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November 4, 2025

Ms. Luisa Torres - Dakota County Senior Project Manager  
14955 Galaxie Avenue  
Apple Valley, MN 55124

RE: Contract Request: MN River Greenway Pedestrian Bridge – Fort Snelling Segment Project (*Dakota County Contract #DCA22518*)

Dear Ms. Torres:

Bolton & Menk, Inc. respectfully requests approval of this Supplemental Agreement for Minnesota River Greenway: Bridge Construction Administration, Construction Inspection Services, Surveying and Material Testing Services (agreement) for the above referenced project. The agreement is needed to address the difference between the construction timeline and level of effort anticipated during bidding versus what has been required to keep the project on-schedule and under budget.

Job to date: Bolton & Menk has experienced project expenditures, including labor, equipment, and subconsultant fees, totaling **\$585,145.29 as of 10/14/2025**, out of the original contracted amount of \$666,423.50. This contract request is for **\$644,375.90** which represents the anticipated remaining costs to deliver the project to final completion while maintaining the same level of effort and quality that has been provided to date.

### **PROJECT HISTORY**

On January 31, 2025, Bolton & Menk, Inc. executed a contract with Dakota County to provide bridge construction administration, construction inspection services, surveying and material testing services for the Minnesota Greenway Pedestrian Bridge project. At the time of bidding, our budget assumptions were that the contractor would be able to meet substantial completion by working 37 weeks of full-time construction between April and November, with most of the project work being completed in 2025. We did not anticipate winter work. The schedule utilized for our assumptions is provided for your review. This schedule assumed the contractor would start construction in late May 2025 and have full access to the entire project site by early June 2025.

Notice of Contract Approval was sent to the Contractor on April 8, 2025. At that point, the Contractor began to pursue their Union Pacific Railroad (UPRR) Right-Of-Entry (ROE) documents for working within UPRR right-of-way (ROW) and began construction on the east side of the railroad tracks. The temporary access road to cross the UPRR tracks was available for Xcel to utilize on April 23, 2025, for replacement of a transmission line structure required prior to bridge construction. It was anticipated that Xcel would have all their work on the west side of the tracks completed within 6 weeks. Xcel was not diligent with following the UPRR's safety protocol causing a delay in removal of equipment and material from the west side of the tracks. Xcel did not complete their work on the west side of the tracks until June 18, 2025.

During the time that Xcel was working on the west side of the tracks, the Contractor determined that the only way to safely access the west abutment and piers 1 & 2, due to the overhead power space constraints, was to construct a matted temporary roadway parallel to the tracks on the UPRR ROW. The UPRR determined that a variance request must be submitted and undergo a 6-8 week review. After the temporary access road plan was reviewed and accepted by the UPRR Real Estate group, it had to be reviewed and signed by the Dakota County Legal Department and the UPRR Agreements group. The agreement was not fully executed until August 7, 2025.

While the temporary access roadway agreement was under review, the Contractor was prepared to work on the west side of the tracks starting Monday, June 23, 2025, with Xcel forces finally out of the way. The intent was to gain access to the helix area using the previously approved temporary access road so excavation and pile driving operations could commence. The temporary access roadway needed to be shifted slightly to the east to allow the contractor access to the center of the helix between piers 6 & 7. This slight shift did not enlarge the footprint of the temporary access road; but it did shift the road 10-20 FT closer to the UPRR ROW line. On Friday, June 20, 2025, the Department of Natural Resources (DNR), who is the Local Governing Unit of the property on the west side of the railroad tracks, notified the project team that no access would be allowed on the west side until the temporary wetland permit was revised to show the change in the location of the temporary access road. The first no-loss wetland permit was executed on Friday, June 27, 2025, and on Monday, June 30, 2025, the Contractor was able to begin construction of the temporary access road to the helix. The DNR then put the project team on notice that an additional wetland permit would be required for the temporary access roadway that would be constructed on the UPRR ROW parallel to the tracks. The second no-loss permit required the DNR, the UPRR, and the City of Eagan to agree on who the authority over the permit would be. This larger footprint permit took longer to compile and review and was not executed until August 7, 2025.

