

STAFF REPORT

DATE: July 2, 2024

CONSENT

AGENDA ITEM: Approve Construction Engineering Task Order for Village Parkway

UPRR Crossing Improvements.

SUBMITTED BY: Jack Griffin, City Engineer

REVIEWED BY: Nicole Miller, City Administrator

Marty Powers, Public Works Director Chad Isakson, Assistant City Engineer

ISSUE BEFORE COUNCIL: Should the City Council approve Task Order No. 8, Amendment #1 to SEH, Inc., for construction phase engineering services for the Village Parkway Union Pacific Railroad (UPRR) Crossing Improvements?

BACKGROUND: The City of Lake Elmo is seeking to negotiate, permit, design and construct a new atgrade railroad crossing over the Union Pacific Railroad to complete the connection for Village Parkway from 30th Street North to 39th Street North at CSAH 14. Village Parkway has been planned and designed as part of the Old Village planning efforts to serve as a neighborhood collector roadway for the new development along the east side of the Old Village and to provide connectivity to the Village center. Design standards were developed and approved by the City council in January 2014 and developers were required to incorporate segments of the roadway into varies phases of their developments. As part of the developer discussions the at-grade railroad crossing itself would be completed as a City improvement project and developers agreed to provide financial contributions to the crossing on a per REC basis. These contributions have been addressed through the development agreements for each respective development and phase.

PROPOSAL DETAILS/ANALYSIS: In 2019, the City Council authorized design phases services to be completed by SEH, Inc. (Task Order No. 8) to initiate the public at-grade railroad crossing improvements. The project plans and UPRR permits are substantially completed and are now waiting for UPRR crew schedules and final project agreements. The Task Order has therefore been amended to include the necessary preconstruction project coordination services and construction phase engineering services (see attached amended Task Order) to construct the project in 2024 and 2025. The improvements include the atgrade street crossing, pedestrian crossing, safety improvements and watermain crossing.

FISCAL IMPACT: \$89,800 for construction phase engineering services. The Village Parkway UPRR Crossing Improvements, including planning, engineering and construction will be completed and paid by the City of Lake Elmo. However, the City is collecting "Railroad Crossing Improvement" fees from adjacent developments through each respective development agreement.

RECOMMENDATION: Staff is recommending that the City Council approve Task Order No. 8, Amendment #1 to SEH, Inc., for construction phase engineering services for the Village Parkway UPRR Crossing Improvements. The recommended motion for this action is as follows:

"Move to approve Task Order No. 8, Amendment #1 to SEH, Inc., for construction phase engineering services for the Village Parkway UPRR Crossing Improvements, in the not to exceed amount of \$89,800."

ATTACHMENTS:

1. SEH, Inc. Task Order No. 8 (Amendment #1) – Village Parkway UPRR Crossing Improvements.

CITY OF LAKE ELMO, MINNESOTA – SHORT ELLIOT HENDRICKSON, INC.

PROFESSIONAL CONSULTING SERVICES AGREEMENT

In accordance with ARTICLE 1 of the Master AGREEMENT between the City of Lake Elmo ("CITY") and **Short Elliot Hendrickson, Inc. (SEH)** ("CONSULTANT"), dated August 13, 2014 ("AGREEMENT"), the CONSULTANT agrees to provide Professional Consulting Support Services as follows:

VILLAGE PARKWAY UPRR CROSSING IMPROVEMENTS

PROJECT OVERVIEW: The City of Lake Elmo requires professional engineering services for topographic survey, preliminary design, preparation of plans and specifications, bidding services, permitting and support with Union Pacific Railroad Crossing Applications and Agreements for the Village Parkway UPRR Crossing Improvements located within the Union Pacific Railroad's (UPRR) right-of-way. The project includes crossing improvements from 5-feet south of the UPRR right-of-way to 5-feet north of the UPRR right-of-way including street, pedestrian and watermain facilities.

Amendment #1 revises the scope of engineering services to include construction related engineering services for the Project construction with construction activities anticipated to be completed in late 2024 and/or during the 2025 construction season. The scope of engineering services have been revised to include preconstruction activities, shop drawing review, construction administration assistance, part-time construction observation, construction staking, railroad track monitoring, and record plan preparation. The estimated staff hours and assumptions for each of the subtasks are included in the attached work task breakdown.

