



City of Grand Forks
Staff Report

Committee of the Whole – August 12, 2019
City Council – August 19, 2019

APPROVED & ACCEPTED
by City Council

08/19/19

Maureen Storstad
Maureen Storstad
City Auditor

Agenda Item: Preliminary Engineering Reimbursement Agreement for City Project No. 7978, Reconstruction of Washington Street Underpass, 5th Ave S to 1st Ave N

Submitted by: Engineering Department, Mark S. Walker, PE (Assistant City Engineer)
Mike Yavarow, PE (Civil Engineer Principal)

Staff Recommended Action: **Approve Preliminary Engineering Reimbursement Agreement with the North Dakota Department of Transportation for City Project No. 7978, Reconstruction of Washington Street Underpass, 5th Ave S to 1st Ave N**

Committee Recommended Action: Refer to City Council with the recommendation to approve.

Council Action: Approved unanimously on consent agenda.

BACKGROUND:

This project is proposed to reconstruct the Washington Street railroad underpass and the street from 5th Avenue S to 1st Avenue N utilizing approximately \$14.2M in federal funding. Before Federal funds may be allocated to Preliminary Design Engineering work, the City must enter into an agreement stating that should the City decide to terminate or change the scope of the project, the City will be responsible for all costs incurred by the North Dakota Department of Transportation (NDDOT).

The NDDOT has hired a consultant to conduct a structural analysis of the railroad underpass and adjacent retaining walls to determine the approximate remaining life span of the structure. The concern for the condition of the railroad underpass was brought up as a result of the 2012 Washington St Corridor Study. Concrete cores taken at that time indicated the concrete structure was deteriorating due to chemical reactions between the cement and the aggregates. Such damage is not reversible or repairable and the only long term corrective option is replacement. Additional concrete cores have been taken this summer which will be analyzed to determine the extent of this chemical reaction.

In addition to the poor condition of the underpass structure, the pavement is also in poor condition. Adjacent sidewalks are heaved, lighting is poor, railings are in need of replacing, and the stormwater pump station that drains stormwater from the site is in poor condition.

The railroad underpass was originally constructed in 1937 as a two lane wide and in 1964 was expanded to four lanes wide. In 1985, a CPR project repaired panels and ground the surface. In 2003 a 1½” asphalt overlay was installed. In 2017 an asphalt overlay was installed as a temporary fix. In 2018 a mill and asphalt overlay project was installed from Hammerling Avenue to 8th Avenue N.

ANALYSIS AND FINDINGS OF FACT:

- The NDDOT is now looking for a commitment from the City to proceed with this project.
- The basis of the attached Reimbursement Agreement is that the NDDOT agrees to proceed with the preliminary design of the project and the City agrees to reimburse the NDDOT for all Preliminary Engineering expenses incurred if the City terminates or materially reduces the project scope.
- Assuming the City does not terminate or materially reduce the project scope, the City will decide in the environmental document at the end of the preliminary phase whether it concurs with the option to proceed with the project.
- If the project proceeds, the City will be responsible under a future Cost Participation and Maintenance Agreement for 10% of all project related costs.
- Construction is currently anticipated to take place during the 2022 construction season.
- The Federal/State/City funding participation rates are 80.93/9.07/10% respectively.
- The total project cost is currently estimated at \$17.6M; however, project costs will be better defined as the project develops.
- The current estimated total project costs are as follows:

\$17,600,000	Total Cost
\$14,243,680	Less Federal Share
<u>\$ 1,596,320</u>	Less State Share
\$ 1,760,000	Local Share

SUPPORT MATERIALS:

- Pertinent pages of Proposed Agreement (3 pages)
- Attachment A (indicating project information – 1 page)
- Project location map (1 page)

**North Dakota Department of Transportation
PRELIMINARY ENGINEERING REIMBURSEMENT AGREEMENT**

This agreement is between the state of North Dakota, acting by and through its Director of Transportation, hereinafter referred to as NDDOT, whose address is 608 East Boulevard Avenue, Bismarck, North Dakota 58505-0700, and Grand Forks, North Dakota, hereinafter referred to as the City.

WHEREAS, the City has requested that NDDOT proceed with reconstruction of roadway and structure on Washington Street from 5th Avenue South to 1st Avenue North; and;

WHEREAS, the City requests that the project be designed in accordance with Attachment A, attached hereto and incorporated by reference.

