

**PUBLIC WORKS AND SAFETY COMMITTEE**

Wednesday, July 27, 2016 – 4:15 p.m.

City Council Chambers

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MEMO TO: Public Works and Safety Committee  
FROM: City Clerk's Office  
RE: Agenda for Wednesday, July 27, 2016, 4:15 p.m.

**1. Four Way Stop Control at the Intersection of Central Ave & Main St.**

A recent request from the Public Works and Safety Committee prompted an engineering study at the intersection of Central Ave & Main St.

The Manual of Uniform Traffic Control Devices (MUTCD) states a street carrying the lowest volume of traffic or a street entering a through street should be the street that is stopped. Additionally, four way stop control is used where the volume of traffic on the intersecting roads is approximately equal.

The above intersection and the stop direction was reviewed in accordance with these guidelines. However, additional considerations for pedestrians, bicyclists and all road users expecting other road users to stop must be recognized.

The following criteria from the MUTCD was reviewed to support a four way stop controlled intersection:

1. The need to control vehicle / pedestrian conflicts near locations that generate high pedestrian volumes.
2. Locations where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is required to stop.

It is recommended the Committee and Council pass an [ordinance](#) on first reading adding to the list of City Council created traffic restrictions provided for in section 20-2 of the City of Minot Code of Ordinances; Stop Signs and Yield Signs.

**2. Engineering Study at the intersection of 1<sup>st</sup> Street / 18<sup>th</sup> Avenue SE**

An investigation was recently completed regarding motorist safety at the uncontrolled intersection of 1st Street / 18th Avenue SE. The engineering study consisted of applying AASHTO's guidelines for intersection sight triangles.

The departure sight distance required for viewing west bound traffic on the major street (18th Avenue SE) is inadequate for drivers on the minor street (1st Street SE) to determine potentially conflicting vehicles approaching the intersection.

Field observations suggest that stop control at the intersection will enhance traffic operations for maneuvers onto or through the major street. Therefore, consideration should be given to installing stop signs as follows:

<b>STOP STREET</b>	<b>AT ITS INTERSECTION WITH</b>
1st Street SE	18th Avenue SE

It is recommended the Committee and Council pass an [ordinance](#) to install a stop sign at the intersection of 1st Street SE and 18th Avenue SE.

**3. Mouse River Enhanced Flood Protection Project- Souris Valley Temporary Improvements for Levee Construction (3529)**

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As design of the Mouse River Enhanced Flood Protection Project has progressed, it became apparent temporary modifications to the Souris Valley Golf course would need to be installed in preparation for when phase 2 of the flood protection project disrupts the course in 2017.

On Wednesday, June 22, 2016, bids were opened for the above referenced project. There were two contractors who bid this work and the tabulation is as follows:

Cordova Construction	\$132,361
Duininck Inc.	\$165,290

A cost share was requested from the State Water Commission and they determined this work to be ineligible for cost share for flood protection work. It was pointed out to the SWC the Park District has been a good partner in the development of the MREFPP plans and has not asked for any reimbursement for land needed for the levee work or for potential loss of play at the course during construction, but the SWC still denied the cost share for this work. This work would not be necessary if flood protection was not being built.

**Fiscal Impact:** Per agreement with the Souris River Joint Board the City is providing the local match for the MREFPP throughout the entire valley. Funding for this work is from Sales tax dedicated to flood control.

It is recommended the Committee and Council approve the low bid from Cordova Construction in the amount of \$132,361 and approve paying the entire cost for the golf course temporary improvements.

### **4. Award of Bid – Fire Equipment**

On June 28, 2016, bids were opened for the necessary fire equipment to be placed on the new engine assigned to 55th Crossing Fire Station. Four bids were received and broken down by type of equipment.

