

**TITLE:** Authorization to Award Bid for Construction of Cottageville Park Phase 1 Project and to Enter Into Construction Oversight Contracts

**RESOLUTION NUMBER:** 15-005

**MEETING DATE:** January 29, 2015

**PREPARED BY:** Renae Clark

**E-MAIL:** rclark@minnehahacreek.org

**TELEPHONE:** 952-641-4510

**REVIEWED BY:**  Administrator  Counsel  Program Mgr.  
 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): <b><u>FINAL ACTION</u> January 29, 2015</b>	

**PURPOSE or ACTION REQUESTED:**

Final action is requested on January 29, 2015 to award the construction contract for the Cottageville Park – Phase I Project to Custom Builders, to authorize the work for the amount of \$1,689,303 and to establish a construction budget for the not to exceed amount of \$1,858,233. Action is also requested to amend the design contracts with Wenck Associates and Hart Howerton to include construction oversight for the not to exceed amounts of \$40,000 and \$37,450 respectively.

**PROJECT/PROGRAM LOCATION:**

Blake Road and Lake St. NE, Hopkins MN

**PROJECT TIMELINE:**

February 13, 2014 Workshop: Draft RBA

- Present project background, schedule and process
- Approve concept design

February 27 Board Meeting:

- Present preliminary budget and funding sources
- Final Action on Draft RBA from workshop

March 13 Board Workshop:

- Public Hearing

March 27 Board Meeting:

- Order Project

April 10 Board Meeting:

- Authorize consultant contract for design services

---

**DRAFT for discussion purposes only and subject to Board approval and the availability of funds.  
Resolutions are not final until approved by the Board and signed by the Board Secretary.**

- Amend Cooperative Agreement between Hopkins and MCWD

May 20 Public informational meeting

May 22 Board Meeting:

- Review of preliminary design

June 12

- Approve final design
- Authorization to solicit bids for construction
- Approve MCWD permit

July 31 Board Meeting:

- Reject bids for construction

August 28 Board Meeting

- Authorize design contract for phase 2 and 3

October 9 Board Meeting:

- Review preliminary design

October 23 Board Meeting

- Approve final design
- Authorization to solicit bids for construction
- Act on MCWD permit

November – December: Advertise request for bids

**January 2015: Award construction contract**

**Spring 2015: Begin Construction (April 13, 2015)**

**Fall 2015: Complete Construction of all phases**

**PROJECT/PROGRAM COST:**

Fund name and number: Cottageville Park 3146

**Cost Estimate, Funding and schedule**

<b>Project Area (Design and Construction)</b>	<b>Estimate</b>	<b>Funding</b>	<b>Phasing</b>
Cottageville Park (427/429 Blake Rd, 1303, 1305 Lake St. – work north of creek)	\$1,757,783	*\$483,000 BWSR City of Hopkins Reimbursement	Phase 1 (2015)
Phase 1 cost savings	(\$189,739)		
Cottageville Park (City duplex land and alley)	\$329,308	*City of Hopkins Reimbursement	Phase 1 (2015)
<b>Total phase 1 est.</b>	<b>\$2,087,091</b>		
<b>Bid Award (+10% Contingency)</b>	<b>\$1,858,233</b>		
Gateway (415 Blake Rd)	\$469,000	*City of Hopkins Reimbursement	Phase 2 (2016 - 2018)
Canoe Launch (1308,1312 Lake St)	\$276,000	MCWD	Phase 3 (2016 - 2018)

Expenditures to date: \$240,000 (phase1 design)

\*Pursuant to the First Amendment to the Cooperative Agreement between MCWD and the City of Hopkins, the District will invoice Hopkins monthly and Hopkins will reimburse the District within 30 days for expenditures above the budgeted amount provided by the Clean Water Legacy grant. Note: The Grant Agreement expires December 31, 2016 and the proposed schedule does not impact grant funding.

## **PAST BOARD/COUNCIL ACTIONS:**

**July 15, 2010:** Resolution 10-058 Approval of Cooperative Agreement between MCWD and City of Hopkins

**September 9, 2010:** Resolution 10-083 Approval of purchase for 427-429 Blake Road, Hopkins

**December 10, 2010:** Resolution 10-082 Approval of Purchase Agreement for 415 Blake Road and 1303, 1305 Lake Street, Hopkins

**February 27, 2014:** Resolution 14-018 Approval of Concept Design and concurrence of project schedule and process presented by staff

**March 27, 2014:** Resolution 14-023 Ordered Capital Project

**April 10, 2014:** Resolution 14-027 Approval of Cooperative Agreement amendment, approval of BWSR grant agreement, and authorization of design contracts with Wenck Associates and Hart Howerton.

