

# HENNEPIN COUNTY

## MINNESOTA

### FINAL BOARD AGENDA

#### BOARD OF HENNEPIN COUNTY COMMISSIONERS

##### Hennepin County Regional Railroad Authority

Tuesday, November 27, 2018

1:30 PM

Chair: Peter McLaughlin, District 4

Vice-Chair: Mike Opat, District 1

Members: Linda Higgins, District 2

Marion Greene, District 3

Debbie Goettel, District 5

Jan Callison, District 6

Jeff Johnson, District 7

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1. **Approval of the Agenda**

2. **Minutes from Previous Meeting**

A. Minutes 11-06-2018

B. Minutes - Special Meeting 11-15-2018

3. **Claims Register**

A. **18-HCRRRA-0057**

Claims Register for the period ending November 7, 2018

4. **New Business**

A. **18-HCRRRA-0058**

Neg Amd 2 to Agmt A165602 with Met Council for project development activities on the Orange Line Bus Rapid Transit project, extend the contract period to 12/31/19, no change in NTE of \$4,810,000

B. **18-HCRRRA-0059**

Neg Amd 3 to Agmt A176897 with Met Council for the engineering phase of the METRO Blue Line Extension LRT Project, extending the period to 06/30/19, no change to NTE

# HENNEPIN COUNTY

## MINNESOTA

### MEETING MINUTES

**BOARD OF HENNEPIN COUNTY COMMISSIONERS**  
**HENNEPIN COUNTY REGIONAL RAILROAD AUTHORITY**  
TUESDAY, NOVEMBER 6, 2018  
1:30 PM

Chair: Peter McLaughlin, District 4  
Vice-Chair: Mike Opat, District 1

Members: Linda Higgins, District 2  
Marion Greene, District 3  
Debbie Goettel, District 5  
Jan Callison, District 6  
Jeff Johnson, District 7

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The Board of Commissioners of the Hennepin County Regional Railroad Authority met in the Hennepin County Government Center on November 6, 2018. The meeting was called to order at 2:02 PM by Commissioner McLaughlin, Chair. All Commissioners were present with the exception of Commissioner Jeff Johnson who was absent.

**1. Approval of the Agenda**  
**APPROVED**

Commissioner Peter McLaughlin moved to approve the Agenda, seconded by Commissioner Linda Higgins and approved - 6 Yeas 1 Absent: Johnson

**2. Minutes from Previous Meeting**

**A. Minutes 10-25-2018**  
**APPROVED**

Commissioner Debbie Goettel moved to approve the Minutes, seconded by Commissioner Jan Callison and approved - 6 Yeas 1 Absent: Johnson

**3. Claims Register**

**A. 18-HCRR-0055**

Claims Register for the period ending October 17, 2018

BE IT RESOLVED, that the Claims Register for the period ending October 17, 2018 be approved/ratified.  
**APPROVED/RATIFIED**

Commissioner Linda Higgins moved to approve/ratify, seconded by Commissioner Marion Greene and approved - 6 Yeas 1 Absent: Johnson

**4. Adjournment**

There being no further business of the meeting of the Regional Railroad Authority for Tuesday November 6, 2018, the meeting was declared adjourned at 2:04 PM.

Karen Keller  
Deputy Clerk to the County Board

Contracting opportunities can be found on the Hennepin County website: [www.hennepin.us](http://www.hennepin.us)

# HENNEPIN COUNTY

## MINNESOTA

### MEETING MINUTES

**BOARD OF HENNEPIN COUNTY COMMISSIONERS**  
**HENNEPIN COUNTY REGIONAL RAILROAD AUTHORITY**  
THURSDAY, NOVEMBER 15, 2018  
1:30 PM

Chair: Peter McLaughlin, District 4  
Vice-Chair: Mike Opat, District 1

Members: Linda Higgins, District 2  
Marion Greene, District 3  
Debbie Goettel, District 5  
Jan Callison, District 6  
Jeff Johnson, District 7

The Board of Commissioners of the Hennepin County Regional Railroad Authority met in the Hennepin County Government Center on November 15, 2018. The meeting was called to order at 2:07 PM by Commissioner Peter McLaughlin, Chair. All Commissioners were present.

