

PUBLIC WORKS & UTILITIES COMMITTEE

12-0500R

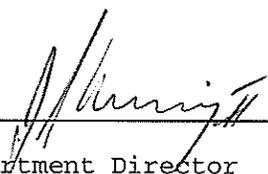
RESOLUTION AMENDING RESOLUTION 11-0332 AMENDING BRIDGE BOND AGREEMENT NO. 98420 FOR THE REHABILITATION OF BRIDGE NO. 93402 ON SECOND STREET AT CHESTER CREEK TO INCREASE THE AMOUNT BY \$115,000 FOR A NEW TOTAL OF \$674,945.50.

CITY PROPOSAL:

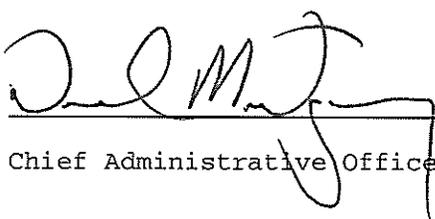
RESOLVED, that Resolution 11-0332 authorizing Bridge Bond Grant Agreement No. 98420 for the rehabilitation of Bridge No. 93402 on Second Street at Chester Creek be amended to increase the amount by \$115,000 for a new total of \$674,945.50, payable from Permanent Improvement Fund 411, Department/Agency 035 (Capital Projects Accounts), city project no. 0068TR, S.A.P. 118-130-005.

Approved:

Approved for presentation to council:



Department Director

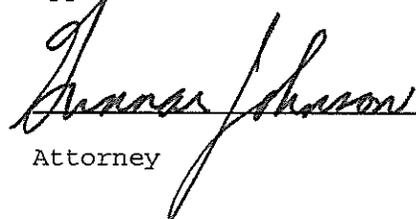


Chief Administrative Officer

Purchasing Agent Dys

Approved as to form:

Approved:



Attorney



Auditor

ENG PTM:jh 9/27/2012

STATEMENT OF PURPOSE: This resolution will authorize an amendment to Bridge Bond Grant Agreement No. 98420 for Bridge No. 93402 on Second Street at Chester Creek. Payable from Permanent Improvement Fund 411, Department/Agency 035 (Capital Projects Accounts), city project no. 0068TR, S.A.P. 118-130-005.

AMENDMENT # 1 TO the Local Bridge Replacement Program Grant Agreement #98420

Contract Start Date:	<u>07/25/2011</u>	Original Contract Amount:	<u>\$559,945.50</u>
Orig. Contract Exp. Date:	<u>12/31/2012</u>	Prev. Amendment(s) Total:	<u>N/A</u>
		Current Amendment	
Amended Exp. Date	<u>N/A</u>	Amount:	<u>\$115,000.00</u>
		Current Contract Total	<u>\$674,945.50</u>

Project Identification :	<u>Bridge Rehabilitation</u>		
State Project (SP):	<u>SAP 118-130-005</u>	Trunk Highway #:	<u>Bridge #93402</u>

This amendment is by and between the State of Minnesota, through its Commissioner of Transportation (“State”) and The City of Duluth (“Grantee”).

Recitals

1. The State has a contract with the Grantee identified as MnDOT Contract Number 98420 (“Original Contract”) to provide a local bridge rehabilitation program grant to the City of Duluth
2. Recent Floods in Duluth have caused damage to the current bridge project and \$115,000.00 in additional funds are needed to repair the damage.
3. The State and the Grantee are willing to amend the Original Contract as stated below.

Contract Amendment

In this Amendment deleted contract terms will be ~~struck out~~ and the added contract terms will be underlined.

REVISION 1. Article 3. “**Projects**” is amended as follows:

\$559,945.50 is deleted and replaced with \$674,945.50.

REVISION 2. Article 4 is amended as follows:

\$559,945.50 is deleted and replaced with \$674,945.50.

REVISION 3. Article 5 is amended as follows:

Exhibit A is replaced with Exhibit A-1

REVISION 4. Article 6 is deleted a replaced as follows:

The additional \$115,000 in local bridge funds provided by the State will be done through a Force Account.

