



Dakota County

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Title: Authorization To Execute Third Amendment With Kimley-Horn And Associates, Inc. On CP 26-54 (CSAH 26) And 63-27 (Argenta Trail) In Cities Of Inver Grove Heights And Eagan

Sponsors: Transportation

Indexes:

Code sections:

Attachments: 1. Project Location, 2. Fee Breakdown of Additional Services, 3. Financial Summary

Date	Ver.	Action By	Action	Result
1/3/2023	1	Board of Commissioners	approved	Pass

DEPARTMENT: Transportation

FILE TYPE: Consent Action

TITLE

Authorization To Execute Third Amendment With Kimley-Horn And Associates, Inc. On CP 26-54 (CSAH 26) And 63-27 (Argenta Trail) In Cities Of Inver Grove Heights And Eagan

PURPOSE/ACTION REQUESTED

Authorize execution of third contract amendment with Kimley-Horn and Associates, Inc., for final design engineering and construction administration services on County Projects (CP) 26-54 and 63-27 in the City of Inver Grove Heights and the City of Eagan (Cities).

SUMMARY

To provide a safe and efficient transportation system, the County and the Cities are proceeding with CP 26-54 and 63-27. The purpose and need for the project is to improve safety, multi-modal mobility, and traffic operations on County State Aid Highway (CSAH) 26 (Lone Oak Road/70th Street West) and CSAH 63 (Argenta Trail) and provide additional capacity on CSAH 26 (see Attachment: Project Location).

On August 3rd, 2021, Dakota County awarded the bid and executed a contract with S.M. Hentges & Sons Inc. for \$24,776,465.25. The construction contract is to furnish all materials and all necessary tools and equipment and perform all the necessary work and labor for the full completion of CP 26-54 and 63-27, with substantial completion on October 31, 2023. Since the construction contract was awarded, the scope and complexity of the professional services contract with Kimley-Horn and Associates, Inc., has evolved to include items, not in the original scope.

The Dakota County Board of Commissioners authorized execution of the original contract with Kimley-Horn and Associates, Inc., to perform preliminary and final design engineering consulting services in an amount of \$1,704,910 by Resolution No. 19-496 (April 23, 2019).

By Resolution No. 20-527 (October 20, 2020), the Dakota County Board of Commissioners authorized the execution of the first contract amendment with Kimley-Horn and Associates, Inc. for a new contract amount of \$2,003,895. The contract amendment was for unforeseen revisions to public engagement format and agency involvement that were more extensive than anticipated with more deliverables relating to the virtual open house format. In addition the alignment of CSAH 63 (east/west) was modified from the original RFP assumptions, further geotechnical study was required due to the discovery of petroleum odors and unsuitable buried topsoil and additional work tasks were required based on changes in federal noise analysis, biological assessment needs, and adding an environmental site assessment response action contingency plan.

By Resolution No. 21-372 (July 20, 2021), the Dakota County Board of Commissioners authorized execution of a second contract amendment with Kimley-Horn and Associates, Inc., for a new contract amount of \$2,311,085. The contract amendment included construction observation and administration services, a utility relocations corridor plan set, construction coordination assistance for required private utility relocations, and plan revisions for modifications to several of the intersections during construction due to several new development sites that are occurring along the corridor in the amount of \$2,311,085 to complete the project design and construction.

The current contract amendment request, in the amount of \$58,375 for a new contract amount of \$2,369,460 includes plan revision work necessary to accommodate additional new development intersection design revisions along CSAH 26 and additional construction services due to changes in project phasing and private utility relocations. A detailed fee breakdown of the additional services is provided in Attachment: Fee Breakdown of Additional Services.

A contract amendment is requested with Kimley-Horn and Associates, Inc., in the amount of \$58,375, for a new contract amount not to exceed \$2,369,460. Staff reviewed the original amendment request and negotiated a final scope of services for the unforeseen work required for the project. The net amount includes credit for work not performed in the original contract. The consultant services cost represents 9.6 percent of the \$24.8 million construction costs, a typical percentage for this type of project.

RECOMMENDATION

Staff recommends authorizing a contract amendment with Kimley-Horn and Associates, Inc., for additional services on CP 26-54 and 63-27.

