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<b>Title:</b>	Approval to Amend the Construction Budget for the Six Mile Marsh Prairie Trail Project	
<b>Resolution number:</b>	22-025	
<b>Prepared by:</b>	Name: Anna Brown Phone: (952) 641-4522 abrown@minnehahacreek.org	
<b>Reviewed by:</b>	Name/Title: Michael Hayman, Project Planning Manager	
<b>Recommended action:</b>	Amend the 2022 budget and approve an inter-fund transfer from the capital project program to the Six Mile Marsh Prairie Trail project.	
<b>Schedule:</b>	Not Applicable	
<b>Budget considerations:</b>	Fund name and code: Six Mile Marsh Prairie Trail (3-3106) Requested transfer of funds: \$64,647 Total amended 2022 budget: \$371,889	
<b>Past Board action:</b>	08-092	Halsted Bay Wetland Restoration Project, Project Ordering
	13-027	Six Mile Marsh Prairie Restoration Project Construction Contract Award
	21-034	Six Mile Marsh Prairie trail and interpretation design contract
	21-062	90% design approval and authorization to solicit bids
	21-076	Authorization to reject bids for the Six Mile Marsh Prairie trail project
	21-087	Authorization to Amend Six Mile Marsh Prairie Trail Design Contract
	22-007	Authorization to solicit bids for Six Mile Marsh Prairie Trail Construction
	22-022	Award Contract for SMMP Trail Construction

#### **Summary:**

In 2013, MCWD undertook the restoration of the Six Mile Marsh Prairie (SMMP) site, a 210-acre formerly agricultural property positioned on Six Mile Creek just upstream of Halsted Bay. The restoration enhanced 160 acres of upland prairie, wetland, and woodland habitat while seeking to reduce phosphorus loading from the site to Six Mile Creek. Included in original design plans for the restoration of the site was a proposed future trail alignment that would serve as a spur trail from the Dakota Rail Regional Trail which lies on the property's western boundary. The trail project was deferred to allow the restoration time to establish prior to providing public access on the site.

The Minnehaha Creek Watershed District's 2021 capital improvement plan (CIP) established budget of \$175,010 for the purpose of design, oversight, and construction of a public access trail. In December 2021, the Board approved a budget amendment to integrate immersive site interpretation into the project. The budget was increased to \$347,861.

In September 2021, MCWD solicited its first round of bids for the construction of the SMMP Prairie Trail and Interpretive Program. The bid solicitation returned only two bids, and both bids exceeded the project budget by more than \$200,000. The Board directed staff to reject the submitted bids on November 18, 2021 with the understanding that an improved bid response was possible if specific elements of the bid package were refined and if the bid period was lengthened and held during a more opportune time.

At the February 10, 2022 Board Meeting, the Board Authorized staff again to solicit bids for the Six Mile Marsh Prairie Trail project. The bid structure consisted of a base bid to include the trail and entry signage, add alternates for four interpretive features, and a fifth add alternate for an alternative trail surfacing material. This time, the bid solicitation returned four bids, with G. Urban Companies returning a low bid of \$352,845.95 for the base bid and all add alternates.

At the April 14, 2022 Board meeting, staff facilitated a discussion of the options for awarding the construction contract, including options that would keep the contract award within the established construction budget of \$275,400 and alternatives that would require a budget amendment. The Board awarded the contract for the base bid and all four of the interpretive add alternates, omitting from the contract the alternative trail surfacing material. The total contract cost for this award is \$333,714.75 and the Board approved a total construction budget of \$350,000.

### **Budget Summary and Board Action**

At the April 28, 2022 Board Meeting, Staff are requesting two complimentary actions align the 2022 budget with the contract costs for the SMMP Trail construction project.

First, staff are seeking an amendment to the 2022 budget to \$371,889 for the remaining cost of design and construction oversight (\$16,889), construction costs (\$350,000), and allowance for legal costs (\$5,000). This budget amendment will align 2022 expenses with construction sequencing, including reallocate the previously established construction budget to 2022, while integrating the contract award that increases the total construction budget.

