



## **Request for City Council Committee Action From the Department of Public Works**

**Date:** May 18, 2010

**To:** Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee

**Referral:** Honorable Betsy Hodges, Chair Ways and Means Committee

**Subject:** **Official Publication No. 7296 – "Bids for the Cedar Lake Trail Phase III Project  
S.P. 141-090-22"**

### **Recommendation:**

- 1) Acceptance of the low bid from Veit & Company Inc. in the amount of \$3,851,405.54 to furnish all labor, materials, equipment, permits and incidentals necessary to accomplish the construction of Cedar Lake Trail Phase III Project.
- 2) Authorize proper City Officers be authorized and directed to execute a contract for this service all in accordance with our specification.
- 3) The above are contingent on the approval of the Minnesota Department of Transportation (Mn/DOT) including Mn/DOT Civil Rights / EEO Office.

### **Previous Directives:**

- Resolution 2010R-140 (April 2, 2010) Authorizing the execution of a final settlement agreement for easements with the Burlington Santa Fe Railway Company.
- Resolution 2010R-058 (February 12, 2010) Authorizing the execution of Amendment #1 to MnDOT Agreement #92797 allocating 100% of Federal High Priority Grant Funds for right-of-way acquisition.
- Resolution 2010R-009 (January 15, 2010) Approving a trail easement agreement with the Minnesota Ballpark Authority.
- Resolution 2009R-625 (December 18, 2009) Approving Stipulation of Settlement with State of Minnesota and Metropolitan Council for Cedar Lake Trail - Phase III.
- Resolution 2009R-624 (December 18, 2009) Approving Stipulation of Partial Settlement with BNSF Railway Company for Cedar Lake Trail - Phase III.
- Resolution 2009R-622 (December 18, 2009) Approving Trail Easement Agreement for the Cedar Lake Trail Phase III with the Federal Reserve Bank.
- Resolution 2009R-537 (October 30, 2009) Authorizing the acquisition through negotiations or condemnation of temporary construction easements and permanent easements across the parcels therein for trail and other transportation-related uses.
- Resolution 2009R-328 (July 17, 2009) Authorizing the filing of an amendment to the condemnation petition in the City of Minneapolis v. BNSF Railway Company, et al. for the purpose of acquiring temporary construction easements.
- Resolution 2009R-327 (July 17, 2009) Authorizing the filing of an amendment to the condemnation petition in the City of Minneapolis v. Land Partners II, et al. for the purpose of acquiring an additional temporary access easement over Parcel 15 (Duddy Limited Partnership).

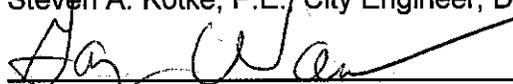
- Resolution 2009R-307 (June 26, 2009), Approving a right of entry agreement with Minnesota Ballpark Authority for Cedar Lake Trail - Phase III.
- Resolution 2009R-235 (May 22, 2009), Approving the acquisition of permanent and temporary easements for transportation purposes and authorizing the use of eminent domain proceedings from the owners of Parcels 16; 17;19; 21; and 24.
- Resolution 2009R-079, Approving an agreement with the Hennepin County Regional Railroad Authority ("HCRRA") for the acquisition of permanent and temporary easements for transportation purposes, and authorizing use of eminent domain proceeding.
- Resolution 2008R-320 (July 25, 2008) Authorizing the execution of Amendment No 1 to Metropolitan Council Agreement No. SG-2006-145 (City Contract No. C-23910)
- Resolution 2008R-319 (July 25, 2008) Authorizing the execution of an Inter-Agency Agreement with the Minnesota Department of Transportation for federal participation in right-of-way.
- Council Action (December 7, 2007) Authorization to execute the required documents to acquire a permanent trail easement from 127 Building Partners, LLC.
- Council Action (December 7, 2007) Authorization to execute a Cooperative Agreement with Northstar Corridor Development Authority for the acquisition of a Trail Use Permit.
- Council Action (March 9, 2007) Authorization to enter into negotiations or condemnation for the Cedar Lake Trail Phase III Project.
- Resolution 2006R-634, Authorization to enter into negotiations with abutting property owners for the acquisition of trail easements.
- Resolution 2006R-584, Appropriation Increase to PW- Fund (0600-943-9480) by \$1,800,000 & increasing the revenue source (0600-943-9480-3215) by \$1,800,000; and Increasing the appropriation in PW- Fund (4100-943-9470- BIK01) by \$1,800,000 and increasing the revenue source (4100-943-9470-3215) by \$1,800,000.
- Council Action (November 17, 2006), Authorization to execute a Metropolitan Council Grant Agreement (No. SG-2006-145) in the amount of \$1,800,000 for the Cedar Lake Trail.
- Resolution 2005R-658, 2006-2010 Five Year Capital Budget which included an appropriation of \$583,000 for the Cedar Lake Bike Phase 3 Project with the revenue source being Net Debt Bonds
- Resolution 2005R-661, Requesting the issuance and sale of bonds including the Cedar Lake Bike Phase 3 Project
- Resolution 2005R-075, Supporting the completion of the Cedar Lake Bike Phase to the Mississippi River
- Resolution 2004R-580, 2005-2009 Five Year Capital Budget which included an appropriation of \$2,160,000 for the Cedar Lake Bike Phase 3 Project with the revenue source being Federal Government
- Council Action (September 28, 2001), Authorizing the expenditure of \$40,000 from the Commuter Bike Fund System (4100-943-9470 - Project A7002990) for a temporary Cedar Lake Trail Phase III bike lanes alignment.
- Council Action (August 24, 2001), Recommendation that the proper City officers apply for a series of federal funds (TEA-21) including \$2,160,000 for Cedar Lake Bike Trail Phase III
- Resolution 2001R-147, Amending the 2001 Capital Improvement Appropriation Resolution which included an increase to the Cedar Lake Bike Trail of \$300,000 with the revenue source being the settlement from the Federal Reserve Bank Project Tax Increment Financing District for off-site public improvements.
- Council Action (March 2, 2001), Directing Public Works to develop a temporary bike route plan for Cedar Lake Trail Phase III due to construction delays caused by other projects in the area.

