

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION NO. 2024-069

**A RESOLUTION REQUESTING A VARIANCE FROM STANDARD FOR STATE AID
OPERATIONS FOR THE 15TH STREET NORTH IMPROVEMENTS
(PROJECT No. S.A.P. 206-110-002)**

WHEREAS, the City of Lake Elmo intends to improve the pavement surfaces in fiscal year 2024 along 15th Street North, from Inwood Avenue (CSAH 13) to the Lake Elmo/Oakdale City limits, and

WHEREAS, the City of Lake Elmo prepared plans and specifications consisting of a full depth reclamation of the pavement surfaces along 15th Street North, Project S.A.P. 206-110-002, submitted the plans and specifications for State Aid review, incorporated State Aid review comments, received contractor bids for the improvements, and

WHEREAS, Minnesota Rules for State Aid Operation 8820.2800 subpart 2A, Eligibility for Funding, requires final plans to be approved by the State Aid engineer before opening bids for the project; and

WHEREAS, the reason for this variance requests is to comply with State Aid Rules regarding the sequence of approvals within MSA Rules. The project was let on April 18, 2024 prior to State Aid Approval on May 8, 2024, and

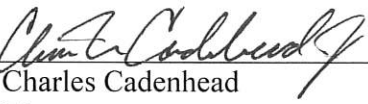
WHEREAS, all plan changes requested by the State Aid engineer were incorporated into the plan set through addendum #1, and were therefore fully included in the plans used by contractors when submitting their bids, and

NOW, THEREFORE BE IT RESOLVED, that the City of Lake Elmo City Council does hereby request a variance from the Minnesota Department of Transportation State Aid Operations Rules Chapter 8820.2800 subpart 2A (Eligibility of Funding) to allow plan approval after letting of the project in lieu of plan approval prior to letting the project; and

BE IT FURTHER RESOLVED, that the City of Lake Elmo City Council hereby indemnifies, saves and hold harmless the State of Minnesota and its agents and employees of and from claims, demands, actions, or causes of action arising out of or by reason of Project No. S.A.P. 206-110-002 in accordance with Minnesota Rules 8820.2800 and further agrees to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim arising as a result of the granting this variance.


ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE SEVENTH DAY OF MAY,
2024.

CITY OF LAKE ELMO

By: 
Charles Cadenhead
Mayor

(Seal)

ATTEST:


Julie Johnson
City Clerk