



Request for City Council Committee Action from the Department of Public Works

Date: February 3, 2015

To: Honorable Kevin Reich, Chair Transportation & Public Works Committee

Referral to: Honorable John Quincy, Chair Ways and Means Committee

Subject: **Transfer Sabo Bridge Ownership from Hennepin County to the City of Minneapolis**

Recommendation:

Authorize proper City officials to execute an agreement to transfer ownership of the Martin Olav Sabo pedestrian and bicycle bridge from Hennepin County to the City of Minneapolis; cancel cost-share agreements related to the diaphragm plate failure Cooperative Forensics Engineering Funding Agreement ("Hennepin County Agreement A120328"), dated May 31, 2012 and amended March 26, 2014; and cancel cooperative Agreement to share in the cost of the remaining work associated with the assessment and repair of the Bridge ("Hennepin County Agreement A130784"), dated August 9, 2013.

Previous Directives:

November 14, 2014 – Approval of settlement of claim against URS Corporation and Ames Construction, Inc.

June 28, 2013 - Authorization to negotiate and execute a cooperative funding agreement with Hennepin County for the remaining work associated with the assessment and repair of the Martin Olav Sabo Bridge.

August 31, 2012 - Authorization to amend the cooperative funding agreement with Hennepin County for expenses and reimbursement related to the repair of the Martin Olav Sabo Bridge.

April 13, 2012 - Cooperative Funding Agreement with Hennepin County for Sabo Bridge Engineering Services

August 19, 2005 - Midtown Greenway Bridge Over Hiawatha Avenue: a) Approve plan and layout for the construction of a cable suspension bridge across Hiawatha Av between 26th and 28th St E for pedestrians and bicyclists; and b) Authorize a Limited Use Permit Agreement with the Minnesota Department of Transportation (MnDOT) to allow the bridge to be placed on MnDOT right-of-way.

February 2005 – Entered into a Permit Agreement for the City to use Hennepin County property for the Midtown Greenway; approved the Phase 3 trail construction

July 2002 - City of Minneapolis/Hennepin County Memorandum of Understanding; Cost participation agreement with State of Minnesota and Hennepin County

Department Information:

Prepared by: Heidi Hamilton, Deputy Director of Public Works, 673.3316

Approved by: _____
Steven A. Kotke, P.E., Director of Public Works

Presenters in Committee: Heidi Hamilton, Deputy Director of Public Works

Financial Impact

Action is within the Approved Budget

Community Impact

City Goals

- Living well: Minneapolis is safe and livable and has an active and connected way of life. High-quality and convenient transportation options connect every corner of the city.
- Great Places: Natural and built spaces work together and our environment is protected. We manage and improve the city's infrastructure for current and future needs.

Supporting Information

In 2007, Hennepin County completed construction of the Martin Olav Sabo pedestrian and bicycle bridge over Trunk Highway 55 in south Minneapolis. The bridge was paid for with Federal and County funds. Throughout project development and construction, it was intended that the City would accept ownership of the bridge upon its completion. The City has assumed all maintenance responsibilities for the bridge since its opening in 2007. Public Works is recommending that an agreement transferring ownership of the bridge to the City, consistent with the original intent of the project, be executed. The agreement will also transfer any owner's rights from design, construction and professional services contracts related to the bridge from the County to the City.

In February 2012, two of the diaphragm plates that support the cables on the bridge failed. Hennepin County and the City collaborated in responding to this failure. A series of cost sharing agreements were executed between the City and the County to pay for the emergency response, failure investigations, and bridge repair work.

On November 14, 2014, the Council approved a settlement between URS, Ames Construction, the City and Hennepin County related to the City and County's claims against URS and Ames Construction regarding the plate failure. It was understood by the City and County, that upon successful resolution of the claims that the City would accept ownership of the bridge pursuant to the original understanding. In allocating the settlement amounts paid to the City and County by URS and Ames, the City and County agreed to share equally in the total unrecovered cost of the response, investigation and repair. Cancelling these cost sharing agreements, for which no money has been exchanged to date, will result in an equal allocation of unrecovered costs to the city and county. Therefore, Public Works recommends that the proper City officials be authorized to execute an agreement transferring ownership of the bridge and owner's rights related to the bridge and that the cost-share agreements, be canceled.

cc: Don Elwood, Public Works
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