**June 3, 2014:** City Council Action to approve final project design and solicitation of bids for construction

**June 12, 2014:** Resolution 14-50 Approval of final design; Authorization to solicit bids for construction; and Approval of permit 14-208

**July 31, 2014:** Resolution 14-085 Rejection Rejecting Bids for Construction of Phase 1 of Cottageville Park in Favor of Completing Design for Phase 2 and 3 Reissuing the Request for Bids

**December 2, 2014:** City Council Action to approve new final project design and solicitation of bids for construction

**December 11, 2014:** Resolution 14-101 Approval of final design and authorization to solicit bids for Cottageville Park, phase 1

## **SUMMARY:**

The purpose of the Board action is to award the construction contract for Cottageville Park Phase 1 for the amount of \$1,689,303, establish a not to exceed construction budget of \$1,858,233, and authorize construction oversight services with Hart Howerton for the amount of \$40,000 and Wenck Associates for the amount of \$37,450. The original phase 1 design was completed in June of this year. Due to a variety of factors including the current bidding climate, high water, clarity of specifications and material choices, the construction bids received in July 2014 were approximately 30% higher than engineer's estimate. The Board of Managers rejected the bids in favor of completing the design for phase 2 and 3, then rebidding a complete package according to the schedule above, with a longer lead time into the construction season. Because it is unclear how the future expansion of Blake Road will affect the District's property at 415 Blake Road, (Gateway parcel, phase 2 of Cottageville Park), the Board concurred with staff's recommendation on October 9, 2014 to proceed with revised project drawings and specifications to only include the original phase 1 area, plus the City land previously occupied by the duplexes, creek buffer improvements at 415 Blake Road, and the alley shown on the concept master plan.

The modified phase 1 design includes:

- engineering modifications to the specifications regarding technical details including pipe seals and soil preparation,
- visual elements include a modification of the planting plan and benches
- final grading and planting plan for a future park shelter
- Addition of the alley on the north side of the park
- Addition of creek buffer plantings on the south bank (415 Blake Road)
- Additional area of duplexes – grading and preparation for future pavilion, additional planting

The recently bid project with expanded project scope and value engineering design and specification adjustments resulted in a bid price below the original project bid.

A sealed bid process using a "Best Value" bid evaluation as defined in Municipal Contracting Law, MN Statute 16C.28 was used as an alternative to the traditional "low bidder" sealed bid process because the quality of construction for this highly visible and diverse construction project is extremely important to both agencies. This process provides for contractor procurement based on a combination of performance criteria and price rather than the lowest responsible and responsive bidder. Such performance criteria include past performance

---

**DRAFT for discussion purposes only and subject to Board approval and the availability of funds.**

**Resolutions are not final until approved by the Board and signed by the Board Secretary.**

on previous projects, qualifications, key personnel, careful work coordination and ability to minimize risk and contractor-prompted cost overruns.

The advertisement for bids was published on Quest CDN for three consecutive weeks, with a mandatory pre bid meeting. Five contractors submitted technical proposals and bid proposals. The bids are from Custom Builders, Blackstone Contractors, Sunram Construction, New Look Contracting, and Carl Bolander & Sons. The technical proposals were submitted on January 15 and evaluated by a team comprising representatives of the MCWD, the District Engineer and the City of Hopkins. Sealed price bid proposals were received on January 16. Based on the criteria provided in the specifications, staff recommends awarding the bid for construction to Custom Builders. The attached memorandum provides further detail on the bidding process, price bids, technical scores, and adjusted scores.

Alternate bid items were proposed for deletion of a portion of walkway lights (delete alternate), and for colored concrete, extended plant warranty, and irrigation rotator spray system (add alternates). Based on advice from the City of Hopkins, which is bearing the construction cost in excess of grant funds, staff is recommending the selection of alternate bid items 1, 2, and 3 for irrigation rotator spray system, extended plant warranty period, and extended irrigation warranty period. The bid price of these items is included in the recommended bid award amount.

**BACKGROUND:**

Through the Minnehaha Creek Watershed District's Balanced Urban Ecology Policy the District recognizes the integrated relationship of water resources and the built environment and that water resource implementation is strengthened by collaborative efforts. This framework reinforces the District's commitment to integrating its water resource implementation efforts with urban planning, through innovation, partnership and a sustained geographic focus.

