

MEETING DATE: September 8, 2016

TITLE: Authorization to Award a Construction Contract for the Highway 101 Causeway Shoreline Reconstruction Project

RESOLUTION NUMBER: 16-075

PREPARED BY: Tiffany Schaufler

E-MAIL: tschaufler@minnehahacreek.org

TELEPHONE: 952-641-4513

REVIEWED BY: Administrator Counsel Program Director:
 Board Committee Engineer Other

WORKSHOP ACTION:

<input type="checkbox"/> Advance to Board mtg. Consent Agenda.	<input type="checkbox"/> Advance to Board meeting for discussion prior to action.
<input type="checkbox"/> Refer to a future workshop (date):_____	<input type="checkbox"/> Refer to taskforce or committee (date):_____
<input type="checkbox"/> Return to staff for additional work.	<input type="checkbox"/> No further action requested.
<input checked="" type="checkbox"/> Other (specify): Not reviewed at Workshop. Seeking final action at September 8, 2016 Board Workshop.	

PURPOSE or ACTION REQUESTED:

Authorization to award the construction contract for the Highway 101 Causeway Shoreline Reconstruction Project to THN Enterprises, Inc. in the amount of \$835,943 and to establish a construction budget for the not to exceed amount of \$919,537.

PROJECT/PROGRAM LOCATION:

Wayzata Bay Causeway in the City of Wayzata

PROJECT TIMELINE:

- April 2016: Award design services
- July 2016: Review of preliminary design
- August 2016: Review design and solicit construction bids
- September 2016: Award construction contract
- October-November 2016: Construction

PROJECT/PROGRAM COST:

Fund name and number: Highway 101 Causeway Reconstruction, 3149
Current budget: \$1,604,308
Expenditures to date: \$99,240
Requested amount of funding: \$0

PAST BOARD ACTIONS:

- October 24, 2013 – Resolution to express support for working with Hennepin County on a plan for vegetated reinforced soil slopes in the Grays Bay causeway, and direct the staff to prepare a plan in consultation with the County, along with a project budget and cost share resolution.
- December 12, 2013 – Resolution to direct staff to:
 1. Communicate its commitment to reviewing the Bushaway Road Project for compliance with all MCWD rules, recommending enhancements to the Project as submitted by Hennepin County beyond current regulatory requirements for which the MCWD would take financial responsibility;
 2. These enhancements would include the design, construction and maintenance of the Wayzata Bay Restoration Shoreline Project, to be installed after the County has completed seawall construction and with a County funding contribution equal to the cost of the riprap design presented on October 24, 2013;
 3. The MCWD enhancements also would include improvements to stormwater management facilities, and the MCWD will be responsible for enhancements to the Project beyond those presented by the County on October 24, 2013 that exceed MCWD requirements for the entire project within the City of Wayzata.
- January 23, 2014
 - Approval of MCWD Permit 13-460
 - Resolution 14-008: Authorization to executed a Cooperative Agreement with Hennepin County for CSAH 101
- October 23, 2014 – Resolution 14-088: Authorization to execute a Cooperative Agreement with the City of Minnetrista to effect a transfer of the fee title interest in 3.26 acres of land to MCWD, for purposes of floodplain mitigation to fulfill the District’s regulatory obligation under permit 13-460 Bushaway Road.
- February 26, 2015 – Public Hearing for Highway 101 Causeway Reconstruction Project
- March 26, 2015 – Ordering of Highway 101 Causeway Reconstruction Project
- April 28, 2016 – Resolution 16-043: Authorization to Execute Contracts for Design and Construction Oversight for the Highway 101 Causeway Shoreline Reconstruction Project
- June 9, 2016 – Resolution 16-058: Authorization to enter into Contracts for the Gray’s Bay Shoreline Restoration
- July 14, 2016 – Board review preliminary design plans (no action)
- August 11, 2016 – Resolution 16-064: Approval of Design for the Highway 101 Causeway Reconstruction Project and Authorization to Solicit Bids

SUMMARY:

Following review of Hennepin County’s proposed improvement to CSAH 101, at the October 24, 2013 Board Meeting, the Board of Managers resolved to express support for working with Hennepin County to develop a vegetated solution to the Gray’s/Wayzata Bay Causeway shoreline, including a project budget and plan to finance. The District and the County entered into a cooperative agreement that allows the District to install and maintain vegetated reinforced soil slopes (VRSS) and related bioengineering and vegetation features along the causeway facing both Wayzata and Gray’s Bays, with a \$30,000 reimbursement from Hennepin County. Pursuant to the terms of the agreement, the District may enter the causeway once the County’s CSAH 101 roadway reconstruction is completed in order to perform its shoreline work. This planned work to reconstruct the Lake Minnetonka shoreline with VRSS will fill some of the 100 year floodplain. Consequently, as a condition of District permit 13-460, MCWD obligated itself to provide “compensatory storage for floodplain fill along the causeway due to vegetative slope construction.”