EXPLANATION OF FISCAL/FTE IMPACTS

The 2023 Transportation Capital Improvement Program (CIP) includes a total budget of \$44,867,674 for CP 26-54 and 63-27 (see Attachment: Financial Summary). Sufficient funds are available for the proposed amendment with Kimley-Horn and Associates, Inc.

- None Current budget Other
 Amendment Requested New FTE(s) requested

RESOLUTION

WHEREAS, Dakota County (County) is constructing County Project 26-54 and County Project 63-27

in the City of Inver Grove Heights and City of Eagan (Cities); and

WHEREAS, to provide a safe and efficient transportation system, the County and the Cities are proceeding with County Project 26-54 and County Project 63-27; and

WHEREAS, County Project 26-54 will expand approximately two miles of County State Aid Highway (CSAH) 26 (Lone Oak Road in Eagan, 70th Street in Inver Grove Heights) from Trunk Highway (TH) 55 to TH 3 from an existing two-lane roadway rural section to a four-lane divided urban roadway; and

WHEREAS, County Project 63-27 will construct on a new alignment CSAH 63 (Argenta Trail) from CSAH 28 (Amana Trail) north to 65th Street and from 65th Street to old Argenta Trail (CSAH 63) to the north of CSAH 26; and

WHEREAS, the purpose and need for the project is to improve safety, multi-modal mobility, and traffic operations on CSAH 26 and CSAH 63 and provide additional capacity on CSAH 26; and

WHEREAS, to address the purpose and need for this Project, safety will be improved along the corridor by managing the number of conflict points (access management), adding turn lanes, realigning intersections to improve spacing, providing paved shoulders, and adding multi-use trails to both sides of the road; and

WHEREAS, on August 3rd, 2021, Dakota County awarded the bid and executed a contract with S.M. Hentges & Sons Inc. for \$24,776,465.25; and

WHEREAS, since the construction contract was awarded, the scope and complexity of the consulting services contract with Kimley-Horn and Associates, Inc., has evolved to include plan revision work necessary to accommodate new development along CSAH 26 and additional construction phase services due to changes in project phasing and private utility relocations; and

WHEREAS, by Resolution No. 19-496 (April 23, 2019), the Dakota County Board of Commissioners authorized execution of the original contract with Kimley-Horn and Associates, Inc., to perform preliminary and final design engineering consulting services in an amount of \$1,704,910; and

WHEREAS, by Resolution No. 20-527 (October 20, 2020), the Dakota County Board of Commissioners authorized the execution of the first contract amendment with Kimley-Horn and Associates, Inc., to perform preliminary and final design engineering consulting services for a new contract amount not to exceed \$2,003,895; and

WHEREAS, by Resolution No. 21-372 (July 20, 2021), the Dakota County Board of Commissioners authorized execution of a second contract amendment with Kimley-Horn and Associates, Inc., to perform preliminary and final design engineering consulting services for a new contract amount not to exceed \$2,311,085; and

WHEREAS, the cost of the additional out-of-scope and unforeseen work tasks to be performed by Kimley-Horn and Associates, Inc., is \$58,375 for a new contract amount not to exceed \$2,369,460 to complete the construction; and

WHEREAS, County Projects 26-54 and 63-27 are included in the 2023 Transportation Capital Improvement Program (CIP) adopted budget with a total budget of \$44,867,674 for County Projects

26-54 and 63-27 carried over from previous years; and

WHEREAS, sufficient funds remain available in the 2023 Transportation CIP budget for the contract amendment for County Projects 26-54 and 63-27; and

WHEREAS, engineering and right of way cost will be shared between Dakota County and the Cities in accordance with adopted County policy; and

WHEREAS, the County Engineer recommends execution of a contract amendment with Kimley-Horn and Associates, Inc.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to amend the contract with Kimley-Horn and Associates, Inc., in an amount of \$58,375 for a new contract amount not to exceed \$2,369,460 to complete the construction subject to approval by the County Attorney's Office as to form.

PREVIOUS BOARD ACTION

- 19-496; 4/23/19
- 20-527; 10/20/20
- 21-372; 7/20/21

ATTACHMENTS

- Attachment: Project Location
- Attachment: Fee Breakdown of Additional Services
- Attachment: Funding Summary

BOARD GOALS

- A Great Place to Live
- A Successful Place for Business and Jobs
- A Healthy Environment
- Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

- Inform and Listen
- Discuss
- Involve
- N/A

CONTACT

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