked if the interior noise testing will begin soon. Mr. Runzel stated this change order would be for the vibration issue, which we already have an agreement with Evine on. Noise will be another item we will be testing for. Mr. Jim Alexander stated that we are meeting with Evine later today and will include consultants and hoping to reach agreement on noise testing.

Commissioner Greene asked if the \$350,000 cost is close to what staff are estimating it to be. Mr. Runzel did not want to speculate on the cost since it is the subject of active negotiations but believed it would be cheaper than other alternatives that were evaluated. Using a part one and two change order allows us time as to not hold up work while finalizing the price.

Commissioner Opat said nighttime noise does carry, and it may be loud for neighbors. Mr. Runzel stated that we performed noise assessments in the area and there were only two properties affected. Both were met with and are open to the nighttime work. We will monitor and make adjustments if needed. We also received permission from the City to do this work.

**3. MONTHLY REPORT ON CHANGE ORDERS**

Mr. Runzel reviewed the monthly report on change orders. Mr. Runzel explained Item #6, which is for the source of power allowance. The existing master utility agreement with Xcel does not have a

mechanism to pay for source of power; therefore, this change order is needed for an allowance for Xcel to bill the contractor, who will then be paid by us. Ms. Joan Hollick stated we are adding a cost to the overall contract value but paying for the costs with our professional services line item, which is where our budget for this master utility work is located. This will not be using any of the contingency, therefore it will not need ECCB approval. Mr. Soler reported that the Hennepin County Board has already approved the \$7.5M amount of spending for utility work.

Commissioner Callison said it would be helpful to have a chart showing the contingency budget, including the impact that items will have on contingency. Mr. Dan Soler mentioned this list could include change orders that affects contingency.

Ms. Hollick mentioned there will be a few more of these types of items shown (BNSF, 31st Street and Town Center Stations) which we will add to the report. They are big dollar adds to the contract, but not using contingency.

Commissioner Opat made a motion to receive this report. Commissioner Greene seconded the motion. Motion approved.

#### **4. ADJOURN**

Commissioner Opat made a motion to adjourn. Commissioner Greene seconded. Meeting adjourned at 10:30 a.m.

Respectfully Submitted,

Dawn Hoffner, Recording Secretary