



## ITEM REPORT UTILITIES COMMISSION

Agenda Date: 11/7/2024  
Agenda Section: Business Item

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**Department Origination:** Public Works

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**Agenda Item:** Approve Anderson Brothers Construction Final Pay Estimate No. 12 in the amount of \$27,372.49 for 2022 Trunk Highway 210 & Inglewood Drive Railway Crossing Improvements Project Update, Municipal Project No. 4121

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**Approval Required:** Simple Majority Vote

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### **BACKGROUND**

Bolton & Menk is the consultant engineer for the City of Baxter on this Trunk Highway 210 & Inglewood Drive Railway Crossing Improvements (Inglewood Drive) project ([www.inglewooddrive.com](http://www.inglewooddrive.com)). It is one of the two components of the larger plan to establish a west reliever roadway for T.H. 371 and align Inglewood Drive to improve the northbound-southbound local movements through the city. The second component to this plan is the 2022 Foley Road, Forthun Road and Isle Drive Improvements project which started construction May 2022 and was completed on October 13, 2023.

### **Schedule**

The Inglewood Drive and TH 210 traffic signal was activated and Inglewood Drive from TH 210 to Foley Road was opened on July 11, 2023. The Reduced Conflict Intersection (RCI) on TH 210 at Knollwood Drive was completed on August 11, 2023, and lane restrictions on TH 210 removed. Punchlist items and traffic control additions approved in October were completed on October 27, 2023.

MnDOT directed the City to implement Change Order No. 4 of installing catch basins within the TH 210 and Inglewood Drive intersection to address a drainage issue. Anderson Brothers completed the storm sewer and roadwork from June 4, 2024 to June 7, 2024. Punchlist items have been completed.

The contractor has not submitted IC-134 tax forms at this time and approval of final payment should be made contingent upon the city receiving the IC-134.

### **FINANCIAL IMPLICATIONS**

The project has received a final inspection report from MnDOT, granting the City to start the project closeout process. Payment reimbursements of the Federal funds and State funds can be submitted. The project is expected to be short of hitting the maximum amount of eligible federal funds of \$1,254,815.40, by \$36,143.55, and the State LPP cap of \$1,100,000, by \$14,420.58. The project team vetted all possibilities to maximize those opportunities, by reallocating funds in multiple scenarios, but was unsuccessful. MnDOT will pay for all the overruns that were experienced at the RCI intersection, however.

When it comes to State Aid funds, we initially requested the full amount allotted to the City per eligibilities. The project experienced some overruns in certain areas that have the potential to be covered by State Aid funds. Bolton & Menk is working with MnDOT D3 DSAE to explore these possible reimbursement eligibilities. If any additional State Aid funds are received, they will be put toward the City's responsible costs, alleviating the need to utilize assessment funds to pay for their share.

The expected final project cost participation is:

| TH 210/INGLEWOOD PROJECT                          |                       |
|---|-----------------------|
| COMPARISON OF TOTAL PROJECT COMPENSATIONS TO DATE |                       |
| Actual Bids (8/1/22)                              |                       |
| CITY  | \$1,709,781           |
| MnDOT   | \$1,100,000           |
| MnDOT (RCI)                                       | \$568,441             |
| FEDERAL   | \$603,900             |
| <b>TOTAL</b>                                      | <b>\$3,982,122</b>    |
| Current Agency Splits                             |                       |
| CITY  | \$1,402,973.55        |
| MnDOT <sup>#</sup>                                | \$1,085,579.42        |
| MnDOT (RCI)                                       | \$589,037.49          |
| FEDERAL   | \$1,218,671.85        |
| <b>TOTAL</b>                                      | <b>\$4,296,262.30</b> |

<sup>#</sup> Max Cap Amount Available for Project (\$1,100,000)

| State Aid Funds                               |                       |
|---|-----------------------|
| S.P. 230-107-003 (25% Engineering)            | \$99,338.77           |
| S.P. 230-121-001 (25% Engineering)            | \$142,791.04          |
| BNSF 40-Year Maintenance                      | \$645,910.00          |
| State Aid Eligible Construction               | \$114,232.84          |
| Trunk Highway Portion (25% Engineering)       | \$289,826.21          |
| <b>State Aid Funds TOTAL</b>                  | <b>\$1,292,098.86</b> |
| <b>CITY COSTS LEFT OVER (Pre-Assessments)</b> | <b>\$110,874.69</b>   |

