



Title: Authorization to Execute a Contract for Engineering and Design Services for Minnehaha Preserve Boardwalk Reconstruction

Resolution number: 22-015

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Recommended action: Board authorization for the District Administrator to execute a contract for design and engineering services for reconstruction of the Minnehaha Creek Preserve Boardwalk

Schedule: April 2022: Project initiation and kickoff
May 26, 2022: 75% plan development presentation to the MCWD Board of Managers
June 30, 2022: 100% plan presented to the MCWD Board of Managers
July-August 2022: Request construction bids
November 2022-March 2023: Construction observation

Budget considerations: Fund name and code: Project Maintenance and Land Management 2-2003-4550
Fund budget: \$1,974,212
Expenditures to date: \$29,442.48
Requested amount of funding: \$148,970.25

Past Board action: Res #: 17-028 Approval of Minnehaha Preserve Operations and Maintenance Plan
Res #: 20-089 Authorize Seasonal Closure of the Minnehaha Preserve Boardwalk
Res #: 21-022 Adoption of a Revised Interim Maintenance Protocol for the Minnehaha Preserve Boardwalk
Res #: 21-079 Authorize Seasonal Closure of the Minnehaha Preserve Boardwalk
Res #: 22-005 Authorization to Release the Request for Proposals for Engineering and Design Services for Minnehaha Creek Preserve Boardwalk Reconstruction

Summary:

During 2014-2015, the Minnehaha Creek Watershed District (MCWD or District) constructed 3,300 feet of boardwalk as part of the Minnehaha Preserve (Reach 20 Stream Restoration) capital project. The Minnehaha Preserve boardwalk system provides an outdoor education space with interpretive and educational signage, connects trail users to public transit, and provides recreational opportunities for the surrounding neighborhood and beyond.

The wood materials of the boardwalk structure are experiencing accelerated deterioration rendering the facility unsafe. Therefore, MCWD is seeking a qualified consultant to provide engineering and design services to prepare a design and re-specification of the boardwalk and oversee reconstruction of the boardwalk structure through use of the existing helical piers, which will maintain the current alignment of the boardwalk system.

On January 27, 2022, the Board authorized the release of a request for proposals (RFP) for engineering and design services to reconstruct the Minnehaha Preserve Boardwalk. At the March 24, 2022, Board meeting, staff will review the process undertaken by staff to release the RFP, review proposals, interview firms, and present an overview and rationale of the recommended firm for Board consideration and approval.

Background:

In 2013, in partnership with the City of St. Louis Park, MCWD began construction of the Minnehaha Preserve capital project. This project re-meandered and restored 3,300 feet of Minnehaha Creek to its historic alignment, while also creating access to 29 acres of green space with the construction of approximately 3,300 feet of boardwalk and 5,200 feet of paved trail between Meadowbrook Avenue and Louisiana Avenue in St. Louis Park. In April of 2017, the Minnehaha Preserve Operations and Maintenance Plan (Plan) was approved by the MCWD Board of Managers (Board) to fulfill conditions of the Second Cooperative Agreement between MCWD and the City of St. Louis Park. The Plan outlines specific roles and responsibilities for the periodic and long-term maintenance of project elements associated with the project. Maintenance of the boardwalk is solely the responsibility of the District, as owner, and provides District discretion in elements such as seasonal maintenance and public access.

After the boardwalk began to show signs of deterioration the Board of Managers adopted an interim maintenance protocol (Res # 19-094) to increase the frequency of staff inspections and replacement of damaged decking sections to maintain user safety. The rate of observed decay continued to accelerate and bulk replacements were conducted. During the early summer of 2020, in response to the continuing premature deterioration of decking and handrails, staff adjusted the maintenance protocol to provide for patch repairs instead of replacement to maintain a safe and usable facility while exploring a long-term resolution of the boardwalk materials issue. At the June 11, 2020, Board meeting, the Board adopted this revised interim maintenance protocol in order to efficiently, practically and economically conduct decking replacements (Res # 20-048).

On November 19, 2020, the Board of Managers authorized seasonal closure of the boardwalk system (Res # 20-089). This closure was approved to protect against safety risk posed by ice and snow accumulating on top of safety markings, and patched boardwalk decking creating an uneven surface not visible to potential users.

On March 25, 2021, after snow and ice conditions were no longer present on the boardwalk, the Board of Managers adopted a revised interim maintenance protocol (Res # 21-022) to limit public safety risk and efficiently use public funds, while preserving public use of the boardwalk. To assist staff with implementation of the maintenance protocol, a contract with Stantec was executed for inspection and maintenance services. The implementation of the most recent maintenance protocol allowed the boardwalk to remain open until this winter.

