



REQUEST FOR ACTION CITY COUNCIL

Agenda Date: 6/7/2022
Agenda Section: Consent Agenda

Department Origination: Public Works

Agenda Item:

Adopt Resolution 2022-048 to Approve the Public Interest Finding (PIF) Letter for the 2022 TH 210/Inglewood Drive Improvement Project

Approval Required: Simple Majority Vote

BACKGROUND

Due to not obtaining authorization by the State or Federal Aid Departments for this TH 210/Inglewood Drive project because of the R/W certificate, the bid opening has been delayed. The project was scheduled/approved to start advertisement for bids by May 18, 2022 per Resolution #2022-044.

It is unlawful to advertise a project that is receiving state and federal funds prior to authorization and consent. MnDOT District 3 staff has stated they will not sign the right-of-way (R/W) certificate needed to obtain authorization from the agencies because the BNSF easements needed for the project have not been fully processed and signed by BNSF Railway. A signed Construction & Maintenance (C&M) agreement with BNSF does not meet the requirements of successfully obtaining R/W consent to MnDOT.

MnDOT District 3 R/W staff coordinated with MnDOT Central Office and they both recommend that the City submit a Public Interest Finding (PIF) letter. With this letter, it will allow for MnDOT to sign the R/W certificate which progresses the authorization process from the State and Federal Aid departments which then will allow the advertisement of this project and not further delay the project schedule. The city will not be able to open bids until MnDOT has obtained the signed easement documents from BNSF. BNSF and their R/W subconsultant, Jones, Lang, & Lasalle (JLL) have indicated that the expected timeline to obtain those signed easement documents from the BNSF Main Office in Texas is approximately four weeks from May 25, 2022. This falls within the expected advertisement timeline and isn't expected to further delay the opening of the bids.

The duration to complete and process this PIF letter and then obtain authorization from the State and Federal Aid agencies is expected to push the start of advertisement to June 12, 2022. Following the federal aid requirements of advertising for a minimum of 25 days with 3 advertisement periods, the bid opening is scheduled to be July 7, 2022.

FINANCIAL IMPLICATIONS

None

STAFF RECOMMENDATIONS

Staff recommends the City of Baxter approve the Public Interest Finding (PIF) letter.

COUNCIL ACTION REQUESTED

Motion to Adopt Resolution 2022-048 to approve the Public Interest Findings (PIF) Letter for the 2022 TH 210/Inglewood Drive Improvement Project.