#### 1. Approval of the Agenda

Commissioner Jan Callison moved to approve the Agenda, seconded by Commissioner Mike Opat and approved - 7 Yeas

#### APPROVED

#### 2. New Business

##### A. 18-HCRRRA-0056

Approval of Green Line Extension work under Letter of No Prejudice, pre-award authority work, new grant agreement

BE IT RESOLVED, that the Board of the Hennepin County Regional Railroad Authority, as required by current grant agreements, hereby approves the work on the Green Line Extension light rail transit project and funding amounts authorized under the Letter of No Prejudice from the Federal Transit Administration dated November 14, 2018 and on file with the clerk; and

BE IT FURTHER RESOLVED, that the Board provides its approval, as required under current grant agreements, for the Metropolitan Council to use up to \$20,484,784 of HCRRRA grant funds to make expenditures under relevant grant agreements, for the following activities and not-to-exceed amounts, to the extent allowable under federal Pre-Award Authority:

Pre-Award Activities	Total Amount	Hennepin County Share	HCRRRA Share
Civil Construction Contract Activities: Long Lead Procurement and Public Utility Relocation	\$50,040,000	\$40,032,000	\$10,008,000
Private Utility Relocation	\$7,500,000	\$6,000,000	\$1,500,000
Construction Vehicle Lease	\$450,000	\$360,000	\$90,000
Light Rail Vehicles	\$44,433,921	\$35,547,137	\$8,886,784
<b>Totals</b>	<b>\$102,423,921</b>	<b>\$81,939,137</b>	<b>\$20,484,784</b>

BE IT FURTHER RESOLVED, that all previously approved pre-award authorizations under existing contracts will remain in effect under the new agreement.

BE IT FURTHER RESOLVED, that the Board authorizes negotiation of Agreement PR00000689, Capital Grant Agreement for the LNTP Period for the Southwest Corridor Light Rail Transit (Green Line Extension) Project with the Metropolitan Council and Hennepin County, with a grant activity period of December 1, 2018, to August 31, 2019, with a Maximum Grant Amount of \$434,901,943, of which Hennepin County will contribute up to \$347,921,554 (CP 1005876) and HCRRRA will contribute up to \$86,980,389 (CP 1000899); and

BE IT FURTHER RESOLVED, that the Board authorizes the Chair to execute Agreement PR00000689, after review and approval by the office of the County Attorney; and

BE IT FURTHER RESOLVED, that the Board authorizes the Controller to transfer and disburse funds as necessary to carry out the intent of this Resolution; and

BE IT FURTHER RESOLVED, that the Board approvals herein do not waive any obligations of the Metropolitan Council under any relevant grant agreement.

**ADOPTED**

Commissioner Jan Callison moved to adopt, seconded by Commissioner Debbie Goettel and approved - 6 Yeas 1 Nays: Johnson

**3. Adjournment**

Commissioner Debbie Goettel moved to adjourn, seconded by Commissioner Jeff Johnson. The Regional Railroad Authority adjourned at 2:09 PM until Tuesday, November 27, 2018.

Yolanda C Clark  
Deputy Clerk to the Board

**Contracting opportunities can be found on the Hennepin County website: [www.hennepin.us](http://www.hennepin.us)**

# HENNEPIN COUNTY

## MINNESOTA

### Regional Railroad Authority Board Action Request 18-HCRRRA-0057

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**Item Description:**

Claims Register for the period ending November 7, 2018

**Resolution:**

BE IT RESOLVED, that the Claims Register for the period ending November 7, 2018 be approved/ratified.

**Background:**

Resolution 20-HCRRRA-84 amended the By-Laws of Hennepin County Regional Railroad Authority, Article IV, to require that all warrants issued on behalf of the authority shall be approved as a Claims Register at board meetings. Resolution 33R1-HCRRRA-93 amended the By-Laws, moving the Claims Register requirement to Article XI. Resolution 07-HCRRRA-18 allows checks to be signed and issued consistent with Hennepin County procedures.

**ATTACHMENTS:**

Description	Upload Date	Type
Claims Register for the period ending November 7, 2018	11/19/2018	Claims

HENNEPIN COUNTY REGIONAL RAILROAD AUTHORITY CLAIMS  
Period Ending November 7, 2018