In March 2015, the Board ordered the Highway 101 Causeway Reconstruction Project which includes both the causeway shoreline restoration work (“causeway element”) and the independent but associated flood storage replacement work (“flood storage element”). The causeway element of the project is proposed to include both the Wayzata and Gray’s Bay shorelines. For the Wayzata Bay shoreline component the District proposes to create a shoreline using VRSS and bioengineering techniques in areas where only sheet pile exists today. For the Gray’s Bay shoreline component the District proposes to enhance shoreline habitat by installing native plantings into the existing shoreline where conditions allow.

In April 2016 the Board authorized contracts for design and construction oversight services with Wenck Associates, Inc. and Hart Howerton for the causeway element. At the July 14, 2016 Board Workshop, the Board reviewed the preliminary design plans for the causeway element. During July 2016, Hennepin County, the City of Wayzata, City of Minnetonka, and the Bushaway Road Landscape Committee, as well as local residents also reviewed the preliminary design and provided input which has been incorporated into the final design. On August 11, 2016 the Board approved final project design and authorized the solicitation of bids.

The public bid process was open from August 16, 2016 through September 1, 2016. A mandatory pre-bid meeting was held on August 24, 2016. The District received three bid proposals. THN Enterprises, Inc. submitted the lowest bid. The bid is responsive and both staff and the District’s design team find THN Enterprises, Inc. to be responsible.

Contractor	Submitted Bid
THN Enterprises, Inc.	\$ 835,943.00
Sunram Construction, Inc.	\$ 949,226.90
Rachel Contracting	\$ 1,095,337.00

The requested Board action is to award the construction contract for the Highway 101 Causeway Shoreline Reconstruction Project to THN Enterprises, Inc., to authorize the District Administrator to enter into a contract for the work in the amount of \$835,943, and establish a construction budget for the not to exceed amount of \$919,537. The engineer’s construction estimate for the project was \$885,943.

Per the Minnesota Data Practices Act, further detail regarding the submitted bids is considered non-public data at this time. Accordingly, the bid tabulation has been provided to you under separate cover. The Open Meeting Law allows for non-public data to be discussed at open meeting as necessary for the Board to conduct its business. Therefore, if you have questions regarding the bid tabulation, they may be raised at the meeting.

RESOLUTION

RESOLUTION NUMBER: 16-075

TITLE: **Approval of Design for the Highway 101 Causeway Shoreline Reconstruction Project and Authorization to Solicit Bids**

WHEREAS, the Minnehaha Creek Watershed District (MCWD) has adopted a watershed management plan (WMP) in accordance with Minnesota Statutes §103B.231; and

WHEREAS, the WMP identifies the Highway 101 Causeway Reconstruction Project (“Project”) as a capital improvement project for the purpose of water quality and ecological benefits through the promotion of bioengineering techniques within the Lake Minnetonka subwatershed, which includes both the causeway shoreline restoration work (“causeway element”) and the independent but associated flood storage replacement work (“flood storage element”); and

WHEREAS, on March 26, 2015, the MCWD Board of Managers ordered the Highway 101 Causeway Reconstruction Project; and

WHEREAS, on April 28, 2016, the MCWD Board of Managers authorized the District Administrator to execute contracts with Wenck Associates, Inc. and Hart Howerton for an amount not to exceed \$155,358.50 for design and construction oversight services for the causeway element of the Project; and

WHEREAS, on July 14, 2016, the MCWD Board of Managers reviewed the preliminary design for the causeway element of the Project; and

WHEREAS, Hennepin County, the City of Wayzata, the City of Minnetonka, and the Bushaway Road Landscape Committee reviewed the preliminary design plans for the causeway element of the Project in July 2016; and

WHEREAS, a public informational meeting was held at the MCWD Office on July 26, 2016 to present project plans and schedule; and

WHEREAS, on August 11, 2016 the Board approved final design for the causeway element of the Project and authorized the solicitation of bids;

WHEREAS, the District received three bid proposals for the causeway element of the Project and THN Enterprises, Inc. submitted the lowest responsive bid, and is determined by the Board of Managers, on the basis of recommendations of District staff and engineer, to be a responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, that the Minnehaha Creek Watershed District Board of Managers awards the contract for construction to THN Enterprises, Inc. in the amount of \$835,943, and directs that the Administrator return and otherwise administer bid bonds in accordance with the terms of the request for bids; and

BE IT FURTHER RESOLVED that the MCWD Board of Managers authorizes the Administrator to execute a construction contract for the causeway element of the Project in the amount of \$835,943; and

BE IT FURTHER RESOLVED that the MCWD Board of Managers establishes a project construction budget in the not-to-exceed amount of \$919,537 and authorizes the Administrator, in his judgment and on the recommendation of the construction managers, to authorize change orders obligating the District up to that amount; and

BE IT FINALLY RESOLVED that the MCWD Board of Managers authorizes the Administrator to issue a formal notice to proceed to THN Enterprises, Inc. in accordance with the terms of this resolution, on advice of counsel and after receipt of a signed contract and required bonds and insurance documentation.

Resolution Number 16-075 was moved by Manager _____, seconded by Manager _____.
Motion to adopt the resolution ___ ayes, ___ nays, ___ abstentions. Date: _____.

Secretary Date: _____