

Memorandum

To: Jerry Bohnsack, Interim City Administrator
City of Breezy Point

From: Paul Sandy, Project Manager
WSB, LLC

Date: 03/03/2025

Re: WSB Project No. 022038-000 – Buschmann Road and Ranchette Drive
Reconstruction Project Update

Since our last update prepared for the City Council, WSB has continued making significant progress on several key components of the Buschmann Road/Ranchette Drive Reconstruction Project. Our recent efforts have been focused on advancing the right-of-way acquisition process, refining the final plans based on feedback from public works staff, and soliciting contractor quotes for necessary tree removals. Below is a comprehensive update on each of these areas:

I. Right-of-Way Acquisition

In accordance with the direction provided during the last closed session of the Council, WSB has been engaging with property owners to discuss the required right-of-way acquisitions. These discussions have included reviewing appraisals, negotiating terms, and working toward administrative settlements with each property owner. We have categorized the progress of these negotiations into four distinct groups:

1. **Property owners who have signed or are in the process of signing an administrative settlement** – 8 parcels
2. **Property owners likely to sign an administrative settlement** – 8 parcels
3. **Property owners who may agree to an administrative settlement but could still back out** – 5 parcels
4. **Property owners who have indicated they will not sign an administrative settlement** – 3 parcels

Considering the status of these negotiations, the Council must deliberate on how to proceed with the properties in categories 2-4. Given the current timeline and the ongoing right-of-way acquisition challenges, it is becoming increasingly likely that the project will need to be deferred to the 2026 construction season. To mitigate further delays, the Council should consider initiating the condemnation process for some or all of the unresolved parcels. This action would enable the City to gain legal ownership of the necessary easements before proceeding with the bidding process.

II. Tree Removal Quotes

WSB has actively solicited quotes from qualified contractors to conduct tree removal work before the April 15 deadline. This timeline is crucial due to the presence of Northern Long-Eared Bats, a federally protected endangered species, which imposes

seasonal restrictions on tree clearing activities. If the Council decides to defer the project to 2026, WSB recommends rejecting all current bids and reissuing the request for quotes at a later date.

Should the City opt to bid out the full project in the fall of 2025, the tree removal work could potentially be incorporated into the overall construction contract. This approach would ensure that all necessary clearing is completed before the regulatory deadline in 2026. Based on the discussions at tonight's meeting, the most practical course of action appears to be rejecting the current bids and reassessing the timing for issuing new solicitations. The Council will need to decide whether to issue a standalone bid for tree clearing later this year or to include the work as part of the complete construction package, ensuring all tree removals are completed by April 15, 2026.

III. Plans and Specifications

The project's plans are now fully developed, and the accompanying specifications and project manual are nearing finalization. Depending on the direction provided by the Council at tonight's meeting, there are two possible paths forward:

- **Proceed with authorizing the plans and specifications** to move forward with soliciting bids as soon as the right-of-way acquisitions are finalized.
- **Postpone bid authorization** until all parcels have been fully acquired, which would effectively push the project into the 2026 construction season.

Given the uncertainty surrounding right-of-way acquisition, deferring authorization until all properties are secured may be the more feasible option to avoid potential legal and logistical complications.

IV. WSB Fee Amendment 2

WSB has been tracking additional efforts that were not included in the original project scope. These extra hours primarily stem from significant post-public engagement modifications made to the plans following feedback from the September meeting. The key elements of this scope change are detailed in our fee amendment request. A substantial portion of this additional work pertains to the request from Crow Wing County to design and construct a dedicated turn lane from County Road 11 onto Buschmann Road. This enhancement has required additional design considerations, which are outlined in the amendment document. Furthermore, this aspect of the project will be governed by a City/County Construction Cost Share agreement. Once the final plans and cost estimates for the dedicated left-turn lane are completed, this agreement will be formally presented to the City for approval.

V. Next Steps & Council Considerations

Based on the discussions at tonight's Council meeting, the following key decisions need to be addressed:

1. Determining whether to proceed with or postpone right-of-way acquisitions through condemnation.
2. Deciding on the appropriate course of action regarding tree removal bid solicitations.

3. Establishing a timeline for authorizing project plans and specifications.
4. Reviewing and approving the WSB Fee Amendment 2 and the City/County Construction Cost Share agreement for the dedicated turn lane project.

WSB will continue to provide updates and recommendations as we progress through these critical phases. We appreciate the Council's guidance and look forward to working together to ensure the successful execution of this project.