



STAFF REPORT

DATE: January 21, 2025

CONSENT

AGENDA ITEM: Approve MPCA Grant Agreement Amendment #1 for Well No. 2 PFAS Water Treatment Plant

SUBMITTED BY: Jack Griffin, Sr. Project Manager

REVIEWED BY: Nicole Miller, City Administrator
Clarissa Hadler, Finance Director
Marty Powers, Public Works Director
Nathan Stanley, City Engineer
Chad Isakson, Assistant City Engineer

ISSUE BEFORE COUNCIL: Should the City Council approve Amendment #1 to the MPCA Grant Agreement for the design and construction of the Well No. 2 PFAS Water Treatment Plant project?

BACKGROUND: On October 1, 2024, the City and MPCA approved a Grant Agreement for the design and construction of the Well 2 PFAS Water Treatment Plant project in the amount of \$2,283,000. The Grant is set to expire on December 31, 2026.

On December 17, 2024, the City awarded the last of 3 procurement and construction contracts to complete the project as designed. The post-bid total project cost estimate after receiving bids for all three bid packages is \$2,460,000, or \$177,000 over the approved grant amount. After receiving bids, staff submitted a grant amendment request to cover the full Project cost. A verbal approval was received from the MPCA prior to recommending award of the final construction contract.

PROPOSAL DETAILS/ANALYSIS: The MPCA has prepared and submitted Amendment #1 to the Grant Agreement for the design and construction of the Well 2 PFAS Water Treatment Plant project (SWIFT Contract #257210). The Grant Agreement Amendment is attached to this agenda report and increases the grant amount by \$177,000 for the total grant amount of \$2,460,000. All other terms of the agreement remain unchanged.

FISCAL IMPACT: The Estimated Post Bid Total Project Cost is \$2,460,000 to be funded through the MPCA Grant Agreement (and Amendments), SWIFT Contract No. 257210.

RECOMMENDATION: Staff is recommending that the City Council approve, *as part of the consent agenda*, Amendment #1 to the MPCA Grant Agreement for the design and construction of the Well 2 PFAS Water Treatment Plant, increasing the total grant amount to \$2,460,000. If removed from the *consent agenda*, the recommended motion is as follows:

“Move to approve Amendment #1 to the MPCA Grant Agreement for the design and construction of the Well 2 PFAS Water Treatment Plant, increasing the total grant amount to \$2,460,000.”

ATTACHMENTS:

1. Amendment #1 to MPCA Grant Agreement, SWIFT Contract 257210.



520 Lafayette Road North
St. Paul, MN 55155-4194

Grant Agreement Amendment #1

State of Minnesota

Doc Type: Contract

SWIFT Contract Number: 257210

Agency Interest ID: 90810

Activity ID: PRO20240002

Contract Start Date:	<u>October 2, 2024</u>	Total Contract Amount:	<u>\$2,460,000.00</u>
Original Contract Expiration Date:	<u>December 31, 2026</u>	Original Contract:	<u>\$2,283,000.00</u>
Current Contract Expiration Date:	<u>December 31, 2026</u>	Previous Amendment(s) Total:	<u>\$0.00</u>
Requested Contract Expiration Date:	<u>December 31, 2026</u>	This Amendment:	<u>\$177,000.00</u>

This amendment is by and between the State of Minnesota, acting through its Commissioner of the **Minnesota Pollution Control Agency**, 520 Lafayette Road North, St. Paul, MN 55155-4194 ("MPCA" or "State") and **City of Lake Elmo**, 3880 Laverne Avenue North, Lake Elmo, MN 55042 ("Grantee" or "City").

Recitals

1. The State has a grant contract with the Grantee identified as SWIFT Contract Number 257210 ("Original Grant Agreement") to provide the **City of Lake Elmo Well 2 Design and Construction Project**.
2. The Original Agreement is being amended to increase the grant amount to account for increased construction costs from preliminary estimates and update authorized representatives.
3. The State and the Grantee are willing to amend the Original Grant Agreement as stated below.

Grant Agreement Amendment

In this Amendment, changes to pre-existing Agreement language will use ~~strike through~~ for deletions and underlining for insertions.

REVISION 1. Clause 4.1(c). "**Total obligation**" is amended as follows:

(c) Total obligation. The total obligation of the State for all compensation and reimbursements to the Grantee under this grant agreement will not exceed ~~\$2,283,000.00 (Two Million Two Hundred Eighty Three Thousand Dollars and Zero Cents)~~ \$2,460,000.00 (Two Million Four Hundred Sixty Thousand Dollars and Zero Cents).

REVISION 2. Clause 6 "**Authorized Representative**" is amended as follows:

6. Authorized Representative




The State's Authorized Representative/Project Manager is **Andri Dahlmeier**, 520 Lafayette Road, St. Paul, MN 55155, 651-757-2718, andri.dahlmeier@state.mn.us, or their successor, and has the authority to monitor the Grantee's performance and to accept the services provided under this agreement. If the services are satisfactory, the MPCA's Project Manager will certify acceptance of each invoice submitted for payment.

The State's Project Manager for this agreement is ~~Megan Holthaus~~ Carlee Kjeldahl, 520 Lafayette Road, St. Paul, MN 55155, 651-757-2843 ~~2171~~, megan.holthaus@state.mn.us carlee.kjeldahl@state.mn.us, or their successor.

The Grantee’s Authorized Representative is **Nicole Miller**, 3880 Laverne Avenue North, Lake Elmo, MN 55042, 651-747-3905, NMiller@lakeelmo.gov, or their successor. If the Grantee’s Authorized Representative changes at any time during this grant agreement, the Grantee must immediately notify the State.

Except as amended herein, the terms and conditions of the Original Grant Agreement and all previous amendments and change orders remain in full force and effect. The Original Grant Agreement and any previous amendments and change orders are incorporated into this amendment by reference.

Signatures

Title	Name	Signature	Date
Contract Specialist	Christensen, Katie Joan	<div>DocuSigned by:  D65377C975814D4...</div>	January 13, 2025
City Administrator	Nicole Miller	<div>Signed by:  65AA3B7DDFA74EE...</div>	January 13, 2025
Assistant Division Director	Hotz, Anna M	<div>Signed by:  61EBCA8CB5E84F0...</div>	January 13, 2025