ACCOUNT	VENDOR	DESCRIPTION	AMOUNT
Consulting	Boothe Transit Consulting LLC	Federal lobbying - September 2018	\$ 4,000.00
Consulting	Boothe Transit Consulting LLC	Federal lobbying - October 2018	\$ 4,000.00
Consulting	Messerli   Kramer	MN Legislative representation - June	\$ 3,333.33
Consulting	Messerli   Kramer	MN Legislative representation - July	\$ 3,333.33
Consulting	Messerli   Kramer	MN Legislative representation - August	\$ 3,333.33
Consulting	Messerli   Kramer	MN Legislative representation - September	\$ 3,333.33
Consulting	The Rotunda Group	State lobbying - September	\$ 1,750.00
Maintenance	Tree Trust	HCRRA corridors - September	\$ 20,108.14
Maintenance	Voss Signs	RRA corridor culvert replacement	\$ 128.75
Utility	City of Golden Valley - Utility	Storm water fee - 0000 York Ave - third quarter	\$ 24.00
Utility	Minneapolis Finance - Utility	Storm drainage fee - 301 10th Ave S - September	\$ 221.66
<b>Total</b>			<b>\$ 43,565.87</b>

# HENNEPIN COUNTY

## MINNESOTA

### Regional Railroad Authority Board Action Request 18-HCRRRA-0058

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#### Item Description:

Neg Amd 2 to Agmt A165602 with Met Council for project development activities on the Orange Line Bus Rapid Transit project, extend the contract period to 12/31/19, no change in NTE of \$4,810,000

#### Resolution:

BE IT RESOLVED, that the Executive Director be authorized to negotiate Amendment 2 to Cooperative Funding Agreement A165602 with the Metropolitan Council (Council Document #161013) for project development activities on the Orange Line Bus Rapid Transit project (CP 1003739) Project Development phase, extending the contract period from December 31, 2018 to December 31, 2019, with no change in the not to exceed amount of \$4,810,000, that following review and approval by the County Attorney's Office, the Chair be authorized to sign the amendment on behalf of the authority; and that the Controller be authorized to disburse funds as directed.

#### Background:

**History:** The Orange Line Bus Rapid Transit (BRT) project extends from Downtown Minneapolis 17 miles south along I-35W to Burnsville. The project will have 11 stations in Hennepin County and two stations in Dakota County. The total capital cost for the project is estimated to be \$150.7 million with the following funding partners: Federal Transit Administration (FTA) Small Starts (\$74.1 million), Hennepin County (\$25.4 million), State of Minnesota/Metropolitan Council (\$15.5 million), Hennepin County Regional Railroad Authority (HCRRRA) (\$12.8 million), federal non-FTA (\$8.8 million), Counties Transit Improvement Board (\$7.9 million), and Dakota County Regional Railroad Authority (\$6.2 million).

The HCRRRA board authorized funding 8.6 percent of the total project cost in an amount not to exceed \$12.79 million, the remaining 1.4 percent of the local funding will be provided by the Dakota County Regional Railroad Authority (Resolution 15-HCRRRA-0021). That same resolution limited the amount of funding that could be spent ahead of receiving the Project Construction Grant Agreement from the FTA to \$2.66 million.

In February 2017, the FTA approved a Letter of No Prejudice (LONP) covering \$46.9 million of construction activities and professional services associated with the 12th Street Ramp and Lake Street Station. These elements of the Orange Line BRT project were approved because they are part of the I-35W reconstruction project led by the Minnesota Department of Transportation.

Construction of these elements began in 2018. While the expenditure of local funds prior to receiving the Project Construction Grant Agreement is at risk, the LONP will allow these funds to be counted toward the local match for the anticipated federal grant. This action does not increase HCRRRA's total funding commitment of \$12.79 million to this project.

The HCRRRA board authorized Amendment 1 to Agreement A165602 to extend the contract date from March 31, 2018 to December 31, 2018 and increasing the amount pursuant to the LONP by \$2,150,000 for a new not to exceed amount of \$4,810,000 (Resolution 18-HCRRRA-0015).

The Metropolitan Council is in the process of applying for a federal Small Starts Grant Agreement (SSGA) from the FTA in the amount of \$74.1 million. The amount of HCRRRA's 2019 funding contribution will be determined once the Metropolitan Council learns if the SSGA will be executed in the first quarter of

2019. If the project receives the SSGA, and corresponding federal funds, the council will not request any HCRRA funding in 2019. If the SSGA is not awarded, the council will request \$2.6 million in funding in 2019 which would require additional HCRRA board authorization.

As of October 2019, the HCRRA has disbursed \$4.75 million for the Orange Line project.

**Current Request:** Authorization to negotiate Amendment 2 to Cooperative Funding Agreement A165602 with the Metropolitan Council for the Orange Line Bus Rapid Transit project (CP 1003739) Project Development phase, extending the contract period from December 31, 2018 to December 31, 2019 with no change in the not to exceed amount of \$4,810,000.