On September 30, 2021, in accordance with Board direction, the District served a lawsuit on the project designer, H.R. Green, and the general contractor, Blackstone Contractors, alleging design and construction errors and seeking relief including payment of costs for replacement work. That litigation is in its early discovery stage.

At the November 18, 2021, Board of Manager's meeting, staff recommended that the system again be seasonally closed during the winter months for safety reasons. The combination of ice and snow poses a risk, which is determined a higher priority than limited public access during winter months. Therefore, the Board of Managers adopted the seasonal closure of the Minnehaha Preserve Boardwalk system for the winter of 2021-22 (Res # 21-079) to limit safety and liability concerns while the District is proceeding toward installation of replacement decking materials.

Also at the November 18, 2021, meeting, the Board of Managers discussed the importance of maintaining a safe and open boardwalk facility for public usership. Due to continuing deterioration of the boardwalk's wood materials, the Board of Managers directed staff to develop a request for proposals (RFP) for professional services to reconstruct the boardwalk, on the original footprint as determined by the existing helical piers, with a limited redesign and engineering process. The redesign would incorporate specification and materials appropriate to ensure a sound and lasting facility. At the January 27, 2022, Board of Managers meeting, the Board authorized the release of a request for proposals (RFP) for engineering and design services to reconstruct the Minnehaha Preserve Boardwalk (Res #22-005).

Engineering and Design Services for Minnehaha Preserve Boardwalk Reconstruction RFP Process:

Scope

The RFP for engineering and design services focused on the removal of all wood materials of the existing boardwalk structure, design and re-specification, and construction oversight of a new boardwalk that will utilize the existing helical piers. The goals for the overall project include an analysis of the load bearing capacity of the structure defined by the existing helical piers, limited consideration of adjustments to interpretive areas, and selection of materials and treatment appropriate for the environment in which the boardwalk is constructed.

The major tasks outlined in the RFP are:

1. Project design, team coordination, and permitting
2. Bid document development and bid support
3. Construction oversight of boardwalk removal and reconstruction
4. Optional Task: Interpretive area and elements

Timeline

The RFP process unfolded on the following timeline:

- RFP released: January 31, 2022
- Mandatory RFP informational meeting: February 9, 2022
- Proposal deadline: March 1, 2022
- Consultant interview: March 10, 2022

Budget

The RFP listed a range of \$100,000-\$125,000 for design and construction oversight for the boardwalk reconstruction.

RFP and Firm Selection Process

As part of the solicitation process, staff posted the RFP on MCWD's website and directly shared the RFP with approximately 24 local engineering and design firms. Given the current lawsuit, MCWD held a mandatory RFP informational meeting on February 9, 2022, to review the RFP and proposed scope of work. Three firms attended the mandatory informational meeting. By the proposal deadline, March 1, 2022, MCWD received a proposal from one firm, SRF Consulting Group.

MCWD staff interviewed SRF Consulting Group. The interview provided SRF Consulting Group an opportunity to present their proposal, describe the roles of each member, outline their approach to design, cost efficiencies, and construction, and answer questions about the design process.

Recommendation

Based on the quality of the SRF Consulting Group's proposal and interview, staff recommends SRF Consulting Group be selected as the engineering and design firm and awarded the contract for services detailed in the SRF Consulting Group Proposal, which is provided under a separate cover to the Board of Managers.

SRF Consulting Group has the experience, project team, and approach to meet the needs of the District in the reconstruction of the Minnehaha Preserve Boardwalk. Additionally, within their proposal and during their interview, the SRF Consulting Group's team exhibited a deep appreciation and familiarity for the site and the user experience that the boardwalk creates, including personal use of the facility.

SRF Consulting Group's budget for base tasks (noted as tasks 1-3 above) is \$123,232.50, which is within the listed range in the RFP. However, the RFP also sought a separate cost for an optional task (task 4) to evaluate existing interpretive elements of the boardwalk and propose adjustments. SRF's budget for this optional task is \$12,240. Given SRF Consulting Group's expertise in boardwalk design, and their proposed adjustments outlined in their proposal and interview, staff recommends awarding a contract to SRF Consulting Group for the base tasks and the optional task, for a total budget of \$135,472.50.

In accordance with the Data Practices Act, Minnesota Statutes 13.591, subdivision 3(b), until a contract has been executed, only the name of those firms that submitted proposals are public. As the submitted proposal is not presently part of the public record, it will have been distributed to the Managers for review via email prior to the March 24, 2022, meeting. Even though proposal content is not public, a Board Manager may discuss or ask questions about the content at the meeting, if she or he believes that doing so assists the Board's deliberation on the matter.