SERVICES TO BE PROVIDED BY CONSULTANT: SEH, Inc. will provide the following Professional Consulting Services:

- 1. Project Management throughout the course of the work including monthly budget/progress emails and job to date budget form.
- 2. Preliminary Design.
 - Kickoff Meeting with City staff & perform site visit & obtain site photos.
 - Work with city staff to develop critical success criteria for the project, obtain project information and formalize the budget and schedule.
 - Obtaining UPRR permit to perform topographic survey within UPRR ROW.
 - Perform Topographic Survey and GSOC request for markings/maps.
 - Obtain design files and record plan information from adjacent development.
 - Create Base Map and confirm right-of-way with topographic survey, GSOC maps, and information from adjacent development.
 - Develop/revise roadway alignment and profile after topographic survey.

- Draw proposed geometrics, prepare Title Sheet, prepare Typical Section & preliminary Cross Sections and construction limits, prepare preliminary Water Main & Casing Pipe Layout/Design, and prepare Preliminary Street and Utility Plan/Profile Sheet.
- Prepare Preliminary Design Memorandum.
- Prepare Preliminary Opinion of Probable Cost.
- Submit draft partial preliminary plans to City, UPRR, and MNDOT for review.
- Address review comments and finalize preliminary geometrics and plans.
- Assistance with the development of a UPRR design review contract and the development of a UPRR crossing application, including permit fee (\$500).
- Engineering services related to the Railroad-Highway Crossing Field Diagnostic Review.
- Coordination meetings (and exhibit preparation) with City, MnDOT, and/or UPRR including attendance up to 4 meetings.

2. Preparation of Plans and Specifications.

- Finalize Street Alignment, Profile and Geometrics; Water Main and Casing Pipe Design and Profile.
- Private Utility Coordination and ID Conflicts.
- Conduct one Private Utility Coordination Meeting.
- Preparation of Construction Documents.
- Finalize Title Sheet.
- Prepare General Notes and Earthwork Summary.
- Prepare Detail Sheets.
- Prepare Alignment and Staking Sheet.
- Finalize Typical Sections.
- Finalize Street and Utility Plan and Profile Sheet.
- Prepare Signing and Striping Plan and Detail Sheets.
- Prepare Erosion Control and Turf Establishment Plan.
- Finalize Cross Sections.
- Prepare Final Design Summary Memorandum.
- Prepare Technical Specifications.
- Perform Quality Control Review and Constructability Review.
- Provide Estimated Quantities and Prepare Opinion of Probable Cost.
- Submit 90% plans/specs to City and UPRR for review.
- Conduct 90% Plan Review Meeting.
- Prepare Final Plans and Specifications.
- Compile information, prepare and submit UPRR Pipeline Crossing Permit Application.
- Prepare and Submit MDH Permit Application.

- 3. Railroad Crossing Application/Agreements Support
 - Grade Crossing Application Support for establishing a new crossing.
 - UPRR Easement Support.
 - UPRR Highway At-Grade Crossing Agreement Support.
 - Appraisal Coordination with Appraiser, UPRR and City (UPRR parcels only).
 - Prepare legal description & exhibits (UPRR parcels only).

4. Bidding Services

- Submit Ad for Bid.
- Distribute plans and specs and maintain Plan Holders List.
- Respond to Bidders Questions.
- Attend Bid Opening.
- Bid tabulation and Award Recommendation Letter.

5. Construction Phase Services

- Send construction plans to private utility companies and hold utility coordination meeting. Coordinate resolution of identified utility conflicts.
- Perform continued coordination with UPRR regarding construction and maintenance agreements and UPRR's final plan review.
- Hold meeting with UPRR to coordinate construction sequencing.
- Prepare and distribute contract documents.
- Attend and lead preconstruction meeting.
- Provide construction administration support throughout the project.
- Provide review of shop drawings submitted by the Contractor, and make recommendations regarding acceptability of submittals.
- Coordinate and provide construction staking.
- Perform part-time construction Observation Services and material testing coordination in accordance with the Contract Documents and UPRR agreement requirements.
- Perform track monitoring in accordance with UPRR requirements.
- Provide the CITY with copies of field reports on a weekly basis, or more frequently as requested, including weather logs, daily progress reports, reports on quantities installed on the construction site, and other reports as outlined in a project's Contract Documents.
- Prepare completion punchlist, final walk through for acceptance and warranty walkthroughs scheduled throughout the duration of the project.
- Prepare and submit record drawings in electronic format (AutoCAD and PDF) based upon as-built staking information. Prepare GIS shape files based on record plan data.