The District has focused strategically on a portion of the Creek system most in need, between West 34<sup>th</sup> Street and Meadowbrook Lake, referred to as the Urban Creek Corridor. The sustained focus in this corridor has led to numerous public-private partnerships. The Cottageville Park project is one example in the Urban Creek Corridor of how local government collaboration can meet mutual goals, resulting in overlapping benefits to water quality and the broader community.

In 2010, in response to the City of Hopkins, MCWD purchased 427-429 Blake Road, 415 Blake Road, 1303 and 1305 Lake Street and entered into a cooperative agreement with the City to naturalize and stabilize the creek channel, provide regional stormwater treatment to address the Minnehaha Creek and Lake Hiawatha TMDLs, restore the riparian ecosystem, expand and develop the park, and integrate community park amenities with the riparian system for public recreation and education purposes. As part of the agreement, with MCWD approval authority over design elements, Hopkins agreed to fund the design, construction and maintenance of Cottageville Park as well as regional stormwater management facilities to be constructed in part on MCWD land.

Early in 2014 the District was awarded a \$483,000 Clean Water Legacy Fund (CWLF) grant for the stormwater and riparian improvements within Cottageville Park. To most efficiently meet deadlines and conditions of the grant the MCWD-Hopkins cooperative agreement was amended on April 10, 2014. The agreement amendment placed the District in a lead role for design and construction oversight of the project, based on concept plans approved on April 1, and April 10 by the Hopkins City Council and MCWD Board of Managers, respectively. The amendment preserves the City of Hopkins commitment by providing that the City will fund a portion of design costs and the cost of the improvements beyond that which is funded by the CWLF grant. The City will maintain its own park property as well as the stormwater management facilities located on MCWD land. The MCWD will maintain the native vegetation, riparian buffer zone improvements and signage on its land.

Based on available funding, the City and District have pursued a phased Park design and implementation. Phase 1 of the Park design includes: stormwater management, creek buffer restoration, creek access, educational signage, community garden, walking paths, green space and overall landscaping, on the north side of Minnehaha Creek. The stormwater management design includes pretreatment sump manholes and a SAFL baffle leading to underground storage which exits through a sand iron filter. The project will treat 22 acres of runoff and provide 26 lbs. /yr. of phosphorus removal and 2.8 tons/yr. sediment removal. The north creek buffer planting will be composed of mid-height native grasses with groupings of native wildflowers selected for sequential bloom throughout the growing season and shrubs close to the bank. Access will be created with poured colored concrete stepping stones and benches. This treatment will be minimal nearest the creek bank, but provide for a defined path through the buffer area. The overall park design maximizes green space, formalizes existing walking paths, and improves and incorporates the existing community garden.

The City has completed design for the play area on the north side of the Park next to the community garden which it has scheduled to construct next year.

**ATTACHMENTS:**

1. January 22, 2015 Memorandum: Cottageville Park Bid Award Recommendation
2. Hart Howerton Construction Oversight Proposal
3. Wenck Associates Construction Oversight Proposal
4. Cottageville Park Master Plan

## RESOLUTION

---

**RESOLUTION NUMBER: 15-005**

**TITLE: Awarding Contract for Construction of Phase 1 of Cottageville Park Project Including Three Add Alternates and Authorizing Construction Oversight Contracts**

WHEREAS, the Minnehaha Creek Watershed District (MCWD) has adopted a *Comprehensive Water Resources Management Plan (WRMP)* in accordance with Minnesota Statutes §103B.231;

WHEREAS, the District's *Water Resources Management Plan* includes a Land Conservation Program;

WHEREAS, the District's *Water Resources Management Plan* established Minnehaha Creek as a key conservation area with goals of collaborating to create and preserve natural stream corridors, provide buffers, supplement other program activities, increase stormwater runoff abstraction, provide flood control, and promote public education and access;

WHEREAS, the Board of Managers adopted a policy "In Pursuit of a Balanced Urban Ecology in the Minnehaha Creek Watershed District" to guide the MCWD's planning and watershed management activities, integrating its water resource implementation efforts with urban planning, through innovation, partnership and a sustained geographic focus;

WHEREAS, the Minnehaha Creek/Lake Hiawatha Total Maximum Daily Load Study identified the area between West 34<sup>th</sup> Street and Meadowbrook Lake as generating the highest pollutant load per unit area when compared to other reaches of Minnehaha Creek;

