



Resolution 2024-102

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO RACHEL CONTRACTING, LLC FOR THE BASE BID AMOUNT OF \$2,696,269.60, AND ACCEPTING ADD ALTERNATES NO. 1 AND NO. 2 IN THE AMOUNT OF \$288,717.00 AND \$26,803.30 RESPECTIVELY, FOR A TOTAL CONTRACT AMOUNT OF \$3,011,789.90, FOR THE OLE OLSON PARK SITE AND TRAIL IMPROVEMENTS PROJECT, BID EVENT MPLMN #2950, PENDING REVIEW BY THE CITY OF MINNEAPOLIS FINANCE AND PROPERTY SERVICES - PROCUREMENT DIVISION AND MINNEAPOLIS CIVIL RIGHTS DEPARTMENT, AND FURTHER AUTHORIZING ADMINISTRATIVE USE OF 10% CONSTRUCTION CONTINGENCY UP TO \$301,178.99 FOR NECESSARY CONSTRUCTION CHANGE ORDERS THAT MAY ARISE WITH THE CONTRACT

Whereas, The Minneapolis Park and Recreation Board (MPRB) is the steward of Minneapolis park system;

Whereas, The MPRB is authorized to contract with public and private entities in the performance of its functions;

Whereas, The MPRB owns and operates Ole Olson Park which is a part of the Above the Falls Regional Park;

Whereas, The MPRB has gained permissions to cross portions of BNSF Railway property and Continental Cement Company property, as well as a park use license with the City of Minneapolis at the 26th Avenue North Overlook;

Whereas, The MPRB has received funding through a General Obligation Bond which is administered through the Metropolitan Council, a grant from the Mississippi Watershed Management Organization, and is in the process of receiving an Environmental Response Fund grant through Hennepin County;

Whereas, The Board of Commissioners approved a concept plan for the Ole Olson trail connection through Resolution 2022-278 on September 7, 2022;

Whereas, The MPRB received five (5) publicly solicited bids on April 23, 2024, per Bid Event MPLMN #2950, Ole Olson Park Site and Trail Improvements;

Whereas, Bids have been reviewed and tabulated with the apparent low bid submitted by Rachel Contracting, LLC with a base bid amount, plus acceptance of both alternates, for a total contract award of \$3,011,789.90;

Whereas, MPRB staff and consultants have reviewed the bid offered by Rachel Contracting, LLC



and find it to be complete and correct, and support an award for a construction contract for the Ole Olson Park Site and Trail Improvements Project;

Whereas, The bid offered by Rachel Contracting, LLC is currently under review by the City of Minneapolis Finance and Property Services - Procurement Division and Civil Rights Department to determine all requirements for award of a contract are met;

Whereas, With funding allocations as noted, the MPRB has the funds available within the project budget to account for the construction contract and construction contingency and other costs associated with the project; and

Whereas, This resolution is supported by Parks for All, the MPRB Comprehensive Plan 2021-2036, which envisions in Goal 1 to “foster belonging and equity,” Goal 2 to “steward a continuum of nature and equity,” and Goal 5 to “expand focus on health equity;”

RESOLVED, That the Board of Commissioners awards a construction contract to Rachel Contracting, LLC for the base bid amount of \$2,696,269.60, and accepting add Alternates No. 1 and No. 2 in the amount of \$288,717.00 and \$26,803.30 respectively, for a total contract amount of \$3,011,789.90, for the Ole Olson Park Site and Trail Improvements Project, Bid Event MPLMN #2950, pending review by the City of Minneapolis Finance and Property Services - Procurement Division and Minneapolis Civil Rights Department, and further authorizes administrative use of 10% construction contingency up to \$301,178.99 for necessary construction change orders that may arise with the contract; and

RESOLVED, That the President of the Board and Secretary to the Board are authorized to take all necessary administrative actions to implement this resolution.