DELIVERABLES:

- Exhibits displaying recommended infrastructure.
- Opinion of Total Probable Project Costs.

- Design Memorandum summarizing final design assumptions and performance criteria incorporated into the project design.
- Identification of easements needed for the construction of the project, including easement descriptions and exhibits for UPRR parcels.
- Final Project Plans and Specifications.
- Construction Administration documentation as completed throughout the Project.
- Weather logs, daily progress reports, reports on quantities installed on a construction site, and other reports as outlined in a project's Contract Documents.
- Field notes and field ties for completion of as-built plans.
- Record drawings in electronic format (AutoCAD and PDF).

CITIES RESPONSIBILITIES: The City (or its consultants) will provide the following:

- Coordination with the public and conduct public meetings.
- Presentation(s) to the City Council.
- Easement negotiations and acquisition, if needed.
- Coordination with small utility companies if conflicts are identified.
- Hire geotechnical firm for geotechnical investigation.
- Responsible for UPRR's Subconsultant plan review costs.

TIMES FOR RENDERING SERVICES: CONSULTANT shall perform its services and provide deliverables in accordance with the following schedule:

- 1. Services will be initiated upon execution of Task Order by City and SEH, and will proceed diligently until the project is permitted and advertised for construction. The timeframe will be highly dependent upon Union Pacific permitting and application processes.
- 2. Construction phase services will be performed in accordance with the City constructor's schedule and UPRR construction activities.

CITY'S REPRESENTATIVE AND CONTRACT ADMINISTRATION: The CITY's representative with respect to services rendered by CONSULTANT under this TASK ORDER shall be the City Engineer. Project correspondence must be addressed to:

Jack Griffin, P.E., City Engineer City of Lake Elmo 3800 Laverne Avenue North Lake Elmo, MN 55042 651.300.4264

Email: Jack.griffin@focusengineeringinc.com

COMPENSATION: Compensation to CONSULTANT for Project Management and preliminary design work for the Village Parkway UPRR Crossing Improvements shall be on an hourly rate basis in a not to exceed amount of **\$82,100.** Invoices shall be submitted once each month and should be sent to the attention of the City Engineer.

Compensation to CONSULTANT for supplemental Design Services and Construction Services for the Village Parkway UPRR Crossing Improvements shall be on an hourly rate basis in a not to exceed amount of **\$89,800**. Invoices shall be submitted once each month and should be sent to the attention of the City Engineer.

Payment for Services shall be in accordance with ARTICLE 3.2 of the Master AGREEMENT.

ADDITIONAL SERVICES: If authorized by the City, CONSULTANT shall furnish or obtain from others Additional Services which are not considered under this Task Order. Such services shall be compensated for on an Hourly Rate basis in an amount approved by the City prior to any services being started or as otherwise mutually agreed. The City is not obligated to compensate CONSULTANT for services completed outside the approved scope of work which are completed prior to CONSULTANT submitting a written request to the City, and receiving written approval of the City.

ATTACHMENTS: The following documents are attached for reference:

- 1. CONSULTANT'S Proposal to the CITY dated, August 12, 2019.
- 2. CONSULTANT'S Proposal to the CITY dated, June 6, 2024.

APPROVAL AND ACCEPTANCE: Approval and Acceptance of this Task Order, including the attachment(s) listed above, shall incorporate this document as part of the AGREEMENT. CONSULTANT is authorized to begin performance of services upon receipt of a copy of this Task Order signed by CITY.

The Effective Date of this Task Order is August 20, 2019. The Effective Date of Amendment #1 to this Task Order is July 2, 2024.

SHC	RT ELLIOT HENDRICKSON, INC.	CITY OF LAKE ELMO, MINNESOTA
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Ву_	-	Ву
	(Authorized Principal of the Firm)	City Administrator



August 12, 2019

Jack Griffin
City Engineer
City of Lake Elmo
3800 Laverne Avenue N
Lake Elmo, MN 55042

RE: City of Lake Elmo

Village Parkway UPRR Crossing Improvements

Proposal for Design and Bidding Services

SEH No. LAKMO P-151461

Dear Mr. Griffin:

Short Elliott Hendrickson Inc. (SEH®) is pleased to submit this proposal for preliminary design, final design, preparation of bidding documents, permitting, and project management for the Village Parkway UPRR Crossing Improvements located within the Union Pacific Railroad's (UPRR) right-of-way. The proposed project consists of extending street, pedestrian, and water main facilities along Village Parkway within the UPRR right-of-way. Our scope of services also includes providing the City with support in developing agreements and applications to create a new railroad-highway at-grade crossing of Village Parkway and the UPRR track.