- Council Action (December 17, 1999), Authorization to enter into two easements for the Cedar Lake Bike Trail Phase III.

**Prepare by:** Meseret Wolana, Public Works 612-673-3527  
David Ybarra, Purchasing 612-673-2333

**Approved by:**

  
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 Steven A. Kotke, P.E., City Engineer, Director of Public Works

  
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 Gary Warnberg, Director, Purchasing

**Presenters:** Meseret Wolana, Department of Public Works, Transportation Planning and Engineering Division

**Reviews**

Permanent Review Committee (PRC):	Approval	NA	Date
Civil Rights Affirmative Action Plan	Approval	NA	Date
Policy Review Group (PRG):	Approval	NA	Date

**Financial Impact** (Check those that apply)

- No financial impact - or - Action is within current department budget (If checked, go directly to Background/Supporting Information)
- Action requires an appropriation increase to the Capital Budget
- Action requires an appropriation increase to the Operating Budget
- Action provides increased revenue for appropriation increase
- Action requires use of contingency or reserves
- Business Plan:  Action is within the plan.  Action requires a change to plan.
- Other financial impact (Explain):
- Request provided to department's Finance Dept. contact when provided to the Committee Coordinator

**Community Impact**

Neighborhood Notification: Not Applicable  
 City Goals: A SAFE PLACE TO CALL HOME: the city's infrastructure will be well-maintained, people will feel safe in the city.  
 Comprehensive Plan: Not Applicable  
 Zoning Code: Not Applicable

**Purpose of Letter**

Staff is requesting conditional approval by Council to allow staff to negotiate and execute a contract with the apparent low bidder, once Mn/DOT approval is received. This will allow construction to begin on or before July 12, 2010. In the event the low bidder is disqualified, Staff is requesting conditional approval by Council to negotiate and execute a contract with the lowest bidder approved by Mn/DOT.

## **Background/Supporting Information**

The City of Minneapolis Purchasing Department received four bids on May 17, 2010 for the construction of Cedar Lake Trail Phase III Project. The Cedar Lake Trail, Phase III (from Royalston Avenue to W. River Pkwy) has been a gap in the trail system since the completion of phase I and Phase II in 1995. Extension of the trail from its current terminus at Royalston Avenue to W. River Pkwy completes the Cedar Lake Trail regional trail network.

## **Civil Rights**

This project utilizes \$2,561,976 Federal STP funds, \$2,699,700 federal HPP funds, and \$1,800,000 State Bonds. The Minnesota Department of Transportation (Mn/DOT) is the prime recipient of the federal funding and ensures that the contractor and City of Minneapolis complies with the reporting requirements and metrics associated with the funding. The City of Minneapolis Civil Rights Department has deferred to Mn/DOT the typical pre-award review of bids.

Attachments: Tabulation of Bids

Cc: CM Lisa Goodman, Ward 7  
David Ybarra, Purchasing  
Johnnie Burns, Civil Rights  
Don Elwood, Transportation Planning and Engineering  
Greg Schroeder, Transportation Planning and Engineering  
Jack Yuzna, Transportation Planning and Engineering

T&PW & W&M/Budget – Your committee recommends acceptance of the apparent low bid submitted from Veit & Company Inc. to the Public Works Department on Official Publication No. 7296 to furnish and deliver all labor, materials, equipment, permits, and incidentals necessary to accomplish the construction of Cedar Lake Trail Phase III Project.

Your Committee further recommends that the proper City officers be authorized to negotiate and execute a contract for said services, all in accordance with City specifications and contingent upon approval from the Minnesota Department of Transportation (Mn/DOT) including Mn/DOT Civil Rights EEO Office.

"BIDS FOR CEDAR LAKE TRAIL PHASE III PROJECT - S.P. #141-090-22" - Public Works

Official Publication #7296  
 Bids opened 10 AM, CDST  
 May 17<sup>th</sup>, 2010  
 Minneapolis, MN

Grand Total Base Bid

\$

1 Allwyer Construction Inc.	2 Veit & Comp. Inc.	3 May Steininger Inc.	4 Thomas & Sons Constr. Inc.
4,349,175. <sup>42</sup>	3,851,405. <sup>54</sup>	4,179,329. <sup>20</sup>	4,012,088. <sup>25</sup>

We, the undersigned, hereby certify that the above bids were publicly opened and read aloud:

*Heidi Spina*

FOR THE: FINANCE OFFICER

*David McSpina*  
 ASST. DIRECTOR, PURCHASING