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

Date: June 27, 2002  
To: Transportation and Public Works Committee  
Subject: Heritage Park/Near Northside Redevelopment Phase I  
Recommendation: Receive and File

Previous Directives: Update of Receive and File Report dated May 9, 2002

Prepared or Submitted by: Robert J. Carlson, PE, Engineer 2 1/2, Phone 673-3614  
Approved: David J. Sonnenberg, P. E., City Engineer, Director of Public Works  
By: Brian Lokkesmoe Brian Lokkesmoe  
Presenters in Committee: Brian Lokkesmoe, PE

**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
- Other financial impact (Explain):

**Community Impact (use any categories that apply)**

- Neighborhood Notification
- City Goals
- Comprehensive Plan
- Zoning Code
- Other

**Background/Supporting Information**

The purpose of this letter is to update your Committee that a substantial Change Order to \$1.83 million Contract Number 018010 awarded to Ames Construction has been negotiated. Attached is the previous letter on this matter, which was discussed at the May 9, 2002 meeting.

Staff has worked with the Purchasing Department on these changes to assure that we are in compliance with bidding and contracting policies, and with the Civil Rights Department and MPHA to maintain adherence by the Contractor to Workforce, WBE/MBE and Section 3 goals, Affirmative Action and wage requirements, and the like.

Contract activities include excavation, fill and backfilling, structural concrete and rebar, sewer pipe and manhole construction and modification, arch pipe culverts, decorative railings and stonework, and the like. Change Order decreases are \$1,107,299.50 with substitutions/increases of \$556,730.00, resulting in a net Change Order DECREASE of \$551,069.50.

The Change Order is due to changes in needs and conditions:

- 1) The three-month delay in abandonment by Metropolitan Council of its sewer interceptor prohibited planned storm culvert construction at 8<sup>th</sup> Avenue N. in time for occupancy of the first eight structures, coming on line for occupancy on September 1, 2002. Instead, the re-designed piped conveyance at 8<sup>th</sup> Avenue will be independent of interceptor abandonment.
- 2) The very expensive retaining walls were eliminated from the contract, averting a lengthy closure of Emerson Avenue N.. Without the deep ravine, the median features will be closer in character to the conditions

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to the other segments, north of 8<sup>th</sup> Avenue N., with 'rain garden' infiltration areas, a pond, and pedestrian trail. Without the major retaining walls, the general public and the construction crews alike will suffer a much shorter period of closure for Emerson Avenue – about one month, rather than four to six months.

3) The Summit Academy site is not available for Phase 3 and Phase 4 improvements as shown in the Master Plan. Therefore the design of the median of the new North-South Boulevard south of Olson Highway, part of a future phase, has been reconfigured without the proposed watercourse.

4) For the housing beginning to come on line this year in the Phase 1 area, it is important to avoid undesirable conditions that could exist over a period of years until an ultimate connection of the water system could be made to Bassett Creek. It was determined that if the Phase 1 area were to be immediately constructed according to the original Ames Construction contract documents, then the Phase 1 area would be vulnerable to no flow/low conditions until future connections are made, and it is uncertain whether all of the future connections are reasonably feasible. Phase 1 area storm water features are being constructed instead to be immediate amenities, yet pipes are being installed and sized to be ready for those future connections if they occur when full funding is found, in order to avoid future disturbance to streets.<sup>1</sup>

cc: Natalie Johnson Lee, Ward 5  
David Ybarra, Purchasing Department  
Chuck Lutz, Darrell Washington, Lois Eberhart, Heritage Park Project Management

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<sup>1</sup> It is a future decision whether said ultimate connection to Bassett Creek is reasonably feasible. For conveyance from Bassett Creek to the Phase 1 area water system, in addition to work at the previously mentioned Summit Academy site, there would also need to be work done at the time of the Olson Highway reconstruction and again in the Bassett Creek Valley area in the vicinity of the Scrap Metal Processors site after acquisition and clean-up activities related to construction of the new North-South Boulevard. Preliminary estimates are that these future steps to connect the Phase 1 area to Bassett Creek, if reasonably feasible, would be respectively \$.8 million for the Summit Academy site conveyance component, \$.3 million for the Olson Highway conveyance component, and \$2.8 to 4 million or more for facilities at and conveyance from the Scrap Metal Processors site, depending on the extent of contamination and readiness of Bassett Creek Valley land uses for water feature enhancement at the time. For the latter, neither the \$10 million federal funding for right-of-way/construction costs nor the \$7.8 million county funding for bridge costs matches to the creek connection construction activities or creek connection clean-up activities – other funding sources would need to be used.



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

Date: May 9, 2002  
To: Transportation and Public Works Committee  
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Recommendation: Receive and File

Previous Directives: none

Prepared or Submitted by: Robert J. Carlson, PE, Engineer 2 1/2, Phone 673-3614  
Approved: David J. Sonnenberg, P.E., City Engineer, Director of Public Works  
By: Brian Lokkesmoe *Brian J. Lokkesmoe*  
Presenters in Committee: Brian Lokkesmoe, PE

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Other financial impact (Explain):

**Community Impact** (use any categories that apply)

Neighborhood Notification

City Goals

Comprehensive Plan

Zoning Code

Other

#### Background/Supporting Information

The purpose of this letter is to inform your Committee that substantial changes to a \$1.83 million contract awarded to Ames Construction are being negotiated. MCDA has informed that there is a change to the Master Plan by which Summit Academy's two main buildings are expected to remain in place, and consequently the features planned for the portion of the North-South Boulevard median lying just south of Olson Highway – between Olson Highway and 5<sup>th</sup> Avenue North – are being eliminated due to insufficient space. Therefore, within the Phase I area, as a result of the above-mentioned Master Plan change and as a result of efforts to meet critical deadlines and to contain costs both near-term and long-term, the features planned for the portion of the North-South Boulevard median just north of Olson Highway – between Olson Highway and 8<sup>th</sup> Avenue North – are being modified, resulting in changes to the Ames contract. Heritage Park development/construction activities by the nature of having phases is very similar to design/build characteristics, and as such changes are an inevitable result of this process. In the case of the contract with Ames Construction for site-based amenity work, the magnitude of changes is unusual, and so Council is being informed at this time that we are in the process of deleting construction activities that are no longer appropriate and adding other appropriate, like activities based on unit prices. Within 30 days a definitive change order will have been developed and will be presented to the Committee. Staff is working closely with the Purchasing Department on these changes to assure that we are in compliance with bidding and contracting policies.

cc: Natalie Johnson Lee, Ward 5  
David Ybarra, Purchasing Department  
Chuck Lutz, Darrell Washington, Lois Eberhart, Heritage Park Project Management