TO: Minneapolis Park and Recreation Board

FROM: Michael Schroeder, Assistant Superintendent, Planning

DATE: 7 May 2024

SUBJECT: RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO RACHEL CONTRACTING, LLC FOR THE BASE BID AMOUNT OF \$2,696,269.60, AND ACCEPTING ADD ALTERNATES NO. 1 AND NO. 2 IN THE AMOUNT OF \$288,717.00 AND \$26,803.30 RESPECTIVELY, FOR A TOTAL CONTRACT AMOUNT OF \$3,011,789.90, FOR THE OLE OLSON PARK SITE AND TRAIL IMPROVEMENTS PROJECT, BID EVENT MPLMN #2950, PENDING REVIEW BY THE CITY OF MINNEAPOLIS FINANCE AND PROPERTY SERVICES - PROCUREMENT DIVISION AND MINNEAPOLIS CIVIL RIGHTS DEPARTMENT, AND FURTHER AUTHORIZING ADMINISTRATIVE USE OF 10% CONSTRUCTION CONTINGENCY UP TO \$301,178.99 FOR NECESSARY CONSTRUCTION CHANGE ORDERS THAT MAY ARISE WITH THE CONTRACT

BACKGROUND

This resolution considers the award of a construction contract to Rachel Contracting, LLC for the base bid amount of \$2,696,269.60, and accepting add Alternates No. 1 and No. 2 in the amount of \$288,717.00 and \$26,803.30 respectively, for a total contract award amount of \$3,011,789.90, for the Ole Olson Park Site and Trail Improvements Project, Bid Event MPLMN #2950, pending review by the City of Minneapolis Finance and Property Services - Procurement Division and Minneapolis Civil Rights Department. This action would further authorize administrative use of 10% construction contingency up to \$301,178.99 for necessary construction change orders that may arise with the contract.

The Board of Commissioners approved the 26th Avenue North Overlook and Orvin "Ole" Olson Park Trail Connection Concept Plan through Resolution 2022-278 on September 7, 2022. The project occurs within Above the Falls Regional Park and provides a long planned link between the 26th Avenue Overlook and Ole Olson Park.

On April 23, 2024, the Minneapolis Park and Recreation Board (MPRB) received five publicly solicited bids for the Ole Olson Park Site and Trail Improvements Project. The apparent low bid was submitted by Rachel Contracting, LLC, including the acceptance of Add Alternates No. 1 and No. 2 (*Attachment A*). The bid offered by Rachel Contracting, LLC is currently being reviewed by the City of Minneapolis Finance and Property Services - Procurement Division and Civil Rights Department to determine that all requirements for award of the contract are met. Pending the Board's authorization to award a contract and Rachel Contracting, LLC submitting all the required paperwork for successful bid approval, construction would begin June 2024.



The work will construct the illuminated and separated bike and pedestrian trails between Ole Olson Park and the 26th Ave North Overlook, reconstruct the upland landscape above the river's edge, incorporate over an acre of new prairie, construct an overlook deck, trail amenities like bike racks, drinking fountain, and benches, erect an illuminated overhead protection structure under the BNSF Railway Bridge, and provide North Minneapolis direct access to the Mississippi River for fishing and paddling.

The project consultant team along with MPRB staff has reviewed the bid offered by Rachel Contracting, LLC and find it to be complete and correct. In addition, staff recognize that Rachel Contracting, LLC has experience specific to the scope, magnitude, and complexity of this project. The project consulting team supports the award of a contract to Rachel Contracting, LLC. The contract with Rachel Contracting, LLC is also subject to review and approval by the City of Minneapolis Finance and Property Services - Procurement Division and Civil Rights Department, based on all requirements for award of a contract are met.

FUNDING / COST SUMMARY

Sources		\$3,989,960.00
Minnesota G.O. Bonds	\$3,000,000.00	
Regional Park O+M	\$100,000.00	
MWMO Capital Project Grant	\$419,960.00	
Upper River Property Management Fund	\$470,000.00	
Uses		\$3,989,960.00
Original PSA with Kimley-Horn	\$412,135.00	
Amendment No. 1 to Kimley Horn PSA	\$52,450.00	
Project Management, Community Engagement, Legal Fees, and Permit/Easement Fees	\$197,406.11	
Special Testing	\$15,000.00	
Rachel Contracting Construction Contract	\$3,011,789.90	<i>Approved with this Action</i>
Construction Contingency	\$301,178.99	<i>Approved with this Action</i>



Balance	\$0
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The MPRB has applied for a Hennepin County Environmental Response Fund (ERF) grant in the amount of \$470,000, and if successful, the funds will replace the Upper River Property Management Fund source noted in the table above. The ERF grant pre-application process is complete, final applications were due May 1, 2024, and funds will be available early Summer, 2024.