**Impact/Outcomes:** Amendment 2 to Agreement A165602 will allow for a contract extension from December 31, 2018 to December 31, 2019.

**ATTACHMENTS:**

Description	Upload Date	Type
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# HENNEPIN COUNTY

## MINNESOTA

### Regional Railroad Authority Board Action Request 18-HCRRRA-0059

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#### Item Description:

Neg Amd 3 to Agmt A176897 with Met Council for the engineering phase of the METRO Blue Line Extension LRT Project, extending the period to 06/30/19, no change to NTE

#### Resolution:

BE IT RESOLVED, that the Executive Director be authorized to negotiate Amendment 3 to Cooperative Funding Agreement A176897 with the Metropolitan Council (Council Document #171003) for the METRO Blue Line Extension Light Rail Transit Project (CP 1000941) engineering phase activities, extending the contract period from December 31, 2018 to June 30, 2019, with no change in the not to exceed amount of \$50.89 million; that following review and approval by the County Attorney's Office, the Chair be authorized to sign the amendment on behalf of the authority; and that the Controller be authorized to disburse funds as directed.

#### Background:

**History:** Resolution 17-HCRRRA-0007 authorized Cooperative Funding Agreement A176897 with the Metropolitan Council for the provision of up to \$50.89 million for the METRO Blue Line Extension Light Rail Transit (LRT) Project (CP 1000941) engineering phase activities. Additionally, Agreement A176897 identified up to \$28.6 million of the not to exceed amount, to be reviewed and encumbered quarterly by the HCRRRA, for pre-award authority and Letter of No Prejudice (LONP) activities.

Under the Federal Transit Administration (FTA) New Starts program's pre-award authority, costs associated with acquisition of right of way, light rail vehicles, utility relocation, demolition, and long lead procurement items can be incurred prior to award of the Full Funding Grant Agreement (FFGA) and retain the eligibility of those costs for subsequent reimbursement after grant approval. The grantee assumes all risk and is responsible for ensuring that all conditions are met to retain eligibility. In addition, the Metropolitan Council may initiate construction activities prior to award of the FFGA through the use of a FTA approved LONP for specified construction activities.

Staff works closely with the Bottineau Project Office to review and disburse these funds on a regular basis to ensure accountability and timely availability of funds to continue to advance the METRO Blue Line Extension LRT project.

Total HCRRRA pre-award amount authorized to date is \$6,660,000.

- First quarter 2017 request \$500,000 for acquisition of three critical path parcels (Resolution 17-HCRRRA-0013)
- Third quarter 2017 request \$1,760,000 for utility relocation (i.e., Bassett Creek Storm Sewer crossing of Trunk Highway 55) (Resolution 17-HCRRRA-0027)
- Fourth quarter 2017 request \$3,200,000 for acquisition of eight critical path parcels (Resolution 17-HCRRRA-0039)
- Second quarter 2018 request \$1,200,000 for acquisition of 43 parcels (Resolution 18-HCRRRA-0019)

Resolution 18-HCRRRA-0019 authorized Amendment 1 to Agreement A176897 with the Metropolitan Council for the METRO Blue Line Extension LRT Project (CP 1000941) engineering phase activities, extending the contract date from April 30, 2018 to September 30, 2018, with no change in the not to exceed amount of

\$50.89 million (Resolution 18-HCRRRA-0019).

Resolution 18-HCRRRA-0043 authorized Amendment 2 to Agreement A176897 with the Metropolitan Council for the METRO Blue Line Extension LRT Project (CP 1000941) engineering phase activities, extending the contract date from September 30, 2018 to December 31, 2018, with no change in the not to exceed amount of \$50.89 million

As of September 30, 2018, the HCRRRA had disbursed \$22.7 million for the METRO Blue Line Extension LRT Project.

**Current Request:** Authorization to negotiate Amendment 3 to Cooperative Funding Agreement A176897 with the Metropolitan Council for the METRO Blue Line Extension LRT Project (CP 1000941) engineering phase activities, extending the contract period from December 31, 2018 to June 30, 2019, with no change in the not to exceed amount of \$50.89 million.

**Impact/Outcomes:** Amendment 3 to Agreement A176897 will allow for continued work on the METRO Blue Line Extension LRT to advance the project toward a full funding grant agreement.