Next Steps

Following contract execution, work will commence with the project kickoff. Major anticipated milestones include:

- Project initiation and kickoff: April 2022
- 75% plan development presentation to the MCWD Board of Managers: May 26, 2022
- 100% plan presented to the MCWD Board of Managers: June 30, 2022
- Request construction bids: July-August 2022
- Construction observation: November 2022-March 2023



RESOLUTION

Resolution number: 22-015

Title: Authorization to Execute a Contract for Engineering and Design Services for Minnehaha Preserve Boardwalk Reconstruction

- WHEREAS the Minnehaha Creek Watershed District (MCWD) engages in regional capital improvement projects as described in its Water Resources Management Plan and in 2015 completed construction of the Minnehaha Preserve project ("Project") on the Minnehaha Greenway in St. Louis Park; and
- WHEREAS these facilities require routine inspection and regular maintenance to continue functioning as designed and to limit loss of public use and prevent safety hazard in areas with public access; and
- WHEREAS MCWD entered into a cooperative agreement with the City of St. Louis Park to maintain the Project, and the cooperative agreement, as well as the 2017 Operations and Maintenance Plan, assign specific maintenance responsibility and frequency of inspection and maintenance to each entity; and
- WHEREAS the MCWD Project Maintenance and Land Management (PMLM) Program annually budgets for, inspects, and maintains District projects, infrastructure, and lands; and
- WHEREAS through the PMLM Manual, regular maintenance is guided by inspection of specific project elements and annualized cost associated with this maintenance is budgeted through the annual PMLM budget process; and
- WHEREAS through PMLM staff inspections, it was observed that the decking of the boardwalk was deteriorating at a higher rate than expected, warranting bulk replacement and increased inspection frequency; and
- WHEREAS the Board of Managers adopted interim maintenance protocols in 2019, 2020, and 2021 to inspect, mark, repair and sign the boardwalk to maintain public use while addressing safety risks that might be posed by deteriorating decking and railing; and
- WHEREAS the interim maintenance protocol recognizes the MCWD's effort to determine and implement a long-term resolution of the Minnehaha Preserve boardwalk materials deterioration concern, by considering the nature and extent of the materials failure, public use of the boardwalk, public safety risk and cost, and the options to manage the issue until resolved; and
- WHEREAS the Board of Managers authorized seasonal closure of the Minnehaha Preserve boardwalk system during the winters of 2020-2021 and 2021-2022, in consideration of the MCWD's long term maintenance plan, its interim maintenance protocol and the considerations reflected in that protocol, based on limited winter use and the importance of protecting public safety during winter months; and
- WHEREAS the MCWD, on the basis of its examination of construction procedures and documentation, and analysis by retained experts in facility design and wood materials, concluded that the accelerated deterioration of boardwalk materials is due to improper materials specification and incorrect installation, and requires replacement; and

WHEREAS the Board of Managers has determined to replace the boardwalk's wood materials, while utilizing the existing helical piers, which will maintain the current alignment of the boardwalk system while also preserving the user experience through a limited redesign and engineering process, with a materials specification appropriate for the facility environment.

WHEREAS the Board of Managers desires a safe and open facility for public usership, and in recognition of the continuing deterioration of the boardwalk's wood materials, asked staff to initiate a replacement process by developing a request for proposals (RFP) for professional services to engineer and design the replacement of the Minnehaha Preserve boardwalk's above ground structure including wood supports, decking and railing elements; and

WHEREAS at the January 27, 2022, Board of Managers meeting, the Board authorized the release of the request for proposals for engineering and design services for the reconstruction of the Minnehaha Preserve Boardwalk; and

WHEREAS in February 2022, MCWD staff solicited proposals from a pool of consultants for said services and received one responsive proposal; and

WHEREAS MCWD may exercise its judgement in making decisions to retain professional services, and in this instance, used a panel of MCWD staff to evaluate the proposal and conduct an interview; and

WHEREAS on the basis of its evaluation, staff recommends the selection of SRF Consulting Group, based on the team's project understanding, expertise, and cost; and

WHEREAS the Board of Managers finds that the evaluation was thorough and concurs in the recommendation reached.

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers authorizes the District Administrator, on advice of MCWD legal counsel, to enter into a contract with SRF Consulting Group for engineering and design services for the reconstruction of the Minnehaha Preserve Boardwalk, in an amount not to exceed set forth in the proposal, including the optional task for the interpretive areas, and authorizes the Administrator to execute change orders in his discretion up to an additional 10 percent, in aggregate, of the contract amount.

Resolution Number 22-015 was moved by Manager _____, seconded by Manager _____. Motion to adopt the resolution ___ ayes, ___ nays, ___ abstentions. Date: 3/24/2022

Secretary Date: March 24, 2022