Section 1: Heiman (\$7,487.45), M&T (\$7,159.00), Fire Safety USA (\$7,440.00) and Dakota Fire Extinguishers (\$7,661.94)

Section 2: Heiman (\$13,516.50), M&T (\$14,952.00), Fire Safety USA (\$12,370.00) and Dakota Fire Extinguishers (\$15,858.51)

Section 3: Heiman (\$6,465.85), M&T (\$6,846.00), Fire Safety USA (no bid) and Dakota Fire Extinguishers (\$6,964.25)

Section 4: Heiman (\$7,928.60), M&T (\$9,461.00), Fire Safety USA (\$8,965.00) and Dakota Fire Extinguishers (\$10,294.04)

**Fiscal Impact:** Funds are budgeted in fire control operation supplies.

It is recommended the Committee and Council accept the following bids:

Section 1: M&T; \$7,159.00

Section 2: Fire Safety USA; \$12,370.00

Section 3: Heiman; \$6,465.85

Section 4: Fire Safety USA; \$8,965.00

The low bid from Heiman was incomplete, therefore, Fire Safety USA is the low bidder.

### **5. Sidewalk Repair Requests**

Section 28-80 of the Minot Municipal Code states it is the duty of the owner to maintain sidewalks adjacent to their properties. On May 3, 2016, the Engineering Department sent certified letters to several property owners requesting they repair/install sidewalks adjacent to their properties. The following is a list of properties and owners that have

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either not performed the work, or have signed waivers for the work to be completed by the City:

<b>Owner</b>	<b>Physical Address for Sidewalk Repairs</b>	<b>Status</b>
Travis Johnson	3117 10th St NW	No response
Tanner & Alisha Dumm	913 31st Ave NW	No response
Ryan Simon	909 31st AVE NW	No response
Benito C & Jennifer Isla	3100 8th St NW	Waiver received 8/19/2015
Jeffrey & Melinda Patterson	3021 11th ST NW	Waiver received 5/17/2016
Angel Dizosno	3001 11th St NW	Waiver received 5/16/2016
Travis S Kremer	802 11TH ST NE	No response
Joan Lambert	800 11TH ST NE	No response
William Swift	3327 Spruce Lane SE	No response
Ron & Beverly Nelson	2039 5th St NW	No response
Bryan & Marty Hoskin	2033 5th St NW	No response
David & Todd Peery, Pierce & Linda Bogg	1912 Skyline Dr	Waiver received 5/20/2016
David & Sandra Wittliff	2006 6th ST NW	Waiver received 5/12/2013
Patrick & Deborah Sheldon	2000 11th Ave NW	Waiver received 5/11/2016
Michael & Joni Cruff	119 18th St SW	Waiver received 7/8/2016

Per Section 40-29-04 and 40-29-05 of the North Dakota Century Code, it is recommended the Committee and Council order the work to be performed by the City’s Contractor, and the expense of constructing, repairing or rebuilding the sidewalk shall be assessed to the properties.

**6. Hillcrest Drive Retaining Wall Engineering Contract Amendment 1 (4088.1)**

The Hillcrest retaining walls and utility improvements are going well. The utility work is complete and the retaining walls have started construction.

Last year, during the preliminary study on this project, a section of the wall failed, and staff asked KLJ to accelerate the design of geotechnical work to understand if a project had to be done in an emergency situation. There was a cost to do the required geotechnical work of \$12,334.75. The geotechnical study results were then applied to the design of this project for the permanent wall improvements.

Because the work was ordered to be done before this contract was initiated, the cost needs to be added to the scope of KLJ’s current contract.

**Fiscal Impact:** General obligation bond will fund this project.

Therefore, it is recommended the Committee and Council approve the contract amendment with KLJ in the amount of \$12,334.75 and authorize the Mayor to sign the amendment.

**7. 37th Ave SW Reconstruction Engineering Amendment 1 (4070)**

The 37<sup>th</sup> Ave SW Reconstruction is proceeding well. Currently, it is on track to start road paving in August. The City received an excellent bid price for this project at \$6.6 million which was 27.4% under the \$9.1 million estimate.

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While this is a good position to be in, the low bid significantly affects the City's consulting engineering contract amount with Apex Engineering Group. The engineering contracts are based on a percentage of construction cost. Typically, the bid price is close to the estimated construction cost and there is no issue. In this case, the project was bid significantly under the estimated price and the engineering contract is approaching the maximum amount. This has only happened a couple of times and is considered rare.