NOW, THEREFORE, it is agreed that NDDOT will take all necessary steps to design and construct the project in accordance with the Environmental Document and plans approved by the City, and schedule a bid opening at such time as funding and plan completion allows.

The City agrees that should it unilaterally and voluntarily terminate this agreement by whatever means or action, it shall reimburse NDDOT for any and all costs it has incurred for engineering services under this agreement.

The City further agrees that should it request or otherwise cause a material alteration to, or a reduction of the scope of the project, it shall reimburse NDDOT for any and all costs it has incurred for engineering services under this agreement.

In the event the City fails to reimburse NDDOT, such failure shall constitute an assignment of funds, derived from the State Highway Tax Distribution Fund now or hereafter coming into the hands of the State Treasurer to the credit of the City, and that the State Treasurer is hereby directed to deliver and pay over to NDDOT all funds credited to the City until the total thereof equals the sum billed pursuant to this agreement.

Appendices A and E of the Title VI Assurances, attached, are hereby incorporated into and made a part of this agreement.

The Risk Management Appendix, attached, is hereby incorporated and made a part of this agreement.



Executed by the city of Grand Forks, at Grand Forks North Dakota, the last date below signed.

APPROVED:

CITY ATTORNEY (TYPE OR PRINT)

City of _____

SIGNATURE

NAME (TYPE OR PRINT)

DATE

SIGNATURE

*

TITLE

DATE

ATTEST:

CITY AUDITOR (TYPE OR PRINT)

SIGNATURE

DATE

Executed for the North Dakota Department of Transportation by the Director at Bismarck, North Dakota, the last date below signed.

APPROVED as to substance by:

NORTH DAKOTA
DEPARTMENT OF TRANSPORTATION

LOCAL GOVERNMENT ENGINEER (TYPE OR PRINT)

DIRECTOR (TYPE OR PRINT)

SIGNATURE

SIGNATURE

DATE

DATE

*Mayor or President City Commission

CLA 17057 (Div. 38)
L.D. Approved 7-17-89; 08-18



**North Dakota Department of Transportation
AUTHORIZATION**

At a _____ meeting held on the ____ day of _____ 20____, it was moved by _____ and seconded by _____ that the attached agreement be approved and that the * and city auditor be authorized to execute in behalf of the city of _____ and that two executed copies be returned to the North Dakota Department of Transportation Director.

Adopted on a vote of _____ aye, _____ nay, _____ absent.

ATTEST:

APPROVED:

CITY AUDITOR (TYPE OR PRINT)

City of _____

SIGNATURE

NAME (TYPE OR PRINT)

DATE

SIGNATURE

*

TITLE

DATE

*Mayor or President City Commission



Attachment A

Project: NHU-6-081(098)943, PCN 22167 – Grand Forks, Washington Street (5th Ave S to 1st Ave N)

Length: 0.2 Mile

Classification: US Highway 81 – Principal Arterial, Interregional Corridor

Cost Participation: Secondary Regional – 80.93% Federal, 9.07% State, 10% Local

Funding:	\$17,600,000	Total
	\$14,243,680	Federal
	\$1,596,320	State
	\$1,760,000	Local

Proposed STIP Info:

Proposed Improvement: Reconstruction of Roadway and Structure

Tentative Bid Date: November 12, 2021

Construction Year: 2022

Purpose and Need Statement:

Reconstruction of the structure and roadway was recommended by the MPO's corridor study. The reconstruction segment was originally built in 1937 and 1964. Concrete cores indicated the main cracking is result of ACR and ASR. The pavement is in poor condition. The City has done a number of overlays. The crown of the roadway has rutted and allows water to pool at the underpass. The roadway panels are cracking. Therefore, a poor ride. Also, the sidewalks are heaved, poor lighting, and the railing needs updating.

Proposed Improvements:

The project is for reconstruction of the roadway and structure for Washington Street from 5th Avenue South to 1st Avenue North. Lift station replacement capable to handle a 25 year design storm event.

North 15th Street

North 14th Street 2nd Avenue North

1st Avenue North

Dyke Avenue

Dyke Avenue

Torks Subdivision

North Washington Street
US 13600B138.146.01

South Washington Street
US 13600B138.146.01

5th Avenue South

ND 297
CR 4

ND 297
CR 4
97E000M

ND 297
CR 4

ND 297
CR 4

Demers Avenue

ND 297
CR 4

Lemare Avenue

7th Avenue South

150 300ft