The terms of the Original Contract are expressly reaffirmed and are incorporated by reference. Except as amended herein, the terms and conditions of the Original Contract and all previous amendments remain in full force and effect.

THE BALANCE OF THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.

**STATE ENCUMBRANCE
VERIFICATION**

Individual certifies that funds have been encumbered as required by Minnesota Statutes § 16A.15 and 16C.05.

Signed: _____

Date: _____

SWIFT PO #: _____

DEPARTMENT OF TRANSPORTATION

By: _____
(With delegated authority)

Title: _____

Date: _____

CONTRACTOR *(CITY OF DULUTH)* COMMISSIONER OF ADMINISTRATION

The Contractor certifies that the appropriate person(s) have executed the contract on behalf of the Contractor as required by applicable articles, by laws, resolutions, or ordinances.

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

By: _____
(With delegated authority)

Date: _____

MMD#: _____

EXHIBIT A-1

SOURCES AND USES OF FUNDS SCHEDULE

SOURCES OF FUNDS		USES OF FUNDS	
Entity Supplying Funds	Amount	Expenses	Amount
State Funds:		Items Paid for with LBRP	
LBRP Grant	\$ <u>674,945.50</u>	Grant Funds:	
		<u>Bridge</u>	\$ <u>674,945.50</u>
		_____	\$ _____
		_____	\$ _____
		_____	\$ _____
		_____	\$ _____
Subtotal	\$ <u>1,234,891.00</u>	Subtotal	\$ <u>674,945.50</u>
Public Entity Funds:		Items paid for with Non-	
Matching Funds	\$ _____	LBRP Grant Funds:	
		<u>Approach Roadway</u>	\$ <u>559,945.50</u>
		_____	\$ _____
		_____	\$ _____
		_____	\$ _____
Subtotal	\$ _____	Subtotal	\$ <u>559,945.50</u>
TOTAL FUNDS	\$ <u>1,234,891.00</u>	TOTAL PROJECT COSTS	\$ <u>1,234,891.00</u>

Pat Mlakar - 2nd St. Extra Costs

From: Lisa Marynik <Lisa.Marynik@lhbcorp.com>
To: "pmlakar@duluthmn.gov" <pmlakar@duluthmn.gov>
Date: 8/21/2012 9:38 AM
Subject: 2nd St. Extra Costs
CC: Jon Siiter <Jon.Siiter@lhbcorp.com>
Attachments: 02056 CE0082012 Extra Cost Estimate.pdf

Pat

I have put together an estimate of the extra costs for the work to correct the wall failure at 2nd Street. The items highlighted in blue are new items and those in black are from the original contract and use the bid prices. I have shown the form liner as deleted and used the bid prices; however they have stated they have some money into the materials. So, we could discuss that with them at the meeting today. I have also deducted the portion of wall to be rebuilt from the tuckpoint quantity. This is conservative as there will likely be a larger amount here due to the additional bury of the wall. If we took no deductions the additional cost for the work is estimated to be \$114,667.00.

Please review and let me know if you want anything changed, deleted or added.

Lisa Marynik, PE – Structural Project Engineer
21 West Superior Street, Suite 500, Duluth, MN 55802
Direct 218.279.2486 | Cell 218.340.3074
LHBcorp.com

LHB, Inc. | PERFORMANCE DRIVEN DESIGN.

COST ESTIMATE FOR EXTRA WORK

August 20, 2012

East Second Street over Chester Creek
 S.A. P. No. 118-130-005
 City of Duluth
 LHB Project No. 02056.30

By: LHB, Inc.
 LMM, JWS

Scope: Flood waters from the June 2012 flood caused the base of the retaining wall adjacent to the outlet of Bridge No. 93402 to experience scour at the base and shifting of the vertical alignment. This led to a partial collapse of the wall. Access through a residential property was obtained and the remaining unstable portions of the retaining wall will be knocked down with a backhoe set up on this property. This work requires the removal of trees along the SW property line (above the retaining wall) as well as trees and bushes along the NW property line for equipment access. The chainlink fence along the SW property line will be removed and replaced, and the wall will be built back where it is exposed above a modified fill elevation. The fill elevation has been raised by means of increasing the height of the headwall which requires additional concrete and reinforcement. The property will be restored with topsoil, seed, fence, and up to 20 trees.