WHEREAS, the MCWD established the area between West 34<sup>th</sup> Street and Meadowbrook Lake as a priority area for capital project improvements, aimed at stormwater improvement and streambank restoration;

WHEREAS, the WRMP provides that the Land Conservation Program will help accomplish these goals by connecting or expanding existing public lands, undertaking a restoration project, or by leveraging redevelopment opportunities, and further provides for capital spending within the Minnehaha Creek corridor (e.g., 5.8.2 and 5.8.5) to restore streambank stability and reduce stormwater volumes and nutrient loading to the creek, including construction of infiltration basins and devices, wetland restoration, reforestation, vegetation, and stormwater detention;

WHEREAS, in 2010 the District under the Land Conservation Program budget acquired fee title to properties at 415 Blake Road, 1303 and 1305 Lake Street NE, and 427-429 Blake Road ;

WHEREAS, in 2010 the Board of Managers approved a Cooperative Agreement with the City of Hopkins to coordinate corridor improvements, including the city's design and construction of a stormwater treatment facility on the District's properties; integrated park improvements to those properties and the adjoining Cottageville Park; and further cooperation to expand public benefits within the purposes and powers of each partner, including economic and housing development, public facilities and water resource protection and conservation;

WHEREAS, pursuant to the Cooperative Agreement the City of Hopkins completed a feasibility study, conceptual design and a public input process for the design of the project;

- WHEREAS, in January 2014 the District was awarded a \$483,000 Clean Water Legacy grant from the Board of Water and Soil Resources for final design and implementation of the stormwater management improvements, Creek corridor vegetative buffer restoration, and public education throughout the park;
- WHEREAS, to meet deadlines and conditions of the grant and to most efficiently implement the water quality and stream corridor restoration components of the project for which the grant funding applies, the City of Hopkins and MCWD approved the First Amendment to the Cooperative Agreement under which the District is responsible for design and construction of the Cottageville Park Project, including certain grading, surfacing and landscaping work on the City's Cottageville Park property, with City reimbursement of MCWD costs exceeding the grant amount and an allocation responsibility to maintain the improvements and lands;
- WHEREAS, the Conceptual Master Plan was approved by Hopkins City Council and the MCWD Board of Managers on April 1, 2014 and April 10, 2014 respectively;
- WHEREAS, in accordance with Minnesota Statutes § 103B.251, subdivision 3, the District held a duly noticed public hearing on ordering of the Project on March 13, 2014, at which time all interested parties had the opportunity to speak for and against the Project;
- WHEREAS, pursuant to Minnesota Statutes § 103B.251 and the WRMP, on March 27, 2014, the Board of Managers ordered the Cottageville Park Project;
- WHEREAS, the Hopkins City Council reviewed and commented on draft project plans and schedule on May 13, 2014;
- WHEREAS, Staff held a public informational meeting at Eisenhower Community Center on May 20, 2014 to present project plans and schedule;
- WHEREAS, the Hopkins City Council approved the amended final design for Phase 1 of the Cottageville Park Project, budget and schedule on December 2, 2014;
- WHEREAS, the Minnehaha Creek Watershed District Board of Managers approved the amended final design for Phase 1 of the Cottageville Park Project, and authorized the District Administrator to solicit bids for construction on December 11, 2014;
- WHEREAS, the District solicited bids pursuant to a Best Value contracting method under authority of MN Statute §471.345;
- WHEREAS, the District received five bids for the project consisting of technical and bid proposals, which were evaluated and scored according to the criteria and methodology described in the bid solicitation, and Custom Builders has submitted a responsive bid and received the low adjusted score and District staff and engineer advise that after due inquiry they find Custom Builders to be a responsible bidder;
- NOW, THEREFORE, BE IT RESOLVED, the MCWD Board of Managers concurs in the scores determined by the evaluation committee for the technical proposal; adopts the adjusted scores as calculated and recommended by District staff and the District engineer; finds Custom Builders to be a responsible bidder; and award the contract for construction of Cottageville Park Phase 1, including bid alternates 1, 2 and 3, to Custom Builders in the contract amount of \$1,689,303;

BE IT FURTHER RESOLVED that the MCWD Board of Managers authorizes the Administrator to execute a construction contract for Cottageville Park Phase 1 Project 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 establishes a project construction budget in the not-to-exceed amount of \$1,858,233 and authorizes the Administrator, in his judgment and on the recommendation of the construction manager, to authorize change orders obligating the District up to that amount;

BE IT FURTHER RESOLVED that the MCWD Board of Managers authorizes the Administrator to issue a formal notice to proceed to Custom Builders in accordance with the terms of this resolution on advice of counsel, receipt of a signed contract and required bonds and insurance documentation; and

BE IT FINALLY RESOLVED that the MCWD Board of Managers authorizes the Administrator, on advice of counsel, to retain Wenck Associates and Hart Howerton to provide construction oversight in amounts not to exceed \$40,000 and \$37,450, respectively.