The overall project budget and status of project cost is as follows:

| TH 210/INGLEWOOD PROJECT                                      |                                 |                               |                                 |                               |
|---|---------------------------------|-------------------------------|---------------------------------|-------------------------------|
| COMPARISON OF TOTAL PROJECT COSTS TO DATE (CITY)              |                                 |                               |                                 |                               |
| Item Description  | Feasibility Report<br>(9/21/21) | Actual Bids/Award<br>(9/6/22) | Expected Total Costs<br>(Today) | Current Total Cost<br>(Today) |
| <b>CONSTRUCTION COSTS</b>                                     | <b>\$1,196,800</b>              | <b>\$2,127,824.00</b>         | <b>\$2,351,623.60</b>           | <b>\$2,359,787.58</b>         |
| BNSF Surface Crossing Construction                            | \$100,000                       | \$104,918.00                  | \$104,918.00                    | \$114,793.52                  |
| BNSF Signal Crossing Construction                             | \$441,600                       | \$453,259.00                  | \$453,259.00                    | \$397,089.46                  |
| Preliminary Construction Contingencies (10%)                  | \$114,700                       | N/A                           | N/A                             | N/A                           |
| Considerations for COVID-19 during Design (Street Only) (10%) | \$114,700                       | N/A                           | N/A                             | N/A                           |
| Contingency (5%)***   | N/A                             | \$107,983.34                  | N/A                             | N/A                           |
| <b>TOTAL CONSTRUCTION COSTS</b>                               | <b>\$1,967,800</b>              | <b>\$2,793,984.34</b>         | <b>\$2,909,800.60</b>           | <b>\$2,871,670.56</b>         |
| Engineering and Construction Administration (22%)             | \$302,800                       | -                             | -                               | -                             |
| Legal and Other Costs (2%)                                    | \$27,600                        | -                             | -                               | -                             |
| Administration (2%)   | \$27,600                        | -                             | -                               | -                             |
| BNSF Easement   | \$50,000                        | \$57,065                      | \$57,065                        | \$57,065                      |
| BNSF 40-Year Maintenance                                      | \$800,000                       | \$645,910                     | \$645,910                       | \$645,910                     |
| WSN Feasibility Study   | -                               | \$21,318                      | \$21,318                        | \$21,318                      |
| BNSF Engineering  | -                               | \$16,110                      | \$16,110                        | \$16,110                      |
| BNSF Flagging   | -                               | \$48,000                      | \$48,000                        | -                             |
| Administration  | -                               | \$27,600                      | \$27,600                        | \$27,600                      |
| Legal, Bonding, and Other Costs                               | -                               | \$27,600                      | \$27,600                        | \$27,600                      |
| Bolton & Menk Engineering/Construction Admin Contract         | -                               | \$344,535                     | \$576,107                       | \$588,008                     |
| MnDOT IA Inspection Costs                                     | -                               | -                             | \$673.27                        | \$673.27                      |
| MnDOT Supplied Signal Cabinet                                 | -                               | -                             | \$40,307                        | \$40,307                      |
| <b>TOTAL OTHER COSTS</b>                                      | <b>\$1,208,000</b>              | <b>\$1,188,138</b>            | <b>\$1,460,690</b>              | <b>\$1,424,592</b>            |
| <b>TOTAL PROJECT FEES</b>                                     | <b>\$3,175,800</b>              | <b>\$3,982,122.34</b>         | <b>\$4,370,490.87</b>           | <b>\$4,296,262.30</b>         |
|   | Items Not included              |                               |                                 |                               |
| Knollwood/Foley Intersection                                  | \$192,350                       |                               |                                 |                               |
| <b>Revised Total</b>  | <b>\$3,368,150</b>              |                               |                                 |                               |

\*\*\*Contingency includes BNSF Signal Crossing Costs, BNSF Surface Crossing Costs, Construction Costs minus RCI

| TH 210/INGLEWOOD PROJECT            |                      |
|-------------------------------------|----------------------|
| CITY OF BAXTER PROJECT COST SUMMARY |                      |
| TOTAL CITY COST                     | \$1,402,973.55       |
| STATE AID ADVANCEMENT               | \$1,292,098.86       |
| ASSESSMENTS                         | \$149,965.80         |
| <b>REMAINING LOCAL COST</b>         | <b>(\$39,091.11)</b> |
| TH 210/INGLEWOOD PROJECT            |                      |
| PROJECT CONTINGENCY                 |                      |
| TOTAL MNDOT**                       | \$14,420.58          |
| TOTAL CITY                          | \$39,091.11          |
| <b>TOTAL PROJECT</b>                | <b>\$53,511.70</b>   |

\*\*RCI PORTION IS NOT CAPPED. CONTINGENCY SHOWN IS CAPPED AMOUNT OF PROJECT.

**STAFF RECOMMENDATIONS**

Staff recommends approval of Final Pay Estimate No. 12 in the amount of \$27,372.49, contingent upon receiving IC-134 tax forms and completion of the final DCP forms for the 2022-23 TH 210 and Inglewood Drive Improvements Project, City Improvement No. 4121.

**COUNCIL ACTION REQUESTED**

**MOTION** to approve the Anderson Brothers Construction Final Pay Estimate No. 12 in the amount of \$27,372.49, contingent upon receiving IC-134 tax forms and completion of the final DCP forms for the 2022 TH 210 and Inglewood Drive Improvements Project, City Improvement No. 4121.