ITEM NO.	ITEM	UNIT	Br Bond Elig. QUANTITY	Bond Inelig. QUANTITY	UNIT COST	Br. Bond Eligible COST	Non-Bond Elig. COST
BRIDGE							
	PROPERTY ACCESS - LAND USE AGREEMENT	Lump Sum	1.00		\$2,500.00	\$2,500.00	\$0.00
2021.501	MOBILIZATION	Lump Sum	1.00		\$2,000.00	\$2,000.00	\$0.00
2101.502	CLEARING	Tree	10.00		\$400.00	\$4,000.00	\$0.00
2104.501	REMOVE CHAIN LINK FENCE	Lin. Feet	75.00		\$12.00	\$900.00	\$0.00
2104.507	REMOVE MASONRY (STRUCTURE EX. - CL R COST)	Cu. Yard	40.00		\$440.00	\$17,600.00	\$0.00
2105.501	COMMON EXCAVATION	Cu. Yard	140.00		\$30.00	\$4,200.00	\$0.00
2401.501	STRUCTURAL CONCRETE (3Y43)	Cu. Yard	23.00		\$1,220.00	\$28,060.00	\$0.00
2401.541	REINFORCEMENT BARS (EPOXY COATED)	Pound	4270.00		\$1.60	\$6,832.00	\$0.00
2411.618	ARCHITECTURAL CONCRETE TEXTURE (RANDOM STONE)	Sq. Foot	(720.00)		\$26.00	(\$18,720.00)	\$0.00
2411.618	ARCHITECTURAL CONCRETE TEXTURE (CUT STONE)	Sq. Foot	(320.00)		\$39.00	(\$12,480.00)	\$0.00
2411.604	CONSTRUCT STONE WALL	Sq. Yard	40.00		\$650.00	\$26,000.00	\$0.00
2433.605	TUCKPOINT STONE MASONRY JOINTS (TYPE 1)	Sq. Foot	(350.00)		\$16.00	(\$5,600.00)	\$0.00
2557.501	WIRE FENCE DESIGN 48V-9322	Lin. Feet	75.00		\$97.00	\$7,275.00	\$0.00
2571.501	DECIDUOUS TREE 6' HT BR	Tree	20.00		\$600.00	\$12,000.00	\$0.00
2575.505	SODDING TYPE LAWN	Sq. Yard	330.00		\$10.00	\$3,300.00	\$0.00
Subtotals, Bridge Items						\$77,867.00	\$0.00
Total Estimated Project Costs						\$77,867.00	

PUBLIC WORKS & UTILITIES COMMITTEE

11-0332R

RESOLUTION AUTHORIZING BRIDGE BOND GRANT AGREEMENT NO. 98420 AND ACCEPTING A GRANT FROM THE MINNESOTA STATE TRANSPORTATION FUND FOR THE REHABILITATION OF BRIDGE NO. 93402 AT SECOND STREET OVER CHESTER CREEK IN THE AMOUNT OF \$559,945.

CITY PROPOSAL:

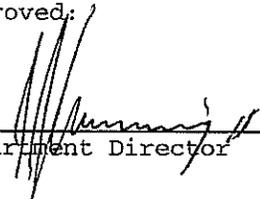
RESOLVED, that the city of Duluth has applied to the commissioner of transportation for a grant from the Minnesota state transportation fund for the rehabilitation of Bridge No. 93402 at Second Street over Chester Creek, city project no. 0068TR.

RESOLVED, that the grant has been approved and the amount of the grant has been determined to be \$559,945.

FURTHER RESOLVED, that the city of Duluth agrees to the terms and conditions of the grant consistent with Minnesota Statutes, Section 175.40, subdivision 5, clause (30), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota state transportation fund any amount appropriated for the bridge but not required. The proper city officials are hereby authorized to execute a grant agreement, on file in the office of the city clerk as Public Document No. _____, concerning the above referenced grant. Grant monies received hereunder shall be deposited into Permanent Improvement Fund 411, Department/Agency 035, Object 5530, city project

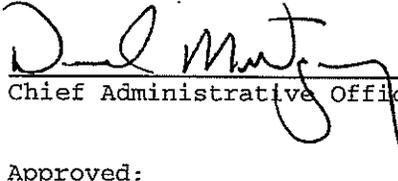
no. 0068TR, S.A.P. 118-130-005.