Note: Awarding this construction contract for the Ole Olson Site and Trail Improvements Project will result in a net increase of program or operational funds being expended, which is aligned with the projected program or operational funds noted in the Above the Falls Regional Park Master Plan. There are proposed adjustments in the 2025 current service level budget. In addition, the Friends of the Mississippi River organization has verbally agreed to extend its current maintenance agreement boundary along West River Road to cover the new native plantings included in this project.

PREVIOUS BOARD ACTIONS

- January 8, 2020 Resolution 2019-424: Resolution Approving the 2019 Above the Falls Regional Park Master Plan

- September 29, 2021 Community Engagement Plan and Assessment for Trail Underpass and Connection Project At Above the Falls Regional Park

- December 1, 2021 Resolution 2021-357: Resolution Authorizing a Professional Services Agreement with Kimley-Horn and Associates, Inc. to Provide Design, Construction Documentation, and Construction Administration Services for the 26th Avenue North Overlook to Orvin "Ole" Olson Park Trail Connection Project for a Fee Not to Exceed \$412,135.00

- September 7, 2022 Resolution 2022-278: Resolution approving the 26th Avenue North Overlook and Orvin "Ole" Olson Park Trail Connection Concept Plan within Above the Falls Regional Park

- November 15, 2023 Resolution 2023-175: A resolution accepting a capital project grant award from the Mississippi Watershed Management Organization in the amount up to \$419,960.00 for contaminated and/or unregulated soil removal, native plantings, soils stabilization, and vegetation establishment and maintenance along the Mississippi riverbank as part of the 26th Avenue North Overlook and Ole Olson Park Trail Connection Project



March 6, 2024 Resolution 2024-50: A resolution approving Amendment No. 1 to the Professional Services Agreement #COM0004774 with Kimley-Horn and Associates, Inc. for additional services related to civil engineering, BNSF Railway coordination, Continental Cement coordination, geotechnical investigation, grant coordination, and labor cost increases for the Ole Olson to 26th Avenue North Overlook Trail Project in an amount of \$52,450.00, for a new contract total of \$464,585.00

RECOMMENDATION

Staff recommends that the Board of Commissioners award a construction contract to Rachel Contracting, LLC for the base bid amount of \$2,696,269.60, and accept add Alternates No. 1 and No. 2 in the amount of \$288,717.00 and \$26,803.30 respectively, for a total contract award amount of \$3,011,789.90, for the Ole Olson Park Site and Trail Improvements Project, Bid Event MPLMN #2950, pending review by the City of Minneapolis Finance and Property Services - Procurement Division and Minneapolis Civil Rights Department, and further authorize administrative use of 10% construction contingency up to \$301,178.99 for necessary construction change orders that may arise with the contract.

This action is supported by the following goals and strategies in Parks for All, the MPRB Comprehensive Plan 2021-2036:

Goal:	Strategy:
01. Foster belonging and equity	1.5: Identify and remove barriers to park access as a way of fostering economic, psychological, social and cultural resilience for new and current park users.
02. Steward a continuum of nature and recreation	2.2: Support the preservation, management, and increase in acreage of natural and naturalized areas for ecosystem benefits and for public benefit.
05. Expand focus on health equity	5.3: Support year-round, multimodal, vehicular, non-motorized, and shared mobility options that create safe recreation and commuter access to and through parks and the Grand Rounds through infrastructure, filling trail gaps, traffic calming, maintenance, promotion, crash reduction, and education on trail protocols.

ATTACHMENTS:



1. Attachment A - Ole Olson Park Bid Tabulation

Jbr 5.7.2024.