Apex Engineering Group has done what it can to reduce hours billed to the project while still ensuring the City receives a good product. Apex estimates they need \$145,487 to see the project to completion. If the project would have been bid close to the estimate, the total fee Apex is requesting would be 9.7%, which is below the 11% of construction cost maximum allowable by City policy. The amendment would continue the hourly rate not to exceed the maximum cost cap. If there are remaining funds in the contract, they would not be billed to the City. The additional costs will be project costs.

Based on this analysis, the fee requested is reasonable for the scope of work remaining. Staff recommends the Committee and Council approve the contract amendment with Apex Engineering Group for \$145,487 for 37<sup>th</sup> Ave SW Reconstruction and authorize the Mayor to sign the amendment.

### **8. 36<sup>th</sup> Ave NW Extension to Broadway Engineering Amendment 2 (4071)**

The 36<sup>th</sup> Ave NW Extension to Broadway is not proceeding with construction as planned. The subcontractor has progressed at a very slow rate and the construction is not progressing as scheduled. The City received an excellent bid price for this project at \$2.9 million which was 25% under the \$3.8 million estimate. The low bid for the project was substantially below our engineer's opinion of probable cost, most likely due to the downturn in oil activity.

While this is a good position to be in, the low bid significantly affects the City's consulting engineering contract amount with Moore Engineering. The engineering contracts are based on a percentage of construction cost. Typically, the bid price is close to the estimated construction cost and there is no issue. In this case, the project was bid significantly under the estimated price and the engineering contract is approaching the maximum amount. This has only happened a couple of times and is considered rare.

Moore Engineering has done what it can to reduce hours billed to the project while still ensuring the City receives a good product. Moore estimates they need \$118,255 to see the project to substantial completion. If the project would have been bid close to the estimate, the total fee Moore is requesting would be 11.9%, which is below the 12% of construction cost maximum allowable by City policy. The amendment would continue the hourly rate not to exceed the maximum cost cap. The additional costs will be project costs.

Based on the current progress, the City expects this contract to go into liquidated damages. As such, any additional cost for work provided by Moore Engineering after the substantial completion date will be offset with the money received for liquidated damages.

Based on this analysis, the fee requested is reasonable for the scope of work remaining. Staff recommends the Committee and Council approve the contract amendment with Moore Engineering for \$118,255 for 36<sup>th</sup> Ave NW Extension to Broadway and authorize the Mayor to sign the amendment.

### **9. Award of Bid – Puppy Dog Sewer System Improvements- Phase 6 (3020.5)**

In 2015, the City of Minot was awarded US Army Corps of Engineers Section 594 grant funds to construct another phase of the Puppy Dog Sewer System Improvements.

This phase of the project will consist of a parallel pipeline to improve conveyance from the confluence of the Puppy Dog and First Larson interceptor pipes (manhole 34) to the Puppy Dog Lift Station on 37<sup>th</sup> Ave SE.

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Ackerman-Estvold Engineering was selected to provide engineering services for the Puppy Dog Improvement Projects. Plans and specifications were approved for bid by the Council at the April City Council meeting.

There were seven (7) bidders on this project. A copy of the [bid tabulation](#) is attached to this memo. The low bidder was Utility Systems of America in the amount of \$4,925,861.30

**Fiscal Impact:** The engineers estimate for this project was \$5,249,617. There is \$1,950,000 available from the USACE in 594 funding for this project. Remaining funding would be from utility bonds

It is recommended the Committee and Council award the bid to Utility Systems of America in the amount of \$4,925,861.30 for Puppy Dog Sewer System Improvements- Phase 6, authorize the Mayor to sign contracts on behalf of the City and adopt a resolution authorizing the use of utility bonds.

### **10. Ordinances on Second Reading**

- a. [Ordinance No. 5096](#) – Amend the 2016 Annual Budget- Grid X-Ray System
- b. [Ordinance No. 5097](#) – Amend the 2016 Annual Budget- Surface Pro 4 Tablets and Accessories