Approved:



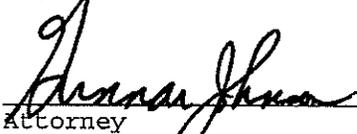
Department Director

Approved for presentation to council:



Chief Administrative Officer

Approved as to form:



Attorney

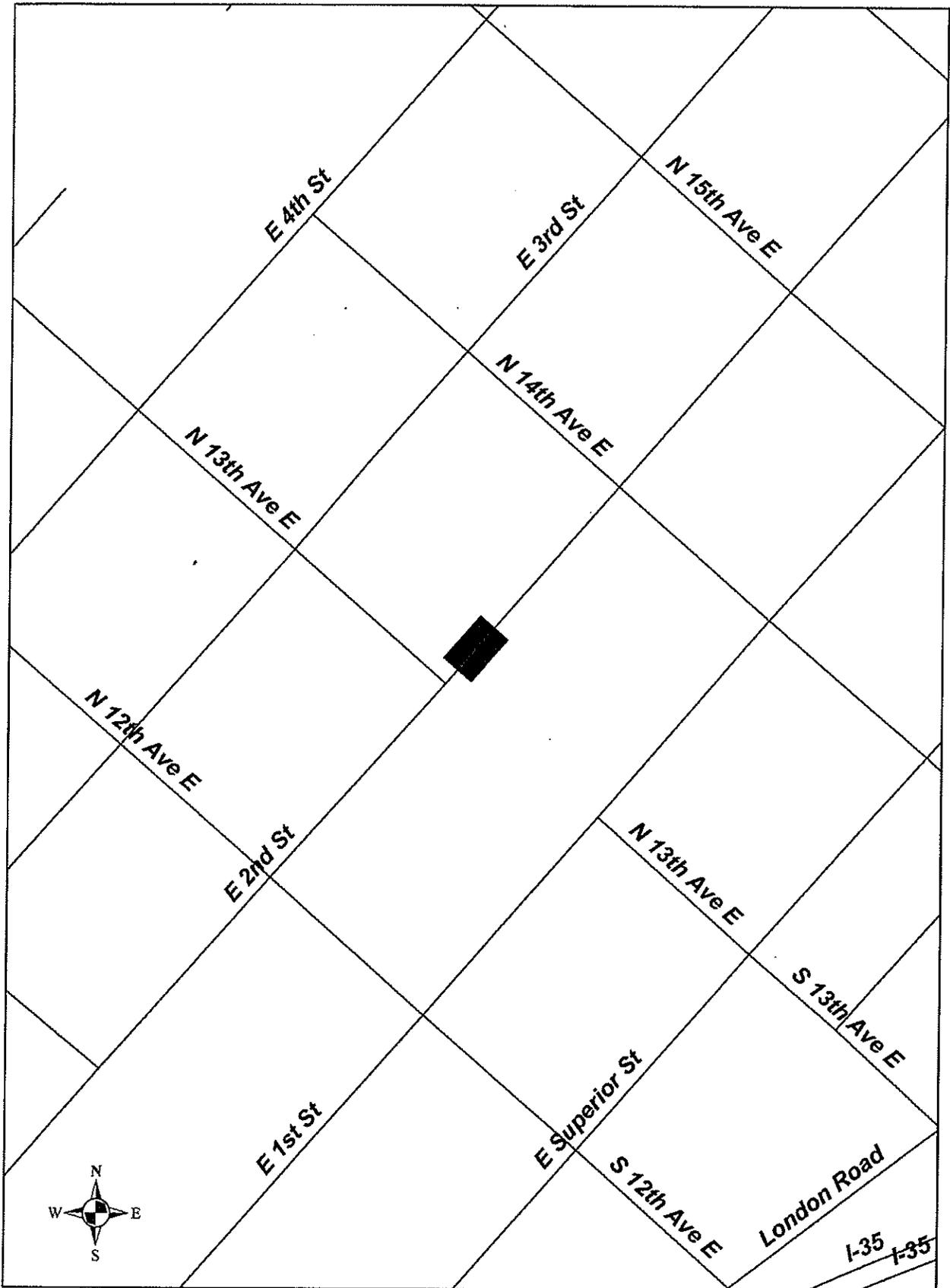
Approved:



Auditor

ENG PTM:jh 6/13/2011

STATEMENT OF PURPOSE: This resolution will authorize a grant agreement with the Minnesota Department of Transportation for a construction grant in the amount of \$559,945 for the rehabilitation of Bridge No. 93402, city project no. 0068TR, S.A.P. 118-130-005, under the Local Bridge Replacement Program. Bids for this project were opened on June 2, 2011 and the project was awarded to Northland Constructors of Duluth, LLC on June 13, 2011 for the low bid of \$1,119,891. Regular State Aid funds in the amount of \$559,945 have already been approved for this project. In accordance with the terms and conditions of the grant, the city agrees to pay any amount by which the cost exceeds the estimate.



E. 2nd St Bridge
Between N 13th Ave E &
N 14th Ave E
0068TR

0 75 150 300 Feet
[Scale bar]

05/02/2011

Minnesota Department of Transportation



MEMO

State Aid for Local Transportation Division
Mail Stop 215, 5th Floor
395 John Ireland Boulevard
St. Paul, MN 55155-1899

Fax: 651 366-4880

June 14, 2011

Cindy Voigt
City of Duluth Engineer

Re: SAP 118-130-005.

Based on the Abstract of Bids for the project listed above funding has been approved as follows:

\$559,945.50	Bridge Bond - Acct #252
<u>559,945.50</u>	State Aid
\$1,119,891.00	Total

A resolution by the governing body agreeing to finance any cost in excess of the Bridge Bonding grant is required. The resolution should state the amount of the Bridge Bonding Grant, the project number as listed above, and certify that any funds not needed for the construction will be returned. Submit the completed resolution to State Aid Finance, M.S. 215 at the above address.

Thank you.

Sincerely,

Sandra Martinez
State Aid Finance

cc: DSAE
Patti Loken, State Aid Programs Engineer
File

CERTIFIED COPY OF RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DULUTH, MINNESOTA

RESOLUTION 11-0332

ADOPTED: JUNE 27, 2011

RESOLVED, that the city of Duluth has applied to the commissioner of transportation for a grant from the Minnesota state transportation fund for the rehabilitation of Bridge No. 93402 at Second Street over Chester Creek, City Project No. 0068TR.

RESOLVED, that the grant has been approved and the amount of the grant has been determined to be \$559,945.

FURTHER RESOLVED, that the city of Duluth agrees to the terms and conditions of the grant consistent with Minnesota Statutes, Section 175.40, subdivision 5, clause (30), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota state transportation fund any amount appropriated for the bridge but not required. The proper city officials are hereby authorized to execute a grant agreement, on file in the office of the city clerk as Public Document No. 11-0627-25, concerning the above referenced grant. Grant monies received hereunder shall be deposited into Permanent Improvement Fund 411, Department/Agency 035, Object 5530, City Project No. 0068TR, S.A.P. 118-130-005.

Resolution 11-0332 was unanimously adopted.

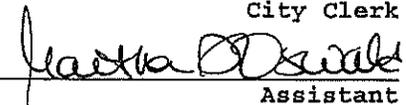
Approved June 27, 2011

DON NESS, Mayor

I, JEFFREY J. COX, city clerk of the city of Duluth, Minnesota, do hereby certify that I have compared the foregoing resolution passed by the city council on the 27th day of June, 2011, with the original in my custody as city clerk of said city and that the same is a true and correct transcript therefrom.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said city of Duluth, this sixth day of July, 2011.

JEFFREY J. COX
City Clerk

by 
Assistant
CITY OF DULUTH, MINNESOTA

29 39 1