Resolution Number 15-005 was moved by Manager \_\_\_\_\_, seconded by Manager \_\_\_\_\_.  
Motion to adopt the resolution \_\_\_\_ ayes, \_\_\_\_ nays, \_\_\_\_ abstentions. Date: January 29, 2015.

\_\_\_\_\_  
Secretary Date: \_\_\_\_\_



**MEMORANDUM**

**To:** MCWD Board of Managers  
**From:** Renae Clark, Planner and Project Manager  
**CC:**  
**Date:** January 22, 2015  
**Re:** Cottageville Park Bid Award Recommendation

---

**Background:**

A sealed bid process using a “Best Value” bid evaluation as defined in Municipal Contracting Law, MN Statute 16C.28 was used as an alternative to the traditional “low bidder” sealed bid process because the quality of construction for this highly visible and diverse construction project is extremely important to the District and City of Hopkins. This process provides for contractor procurement based on a combination of performance criteria and price rather than the lowest responsible and responsive bidder. Such performance criteria include past performance on previous projects, qualifications, key personnel, careful work coordination and ability to minimize risk and contractor-prompted cost overruns. The formula for evaluating the technical merits of proposals and for weighing the technical and price elements was described in the bid solicitation documents.

**Process:**

Pursuant to the project specifications, the contract is recommended be awarded to the bidder whose bid price, quality and experience result in the lowest adjusted score. The formula to be used in the contractor selection process to determine each bidder’s adjusted score is the bidder’s base bid plus accepted alternates divided by the bidder’s aggregate technical score as determined by the technical evaluation committee as follows:

$$\frac{\text{Base Bid plus accepted Alternate}}{\text{Aggregate Technical Score}} = \text{Adjusted Score}$$

A technical evaluation committee composed of three members: MCWD representative (Renae Clark), City of Hopkins representative (Steve Stadler), and the project Engineer (Chris Meehan) reviewed all the proposals together in one session. The committee then assigned a single technical score based on the following:

Information to show the Contractor has successfully completed similar projects on schedule, with required quality and with minimal Contactor-related price or time increases	80 points maximum
The Contractor's ability to prepare appropriately for the project, to assess and minimize risks, and respond efficiently to undesired circumstances.	20 points maximum
<b>Aggregate Technical Score</b>	<b>100 points maximum</b>

The project was advertised on Quest CDN three consecutive weeks. Five technical proposals and five bids were received, reviewed and scored according to the project specifications. The technical proposals themselves, as well as the technical scores determined by the review team, the ultimate adjusted score for each bidder and supporting documents generated by the committee in evaluating the technical proposals are classified as nonpublic data under the Minnesota Data Practices Act, until the board of managers has concurred in the ranking of final adjusted scores. However, the Open Meeting Law allows nonpublic data to be discussed at a public meeting as "reasonably necessary" for the board to properly conduct its business. Therefore, the technical and adjusted scores for each bidder are presented below, and further information concerning the technical proposals may be discussed as managers find relevant to their making a considered decision. Unnecessary discussion of nonpublic information should be avoided.

Below is a matrix that includes aggregate technical scores, bids, and adjusted scores for each bidder.

<b>Contractor</b>	<b>Technical Score</b>	<b>Base Bid Price</b>	<b>Accepted Alternate Bid Items: 1, 2, 3</b>	<b>Adjusted Score</b>
CUSTOM BUILDERS, INC.	84	\$1,665,203.10	\$24,100.00	\$20,110.75
BLACKSTONE CONTRACTORS, LLC	89	\$1,817,984.08	\$11,700.00	\$20,426.79
SUNRAM CONSTRUCTION, INC.	80	\$1,886,814.10	\$25,925.00	\$23,585.18
NEW LOOK CONTRACTING, INC.	75	\$2,082,100.00	\$30,500.00	\$27,761.33
CARL BOLANDER & SONS LLC.	75	\$2,278,433.25	\$26,750.00	\$30,379.11

Note: There was an irregularity associated with the Sunram submittal. After the submittal deadline for the technical proposal, Sunram, included in its price proposal a request to substitute two of its subcontractors, with a consequent reduction in its price bid. However, the District need not determine whether Sunram's bid is conforming or how the bid should be read since there is not a scenario in which it has the lowest adjusted score.