During this same time, a large tree near the helix and other trees near the west abutment were being reviewed by a wildlife specialist for bats. The 1806 provisions stated that all tree clearing was to be completed under a separate contract prior to the bat restrictions date. The trees under review were located on UPRR property before the UPRR agreements were executed, so they could not be cleared ahead of construction. BMI wildlife staff reviewed the trees and worked with US Fish and Wildlife to obtain a variance to allow the project team to remove the conflicting trees within the typical bat restriction time period.

The Contractor was coordinating with Xcel Energy early in the project to schedule an outage for the overhead power lines that run parallel with the new bridge alignment. This outage was needed to safely use a crane for pile driving, concrete placement and girder setting for the west abutment and wingwalls, and piers 1 & 2. Xcel told the project team that an extended outage would be granted beginning mid-September 2025. With the warm temperatures experienced in September, the Xcel outage did not begin until Monday, October 13, 2025.

The largest cost and schedule risk associated with this project was the risk of puncturing a water confining layer during pile driving and impacting the calcareous fen located within and near the project construction limits. Due to the challenging access situation on the project, there were minimal soil borings available over most of the new bridge footing locations. As part of the fen contingency plan, the DNR required a certified well drilling company to be available within 24 hours of the notice of a confining water layer puncture. The well drilling contractor, along with a Geotechnical Engineer, would then compile a response plan to access,

drill, and seal the puncture. It is estimated that a puncture of a water confining layer during pile driving operations on the west side of the tracks would have cost the County around \$400,000/each puncture to seal. Therefore, the project team spent significant time during and prior to pile driving operations to minimize the risk and impact to these areas. Underground conditions were variable, and cobbles were hit frequently. Different types of pile driving criteria were attempted, including redrives in hopes of achieving bearing at less depth. The well driller was on standby at \$5k per day during pile driving so the entire project team did everything in their power to review data and make prompt decisions to keep the operation always moving forward, while minimizing the risk of puncturing a water confining layer and impacting the fen.

As the Contractor and the project team worked to manage access issues on the west side of the tracks, the Contractor kept their project crews busy by working on the east side of the tracks. The east abutment and the piers on the east side of the tracks were constructed one at a time and in small pieces. This caused survey and AET material testing staff to make frequent site visits for minimal project work progress.

All items listed above have increased the amount of time the contractor needs to construct the project and the number of hours required to administer, inspect, permit, survey and material test. The original budget did not account for the inefficiencies noted above and the linear fashion in which this project is required to be constructed. BMI staff notified the County Project Manager in July 2025 that our budget burn rate was moving faster than anticipated compared with the progress of work being completed. The County staff reinforced the importance of keeping the project on-schedule and managing construction risk in the process. The County was not interested in decreasing the level of service.

Bolton & Menk has been diligently working as necessary and as requested to satisfy requirements of all stakeholders, perform the duties outlined within our existing contract and provide all the support necessary to keep the project on-schedule to meet important milestone dates and reduce risk and cost to the Dakota County.

### **CONTINUED CONSTRUCTION PROJECT MANAGEMENT & COORDINATION – TASK 001**

The Contractor's schedule anticipates full time work taking place until just before December 25, 2025. The Contractor plans to set most of the concrete girders, the prefabricated truss and the steel beams in 2025. Assume 10 weeks of construction from October 14, 2025, to December 25, 2025. The Contractor plans to begin fulltime work again in early March 2026, and has until October 14, 2026, to reach substantial completion. Assume 32 weeks of full-time construction in 2026. Assume 18 hours per week, which includes any design and/or environmental support efforts. A final summary of fen monitoring, water pumping, etc. for all the work on the west side of the tracks will need to be compiled and sent to the DNR.

**ADDITIONAL SERVICES FEE (756 HOURS PLUS \$11,178.50 OF OVERBUDGET WORK ALREADY  
PERFORMED TO-DATE) \$185,814.50**

### **CONTINUED CONSTRUCTION INSPECTION – TASK 002**

The Contractor's schedule anticipates full time work taking place until just before December 25, 2025. The Contractor plans to set most of the concrete girders, the prefabricated truss and the steel beams in 2025. Assume 10 weeks of construction from October 14, 2025, to December 25, 2025. The Contractor plans to begin fulltime work again in early March 2026, and has until October 14, 2026, to reach substantial

completion. Assume 32 weeks of full-time construction in 2026. Assume 55 hours per week for full-time construction. The Contractor has been working most Saturdays and plans to continue doing so.

