



**CITY COUNCIL MEETING**

<b>AGENDA SECTION</b>	CONSENT AGENDA
<b>MEETING DATE</b>	JANUARY 12, 2026

<b>ITEM:</b>	<b>Authorize Payment of Eureka Construction Work Order #031, to Correct a 37<sup>th</sup> Place Stormwater Improvement in the amount of \$38,414.</b>		
<i>Presenting Item: Aaron Chirpich, City Manager</i>			
<b>DEPARTMENT:</b> Finance		<b>BY/DATE:</b> Joe Kloiber / January 7, 2026	
<b>CORE CITY STRATEGIES:</b> <i>(please indicate areas that apply by adding an "X" in front of the selected text below)</i>			
<input type="checkbox"/> Community that Grows with Purpose and Equity		<input type="checkbox"/> Engaged, Effective and Forward-Thinking	
<input checked="" type="checkbox"/> High Quality Public Spaces		<input type="checkbox"/> Resilient and Prosperous Economy	
<input checked="" type="checkbox"/> Safe, Accessible and Built for Everyone		<input type="checkbox"/> Inclusive and Connected Community	

**BACKGROUND**

In collaboration with the City of Minneapolis, the City reconstructed 37th Ave NE from Central Ave to Stinson Boulevard and 37<sup>th</sup> Place during 2023 and 2024. Under the Joint Powers Agreement (JPA) with the City of Minneapolis for that project, the construction contract was awarded to Eureka Construction, Inc. and managed primarily by the City of Minneapolis. The JPA calls for Columbia Heights to pay Minneapolis, who in turn pays Eureka.

This project included a certain stormwater improvement within Columbia Heights, adjacent to 37<sup>th</sup> Place. Following completion of construction, it was determined that the improvement failed, not due to Eureka’s work, but due to the design of the improvement. Consequently, representatives of Eureka, the City of Minneapolis, and the City of Columbia Heights met in early 2025 to plan the re-design and re-construction of this improvement. Through this meeting, Eureka was directed to proceed with the proposed correction, and the City of Columbia Heights’ understood this work would be treated by the City of Minneapolis as a change order to Eureka’s contract under the JPA. Therefore, City of Columbia Heights staff did not request that the Columbia Heights City Council award a contract for work this to Eureka before work began.

After Eureka completed the work in 2025, City of Columbia Heights staff learned that the City of Minneapolis did not include this work as part of Eureka’s contract under the JPA. On November 11<sup>th</sup>, 2025, Eureka billed the City of Columbia Heights directly for this work in the amount of \$38,414.

**SUMMARY OF CURRENT STATUS**

Eureka has not been paid yet. They were given valid direction to proceed with the work, and they satisfactorily completed it. The City of Columbia Heights is obligated to pay Eureka’s invoice, even though the process inadvertently did not follow the City’s purchasing policy, which requires most contracts over \$25,000 to be awarded by the City Council before work begins.

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Funding for the \$38,414 of work is available under the portion of the 37<sup>th</sup> Ave project budget within the Stormwater Fund.

**STAFF RECOMMENDATION**

Since the purchase amount is greater than the City Manager’s authority in this case, staff recommends the City Council authorize payment to Eureka, as a means to memorialize acceptance of the terms under which the work was awarded to Eureka. These terms are detailed in the attached work order.

<b>RECOMMENDED MOTION(S):</b>
MOTION: Move to authorize payment of Eureka Construction Work Order #031, to correct a 37th Place stormwater improvement in the amount of \$38,414.

**ATTACHMENT(S)**

Eureka Construction Inc Field Work Order #FWO-031