**Next Steps:**

The attached Board Resolution provides a Board recommendation to award a contract for construction of the base bid and alternative bid items 1, 2 and 3 to Custom Builders, Inc., which received the low adjusted score and is determined to be a responsible bidder

Robert L. Hart, AIA, AICP  
David P. Howerton, ASLA, AICP  
Craig Roberts  
A. James Tinson, AIA

13911 Ridgedale Drive Suite 220  
Minnetonka, MN 55305  
Tel: 952 476 1574 Fax: 952 476 1573  
www.harthowerton.com

**Work Authorization for Additional Services  
Addendum Four**

**Date:** January 20, 2015  
**To:** Minnehaha Creek Watershed District  
**Project Name:** Cottageville Park Phase 1  
Construction Administration Services

**Contract:** This Work Authorization for Additional Services is incorporated into and made a part of that certain agreement dated May 2, 2014 and Exhibit A dated April 7, 2014 by and between the Hart Howerton entity that is a party to that agreement (“HH”) and Client and shall be governed by that Agreement and the Terms and Conditions therein (collectively, the “Agreement”). The work described below is acknowledged to be outside the scope of basic services covered by the Agreement and constitutes Additional Services. The compensation set forth below is in addition to any compensation for basic services covered by the Agreement.

**Scope of Work:** Construction Administration of Cottageville Park, Phase 1 as per Construction Document Bid Set Awarded in January 2015

Hart Howerton (HH) proposes to provide the services listed below during the Construction Administration phase of the project. It is assumed that HH will be in a supportive role to the Watershed District staff and to Wenck Associates, who will provide overall project management responsibilities during the Construction Phase. All written communication to the Contractor team will go through Wenck Associates. Wenck will also approve the Contractors proposed construction schedule and process Contractor pay applications. HH will be in an advisory role on portions of the construction that are based on our plans and specifications and will share some of the field oversight responsibilities with MCWD staff as noted below. It is assumed that the construction schedule will extend for approximately 20 weeks of active construction, beginning on or about May 15, 2015 and extending through Substantial Completion on or before October 2, 2015. Exact time of commencement of construction may vary, but it is anticipated that 20 weeks will be a basis for the work to be completed as outlined. However, all construction work will be completed by October 30, 2015.

Based on the construction schedule, initial discussions with staff and the specific types of construction that are detailed in the landscape construction documents, we propose the following list of services be provided. The number of meetings attended and site visits are proposed



and we assume that meetings and site visits can occur on the same days and that multiple site visit tasks can typically be accomplished during a given site visit. Additional meetings and site visits and the preparation of construction change orders can be provided for an additional fee if the proposed number becomes inadequate.

## 1. ADMINISTRATIVE SERVICES DURING

**CONSTRUCTION** – The following services occur prior to and during the 20 week active construction period.

- Process product submittals and shop drawings (assume 30 total submittals)
  - **Note:** Approval of concrete mix design, compaction and concrete tests will be by Wenck.
  - **Note:** It assumed that the submittal process will only occur one time per required construction item. Should additional resubmittal reviews and comments be required beyond the initial submittal by the contractor, this will be an extra service.
- Process Contractor requests for information (RFI's), issue plan and spec clarifications
- Contractor Applications for Payment by MCWD/Wenck
- List of Anticipated Contractor Submittals for HH
  - Topsoil tests and samples
  - Site soil tests
  - Compost sample
  - Subgrade drainage test results
  - Irrigation product list
  - Irrigation shop drawing
  - Wood bridge shop drawing
  - Stone product data/ samples
  - Geotextile sample
  - Concrete stair shop drawing
  - Concrete product data including stain color
  - Concrete color sample pour in field
  - Concrete sitting bench shop drawings
  - Railing shop drawing
  - Paint sample/product data
  - Unit paver sample/product data
  - Pave Edge sample/product data
  - Crushed rock sample/product data
  - Landscape edger sample/product data
  - Site furnishing product data
  - Light fixture product data and color sample
  - Fence product data/sample
  - Park sign shop drawing
  - Plant supplier list

- Planting soil compaction test results
- Mulch sample
- Weed barrier product data/sample
- Turf product data
  - Misc. planting materials product data
  - Raised planter bed product data

**2. ON-SITE SERVICES DURING CONSTRUCTION PHASE –**

The following services occur during the 20 week active construction period, are performed on-site.