The second part of the action is to approve a transfer of funds into the Six Mile Marsh Prairie capital project account. The 2022 start of year fund balance was \$306,242, after expenditures of \$41,883 in design and legal costs in 2021. This requires the transfer of \$64,647 to meet the adjusted budget of \$371,889. Staff have reviewed the current capital project accounts and the 2022 capital project workplan and identified the Meadowbrook Golf Course capital account (account # 3-3150) as a prudent source of funds to cover this amendment. The Meadowbrook Golf Course project account currently carries a balance of \$200,673 and no expenditures are forecasted in 2022. Budgetary needs of the Meadowbrook Golf Course project would be considered later once project direction is clearly defined.



## RESOLUTION

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**Resolution number:** 22-025

**Title** Approval to Amend the Construction Budget for the Six Mile Marsh Prairie Trail Project

- WHEREAS in August 2011 and August 2012, the Minnehaha Creek Watershed District (MCWD) Board of Managers ("Board") authorized the purchase of three contiguous parcels north of the Six Mile Marsh totaling 210 acres to restore wetland basins and adjacent upland within the site;
- WHEREAS in January 2013, the Board approved the final design of the Six Mile Marsh Prairie Restoration project, which implemented 110 acres of wetland and adjacent upland restoration and developed concept plans for future construction of a spur trail to create public access to the property once the restoration was established;
- WHEREAS in December 2020, the Board amended the 2021 budget to increase the budget for the Six Mile Marsh Prairie Restoration project to \$347,861 for design and construction of a trail connecting the Dakota Rail Regional Trail to the Six Mile Marsh Prairie site and interpretive elements for the project;
- WHEREAS in March 2021, the Board of Managers authorized the release of the request for proposals for design services for the Six Mile Marsh Prairie trail and interpretation and in May 2021, following a competitive selection process, the Board of Managers authorized a design and construction oversight contract with Damon Farber Landscape Architects;
- WHEREAS on September 23, 2021, the Board approved 90% design plans and authorized staff to solicit bids for construction;
- WHEREAS on October 7, 2021, by publication, MCWD solicited sealed bids for a base project of trail construction and related improvements and bids for four interpretive features, which were bid as add alternates;
- WHEREAS MCWD received two responsive bids by the submittal date of October 27, 2021. The low bid exceeded the Damon Farber estimate by more than 65-percent and exceeded the amount MCWD budgeted for construction;
- WHEREAS on November 18, 2021, the Board rejected submitted bids and directed staff to rebid the project when bid conditions improved;
- WHEREAS staff worked with Damon Farber to adjust the design and bid structure and the Board authorized staff to rebid the project on February 10, 2022;
- WHEREAS on February 11, 2022, by publication, MCWD solicited sealed bids for a base project of trail construction and related improvements, and add alternates for four interpretive features and an alternative trail surfacing material, and received four bids by the submittal date of March 18, 2022;
- WHEREAS G. Urban Companies, Inc. ("G. Urban") submitted the low bid of \$242,714.75 for the base bid, and is the low bidder for any combination of add alternates;

WHEREAS on April 14, 2022, The Board awarded the contract to G. Urban Companies consisting of the base bid and add alternates one through four for a contract total of \$333,715 and established a not to exceed construction budget of \$350,000;

WHEREAS on April 14, 2022, the Board further directed staff to return to the Board with a proposed amendment to the construction budget and transfer of funds;

WHEREAS the recommended contract award and construction budget equates to an adjusted 2022 budget of \$371,899, including the newly established construction budget of \$350,000, remaining contracted design services of \$16,899, and a budget for legal services of \$5,000;

WHEREAS the 2022 fund balance for the Six Mile Marsh Prairie Trail project is \$306,242, requiring a transfer of funds of \$64,647 to align the fund balance with the 2022 budget;

WHEREAS the Board has reviewed the 2022 Capital Improvement Plan and capital project workplan and deems it prudent to transfer funds in 2022 from the Meadowbrook Golf Course capital project fund.

THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby amends the 2022 budget for the Six Mile Marsh Prairie Trail project to \$371,889; and approves a transfer of funds of \$64,647 from the Meadowbrook Golf Course capital project account (3-3150) to the Six Mile Marsh Prairie account (3-3106).

Resolution Number 22-025 was moved by Manager \_\_\_\_\_, seconded by Manager \_\_\_\_\_. Motion to adopt the resolution \_\_\_ ayes, \_\_\_ nays, \_\_\_ abstentions. Date: 4/28/2022

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Secretary Date: April 28, 2022