

Prepared by the
Utility Agreements and Permits Unit
(Receivable)
(\$199,094.70)

S.P. 6201-86 (T.H. 5)
Location: On Trunk Highway 5 from the
Hennepin-Ramsey County Line to just north of
Edgecumbe Road (County State Aid Highway
46) in Saint Paul
Utility Owner: Board of Water Commissioners
of the City of Saint Paul
MnDOT Agreement Number 03012
Amendment Number 1

AMENDMENT NUMBER 1
TO
AGREEMENT NUMBER 03012

This Amendment Number 1 to Agreement Number 03012 (Amendment) is between the State of Minnesota (State), acting through its Commissioner of Transportation, and Board of Water Commissioners of the City of Saint Paul, including its agents, contractors, and subcontractors (Utility Owner).

RECITALS

The State has let a contract to construct State Project Number 6201-86 (Project) on Trunk Highway Number 5. The Project is located On Trunk Highway 5 from the Hennepin-Ramsey County Line to just north of Edgecumbe Road (County State Aid Highway 46) in Saint Paul.

The State and the Utility Owner entered into Agreement Number 03012 (Original Agreement). Under the Original Agreement, the Utility Owner agreed to allow the State to include the removal of a watermain with asbestos abatement (Facility) on Bridge Number 9300 in its construction project according to Exhibit A of the Original Agreement. The Utility Owner agreed to reimburse the State for this relocation. The State's Contractor (Contractor) removed the Facilities according to the original Agreement.

The estimated relocation cost of the Original Agreement was \$119,070.00. Upon receiving the bid prices from the Contractor, the State determined that the cost to remove the Utility Owner's Facilities was \$189,275.00.

The State found that it must perform work on the Project that it had not identified at the time the Original Agreement was executed. This new work will require the State to remove additional watermain according to that in Exhibit A of the Original Agreement. The cost of the work will be in addition to Exhibit B of the Original Agreement.

The parties are willing to amend the Original Agreement as stated below.

AMENDMENT

Revision 1. Article IV.A. is amended to read as follows:

- A. The State determined the cost of the Facility removal on a contract-unit-price basis. The Utility Owner authorizes the State to pay the Contractor directly for this removal plus the additional removal due to new work on the project. As Exhibit C shows, the actual cost for the Utility Owner's removal work is \$199,094.70.

RELATION TO THE ORIGINAL AGREEMENT

Except as amended herein, the terms and conditions of the Original Agreement remain in full force and effect.

The remainder of this page was left blank intentionally.

IN TESTIMONY WHEREOF, the parties have duly executed this Agreement by their duly authorized officers and caused their respective seals to be hereunto affixed.

**BOARD OF WATER COMMISSIONERS
OF THE CITY OF SAINT PAUL**

Approved:

By: _____
Stephen P. Schneider
General Manager
Saint Paul Regional Water Services

Date: _____

By: _____
Matt Anfang
President

Date: _____

Approved as to form:

By: _____
Mollie Gagnelius
Secretary

By: _____
Assistant City Attorney

Date: _____

Date: _____

By: _____
Todd Hurley
Director
Office of Financial Services

Date: _____

**STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION**

Department of Transportation
Recommended for Approval:

Approved:

By: _____
Metro Utility Coordinator

By: _____
Director, Office of Land Management

Date: _____

Date: _____

Office of Contract Management
Approved as to Form and Execution:

By: _____

Date: _____

Department of Administration

By: _____

Date: _____

S.P. 6201-86 (TH 5) Agreement 03012
Board of Water Commissioners

Final Actual Cost					
<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>UNIT</u>	<u>QUANTITY</u>	<u>RATE</u>	<u>COST</u>
2104.601	Remove Regulated Waste Material	lump Sum	1	\$130,000.00	\$130,000.00
2433.601	Remove Utility Supports	lump Sum	1	\$37,500.00	\$37,500.00
WO. No 4	Removal of water main	lump Sum	1	\$8,690.00	\$8,690.00
	Item Total				\$176,190.00
	Mobilization			5.0%	\$8,809.50
	SUB TOTAL				\$184,999.50
	MnDOT Construction Engineering			8.0%	\$14,095.20
	TOTAL COST				\$199,094.70

WORK ORDER – MINOR EXTRA WORK NO. 04

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CONTRACTOR: Lunda Construction Company		FEDERAL PROJECT NO.	STATE PROJECT NO. 6201-86
ADDRESS: 15601 Clayton Ave South Rosemount, MN 55068	LOCATION OF WORK In Hennepin and Ramsey Counties on TH 5 from 0.18 miles north of TH 55 to 0.16 miles south of Davern Street in St. Paul		
This Contract uses MnDOT Standard Specifications for Construction 2014 Edition			

This Contract is between the State of Minnesota, acting through its Commissioner of Transportation, and Contractor as follows:

Issue:

On the TH 5 project, additional watermain is needed to be removed to build the snow plow turn around. This part of the watermain is not on the bridge but affects construction of bridge work. The original removal of the watermain on the bridge is a lump sum price. The watermain is owned by St. Paul Regional Water Service (SPRWS). The Engineer agrees to this as extra work and the SPRWS concurs.

All work will be done in accordance with the pertinent portions of the Special Provisions, MnDOT Standard Specifications, MnDOT Standard Plates, MnDOT Standard Plan Sheets, and the Plan and as directed by the Engineer.

The Engineer has determined that this is Extra Work in accordance with specification 1402.5.

Resolution and Authorization:

1. The Contractor will remove the additional watermain and asbestos insulation and dispose of properly.
2. Payment for this work will be by negotiated lump sum price with prime contractor allowance and is funded by SPRWS.

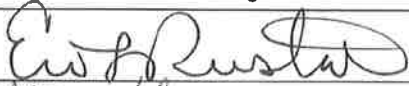
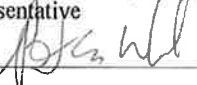
ESTIMATE OF COST

INCREASE

ITEM NO.	ITEM	UNIT	UNIT PRICE	QUANTITY	AMOUNT	GROUP
	Removal of watermain	LS	\$7,900.00	1	\$7,900.00	2
	Prime Contractor markup 10%	LS	\$790.00	1	\$790.00	2
Total					\$8,690.00	

WORK ORDER – MINOR EXTRA WORK NO. 04

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Signature	Date
Project Engineer/Supervisor 	10/6/16
Contractor Authorized Representative 	10/12/16
*Assistant District Engineer	
**Local Agency	
***Consultant Contract Administrator	

- * Required for Work Orders that exceed \$25,000.00
- ** Required if work funded wholly or in part by a Local Agency
- *** Recommendation for Approval

ATTACHMENTS: By signing this agreement, the Contractor acknowledges receipt of the specified attachments (if applicable.)

- ☐ Plans (Specify plan sheets attached)
- ☐ Specifications (Specify Specifications attached)
- ☐ Other _____

Original to Project File

Copy to Contractor, Construction and Innovative Contracting (submit with Final);

Copy to Local Agency and MN/DOT Municipal Agreement Unit if funded wholly or in part by Local Agency Funds