- Attend Pre-Construction kick-off meeting
- Attend construction progress meetings (assume that Hart Howerton will attend 12 total; or about one meeting every two weeks, on average). It is assumed that Wenck and MCWD will attend all meetings and distribute meeting notes to team.

- Construction Observation Site Visits:

Assume **HH** will make 20 total site visits, covering the following subjects; or about one site visit every week, on average. Travel time and report are included. Also assume that MCWD staff will make additional visits and follow-thru. The topics for review on the site visits are as follows:

- Initial Planting/Turf area sub-grade prep and topsoil placement with MCWD
- Concrete walk layout, mock-up and construction  
(Note: subgrade and aggregate and reinforcing and additional layout by Wenck)
- Concrete step layout and construction  
(Note: subgrade, aggregate and reinforcing by Wenck)
- Concrete band layout and construction  
(Note: subgrade and aggregate by Wenck)
- Bridge layout and construction  
(Note: bridge pier construction by Wenck)
- Unit paver layout and construction
- Initial Crushed rock paving layout and construction (with MCWD follow-up)
- Initial Raised wood planter layout and construction (with MCWD follow-up)
- Metal Fence layout and construction at Community Gardens
  
- Concrete bench layout, formwork, wood top assembly  
(subgrade, aggregate and reinforcing by Wenck)
- Site Furnishing layout and installation
- Park sign fabrication and installation
- Review irrigation box location
- Approve finish grading in planting areas, sod bed approval, sod and edger installation (with MCWD follow-up)

- Outfall Channel mock-up including grading and structure review
- Outfall Channel boulder placement and geofabric installation (subgrade and aggregate by Wenck)
- Plant nursery visits
- Irrigation – planting bed drip system
- Irrigation – sod areas and controller installation
- Approve all initial tree, shrub, and perennial layout
- Approve initial planting operations, staking, guying (with MCWD follow-up)
- Initial Wood mulch installation (with MCWD follow-up)
- Landscape Substantial Completion Punch List site visit and report

**3. POST CONSTRUCTION PHASE SERVICES (Fees Not in Contract– Additional Services As Requested):** The following services after Substantial Completion would be provided on an hourly basis as requested by MCWD and is not a part of this contract fee proposal.

- Punch List follow-up visit and advise on Final Acceptance (by MCWD/Wenck)
- Review start of plant/sod maintenance operations
- Attend first irrigation winterization operation, Fall 2015
- Attend first irrigation spring start-up, Spring 2016
- Obtain/Review/Transmit As-Built drawings, manuals, warranties
- Attend post-construction Maintenance and Warranty observations for planting and irrigation during the 24 month warranty period.

**Schedule:** With immediate written approval, we are prepared to move forward with these services as soon as the first Pre-Construction Kick-off meeting is scheduled. We will adhere to the contractor's schedule but have based our work on 20 weeks of active construction whether the weeks are consecutive or in broken intervals. Should that schedule go beyond the October 30, 2015 deadline for total park completion, we reserve the right to review the scope and fees with you.

**Compensation:** Fixed Professional Fee: **Hart Howerton proposes to Complete the work as outlined above for a total of \$39,000 (US Dollars) excluding** Reimbursable Expenses. We will bill you on a monthly basis on our normal hourly billing rates. Reimbursable expenses will be itemized as separate items.

**Reimbursables:** We propose an allowance of **\$ 250 (US Dollars)** to cover any reimbursable expenses for work outlined within this addendum. These expenses normally include reproduction, shipping and delivery, and travel

Cottageville Park Phase 1  
Construction Administration Services  
January 22, 2015

costs. Should Extra Services be required, the Reimbursable Expense budget would be expanded to incorporate the additional work.