We understand Village Parkway will be constructed to approximately five feet south of the UPRR right-of-way in 2019 by the developer's contractor, and our design services would extend Village Parkway to a distance of approximately five feet north of the UPRR right-of-way. It is also our understanding that the future extension of Village Parkway north of these proposed limits will be designed/constructed with a separate/future project.

We propose the following team to assist the City with this phase of the project: Scott Haupt – Project Manager, Josh Cotter – Senior Railroad Engineer, Jeff Thene – Lead Technician, and Adam Bona – Lead Designer.

If acceptable, we propose to furnish these services in accordance with the Master Agreement between SEH and the City of Lake Elmo on an hourly basis plus reimbursable expenses for a maximum fee of \$82,100. A detailed work task and hour breakdown is attached showing the tasks and staff hours we anticipate to complete our understanding of the work. Our assumptions relating to our understanding of the desired scope of services are included at the bottom of the work task breakdown.

Payment for any additional services shall be based on the actual time required to perform the services and the billable rates for the employees engaged directly on the project, plus actual reimbursable expenses. All services will be invoiced monthly.

If this proposal is acceptable, please sign below and return a copy for our records. If you need any further information or wish to review this together, please contact me at 651.490.2055 or Todd Blank at 651.490.2017.

Jack Griffin August 12, 2019 Page 2

Scott D. Haupt Scott D. Haupt Project Manager	Toul M. Me Todd M. Blank, PE Principal
c. Chad Isakson, Focus Engineering	
Accepted this day of CITY OF LAKE ELMO, MINNESOTA	, 2019
Ву	

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Village Parkway UPRR Crossing Improvements

ENDRICKSON: PROJECT WORK PLAN															
VILLAGE PARKWAY UPRR CROSSING IMPROVEMENTS															
2: LAKMO P-151461															
Jack Griffin, Chad Isakson															
R: Scott Haupt															
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				QA/QC	Project Manager	Sr. Railroad Engineer	Lead Tech	Lead Design Tech	Registered Land Surveyor	Survey Crew Chief	Admin.	Unit	Total	Total	
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		\$4,000.00									_			1	+
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UPRR permit to perform topographic survey within UPRR ROW	\$1,860.00		\$5,390.00			12			•			10-	050.00	\$3,530.00	(\$1000); RR R/W Map (\$130)
Opographic Survey & GSOC request for markings/maps	\$2,059.00	\$478.00	\$2,537.00		1	2			2	12		100	\$58.00 \$420.00	1	+
sign files & record plan information from adjacent development	\$429.00		\$429.00		1			2				 		<u> </u>	-
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y Water Main & Casing Pipe Layout/Design	\$1,013.00		\$1,013.00		1	2	2	2							
reliminary Design Memorandum	\$1,019.00		\$1,019.00		3	3					1				
reliminary Street & Utility Plan/Profile Sheet	\$2,300.00		\$2,300.00		2	4	2	8							
reliminary Opinion of Probable Cost	\$1,716.00		\$1,716.00		2	2	2	6							
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eview comments & finalize preliminary geometrics & plans	\$2,026.00		\$2,026.00		4	2		8							
with the development of a UPRR design review contract and the development of a UPRR crossing application	\$1,550.00	\$500.00	\$2,050.00			10								\$500.00	est. permit (\$500)
Highway Crossing Field Diagnostic Review	\$3,028.00	\$15.00	\$3,043.00		4	12		4				25	\$15.00		
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ON OF PLANS AND SPECIFICATIONS	\$21,400.00	\$2,600.00	\$24,100.00												1
lignment, Profile & Geometrics	\$739.00	Ψ2,000.00	\$739.00		2	1		2							1
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nal Design Summary Memorandum	\$554.00		\$554.00		3						1				
pecifications	\$3,324.00		\$3,324.00		16	2					6				
w, Constructability Review	\$894.00		\$894.00	2		2	2								
Quantities & Prepare Opinion of Probable Cost	\$1,406.00		\$1,406.00		2		2	6							
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Review Meeting	\$876.00		\$891.00		3		3					25	\$15.00		
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очоли мил 1 сти Аррисакон	\$133.00	\$200.00	\$333.00		1							 		φ200.00	permit fee + printing cost
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Village Parkway UPRR Crossing Improvements