**ADDITIONAL SERVICES FEE (2310 HOURS REQUIRED TO COMPLETE THE PROJECT MINUS THE \$75,996.50 OF REMAINING BUDGET) \$395,243.50**

### **CONTINUED CONSTRUCTION SURVEYING – TASK 3.0**

The Contractor anticipates they have made 60% of the total project survey requests as of 10/14/2025. The survey budget has been prorated based on that assumption and the amount of effort expended to date.

**ADDITIONAL SERVICES FEE (PRORATED AMOUNT BASED OFF CONTRACTOR’S EXPECTED REMAINING SURVEY REQUESTS) \$46,602.50**

### **CONTINUED MATERIALS TESTING – TASK 4.0**

Like Survey, the Material Testing budget has been used faster than anticipated due to multiple small concrete pours on the east side of the tracks.

**ADDITIONAL SERVICES FEE (SEE ATTACHED SCOPE FROM AET) \$16,715.40**

### **FINAL DOCUMENTATION – TASK 5.0**

No progress has been made or budget utilized for this task.

**ADDITIONAL SERVICES FEE \$0.00**

### **PERFORMED WORK SUMMARY**

| <b>Task No.</b> | <b>Task Description</b>         | <b>Amount Used<br/>as of 10/14/25</b> | <b>Remaining Amount<br/>as of 10/14/25</b> |
|-----------------|---------------------------------|---------------------------------------|--|
| 1.0             | Construction Project Management | \$198,300.00                          | (\$11,178.50)                              |
| 2.0             | Construction Inspection         | \$316,298.50                          | \$75,996.50                                |
| 3.0             | Construction Surveying          | \$57,217.50                           | (\$8,457.50)                               |
| 4.0             | Materials Testing               | \$13,329.29                           | \$8,688.21                                 |
| 5.0             | Final Documentation             | \$0.00                                | \$16,229.00                                |
|                 |                                 | <b><u>\$585,145.29</u></b>            | <b><u>\$81,277.71</u></b>                  |

### **PROJECTED WORK SUMMARY**

| <b>Task No.</b> | <b>Task Description</b>         | <b>Total Amount Needed to Complete the Project</b><br><i>(Note: this is the summation of the amount used as of 10/14/25 and the Amendment Amount Required)</i> | <b>Amendment Amount Required</b> |
|-----------------|---------------------------------|--|----------------------------------|
| 1.0             | Construction Project Management | \$372,936.00   | \$185,814.50                     |
| 2.0             | Construction Inspection         | \$787,538.50   | \$395,243.50                     |
| 3.0             | Construction Surveying          | \$95,362.50  | \$46,602.50                      |
| 4.0             | Materials Testing               | \$38,732.90  | \$16,715.40                      |
| 5.0             | Final Documentation             | \$16,229.00  | \$0.00                           |
|                 |                                 | <b><u>\$1,310,798.90</u></b>   | <b><u>\$644,375.90</u></b>       |

### **PROJECT SUMMARY**

|                                   |                            |
|-----------------------------------|----------------------------|
| Original Contract                 | \$666,423.00               |
| <b>Contract Amendment Request</b> | <b><u>\$644,375.90</u></b> |
| Proposed Total Project Amount     | \$1,310,798.90             |

To the best of our knowledge and understanding, this should provide enough budget to keep the same level of continued service through final construction completion.

If you approve this request, please prepare a new contract accordingly. Should you have any questions or seek additional information regarding this request, please do not hesitate to contact me directly at [Daniel.Franta@Bolton-Menk.com](mailto:Daniel.Franta@Bolton-Menk.com) or 507-327-2540.

Sincerely,

**BOLTON & MENK, INC.**



**Dan Franta, PE**  
Principal Construction Engineer