Thank you,

Agreed and accepted:

---

Roland Aberg  
Principal  
Hart Howerton

---

Signature Date

---

Printed Name/Title  
for and on behalf of:

---



**Mike Panzer, PE, PG**  
**Vice President**  
**Wenck Associates, Inc.**  
1800 Pioneer Creek Ctr.  
P.O. Box 249  
Maple Plain, MN 55359-0249  
  
(763) 479-4207  
Fax (763) 479-4242  
E-mail: mike.panzer@wenck.com

## **PROPOSAL**

**TO:** Renae Clark, Projects Manager, Minnehaha Creek Watershed District  
James Wisker, Director of Planning, Projects & Land Conservation  
Minnehaha Creek Watershed District

**FROM:** Chris Meehan, P.E. CFM

**DATE:** January 22, 2015

**SUBJECT:** Cottageville Park North Final Design

---

### **Scope of Work**

In the interest of expanding greenspace within the riparian corridor of Minnehaha Creek and exploring stormwater management that exceeds regulatory requirements, the Minnehaha Creek Watershed District (MCWD) is preparing to redevelop existing parcels adjacent to Minnehaha Creek to expand Cottageville Park. This project is a component of the Urban Corridor Initiative which is targeted at addressing storm water quality, creating greenspace and outdoor experience opportunities for watershed residents.

The objective of this scope of work will be to complete construction management services for Phase 1 and northern alley portion of the park north of the creek and Lake Street. Construction management series for the project will consist of assisting the District with on-site oversight, contract administration services, field engineering, shop drawing review and development of as-builts.

Wenck assumes it will complete the following tasks in collaboration with the District to ensure proper construction of Phase 1 of the Park and Alleyway:

- Provide Construction Management Services including: pay request processing, pre-construction meeting, shop drawing review specified for the engineer, as-built development and project closeout
- On-site services including: Field engineering specified for the engineer, establishing site survey needs designated for the Engineer and site coordination and field meetings as requested by the District
- Construction Observation for:
  - Utilities (Sewer, Water, Electrical, Storm Sewer)
  - Underground Stormwater System, and Outfall Structure
  - Asphalt Removal/Placement
  - Concrete Removal/Placement



It is assumed the District will oversee or contract with Hart Howerton to complete construction observation for the remainder of activities required by the project.

The scope of work envisioned for completion of these services is described as a series of tasks (attached below). Each task includes the expected minimum level of effort using the most efficient discounted hourly rates that are currently used by MCWD along with direct expenses covering, mileage, survey equipment, etc.

The deliverables for this project will be on-site oversight, contract administration services, field engineering, development of as-builts and materials review for the construction of the Phase 1 and northern alley portion of Cottageville Park.

The estimated costs of the project study will occur over an approximate 4-6 month period and are detailed in the table below:

Task #	Sub		Meehan	Sr. Proj. Eng.	Project Eng.	GIS	CADD	Survey/ Field Staff	Clerical	Total	Task	
Task #	Task #	FEE/Hr. Rate	\$175	\$155	\$125	\$100	\$125	\$100	\$100	Expenses	Subtotal	
<b>1.0</b>		<b>Construction Management</b>										
	1.1	Coordination and Field Meetings	8		20					\$ 3,900	\$ 200	\$ 4,100
	1.2	Field Survey						8		\$ 800	\$ 75	\$ 875
	1.3	Pre-Construction Meeting	2		2					\$ 600	\$ 50	\$ 650
	1.4	Pay Request Processing			16				4	\$ 2,400	\$ -	\$ 2,400
	1.5	Material Submittal Review	1		16					\$ 2,175	\$ -	\$ 2,175
	1.6	Construction Oversight	8		26			180		\$ 22,650	\$ 1,000	\$ 23,650
	1.7	Project Closeout	1		4				4	\$ 1,075	\$ 25	\$ 1,100
	1.8	Obtain record information from field representatives			4					\$ 500	\$ -	\$ 500
	1.9	Prepare record drawings	1		2		8			\$ 1,425	\$ 100	\$ 1,525
	1.10	Submit copies of record drawings to City	1		2					\$ 425	\$ 50	\$ 475
		<b>Person-hours</b>	<b>22</b>	<b>0</b>	<b>92</b>	<b>0</b>	<b>8</b>	<b>188</b>	<b>8</b>			
<b>TOTAL ESTIMATED FEE FOR SERVICES</b>											<b>\$37,450</b>	



HART HOWERTON

MINNEHAHA CREEK CORRIDOR COMMUNITY TRAILS INITIATIVE

Cottageville Park Conceptual Master Plan

© 2014 HART HOWERTON LTD. All rights reserved. This document is the property of Hart Howerton. No drawings may be made or used without the approved written consent of Hart Howerton.

December 11, 2014