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PROJECT NAME: VILLAGE PARKWAY UPRR CROSSING IMPROVEMENTS																
PROJECT NUMBER: LAKMO P-151461		=" =														
CLIENT: CITY OF LAKE ELMO		_														
CLIENT CONTACT: Jack Griffin, Chad Isakson		_														
PROJI	ECT MANAGER: Scott Haupt															
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	TOTAL HOURS	521			4	151	137	15	166	6	12	30	0.500			
	HOURLY BILLING RATE TOTAL LABOR COST	\$74.800			\$155.00 \$620.00	\$155.00 \$23,405.00	\$155.00 \$21,235.00	\$137.00 \$2,055.00	\$137.00 \$22,742.00	\$131.00 \$786.00	\$111.00 \$1,332.00	\$89.00 \$2,670.00	0.580	\$178.00 \$420.00	\$6,635,00	
	% OF TOTAL COST	\$74,800			1.8%	66.7%	60.5%	5.9%	64.8%	2.2%	3.8%	7.6%		\$178.00 \$420.00	\$0,033.00	
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Task	DESCRIPTION OF TASK	Labor Task Total	Expenses Task Total	Task Total	Todd Blank	Scott Haupt	Josh Cotter	Jeff Thene	Adam Bona	Theo Brown	Greg Tvedt	Anjie Hanson	Mileac		Miscellaneous	Notes
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					QA/QC	Project Manager	Sr. Railroad Engineer	Lead Tech	Lead Design Tech		Chief	Admin.	Unit	Total	Total	
3	RAILROAD CROSSING APPLICATION/AGREEMENTS SUPPORT	\$16,500.00		\$16,500.00												
	Grade Crossing Application Support (for establishing a new crossing)	\$4,506.00		\$4,506.00		10	12		8							
	UPRR Easement Support	\$4,249.00		\$4,249.00		8	10		10			1				
	UPRR Highway At-Grade Crossing Agreement Support	\$4,631.00		\$4,631.00		8	16		6			1				
	Appraisal Coordination with Appraiser, UPRR & City (UPRR parcels only)	\$1,019.00		\$1,019.00		4	2					1				
	Prepare legal description & exhibits (UPRR parcels only)	\$2,126.00		\$2,126.00					12	3		1				
4	BIDDING SERVICES	\$1,800.00		\$1,800.00												
	Submit Ad for Bid	\$488.00		\$488.00		2						2				
	Distribute plans and specs and maintain Plan Holders List	\$178.00		\$178.00								2				
	Respond to Bidders Questions	\$399.00		\$399.00		2						1				
	Attend Bid Opening	\$310.00	\$15.00	\$325.00		2							25	\$15.00		
	Bid tabulation and Award Recommendation Letter	\$422.00		\$422.00		1						3				
			Total:	\$82,100												

ASSUMPTIONS:

- 1. Proposed roadway alignment, profile and geometrics for future road north of tracks will be provided by others.
- 2. It is assumed that geotechnical recommendations for subgrade correction and pavement design will be provided by others; therefore, no soil boring/geotechnical engineering costs have been included.
- 3. Initial topographic survey will be performed asap. Follow-up partial topo will be performed once the proposed roadway/pedestrian geometrics are constructed south of the UPRR crossing to confirm conformance to design.
- 4. It is assumed the proposed improvements will exceed VBWD's permit threshold of 6,000 SF of new impervious and that permanent storm water mitigation requirements will be performed as part of the adjacent development or be granted a variance (by others). Therefore, no time related to VBWD permitting is included in this proposal.
- 5. All UPRR fees included are estimates only. This proposal does not include any estimated fees include for UPRR's subconsultant plan review cost, which we estimate could be approximately \$25,000.
- 6. Proposal does not include effort associated with a grade crossing petition.
- 7. It is assumed that the City will provide any necessary projected traffic volumes.
- 8. It is assumed that title reports and appraisals (with an agreed upon appraiser) for necessary easements on UPRR property will be provided by the City/others.
- 9. It is assumed that the proposed public improvements within UPRR right-of-way will not require the development of a settlement monitoring plan.