

**BOARD OF WATER COMMISSIONERS
RESOLUTION**

PRESENTED BY
COMMISSIONER _____

No. 19-1979
DATE November 12, 2019

WHEREAS, on October 9, 2012, the Board of Water Commissioners approved Agreement No. 01291 with the State of Minnesota (“State”) to provide for the relocation of certain water facilities within State Project No. 6244-308 on Trunk Highway 35E from 580 feet south of University Avenue to 760 feet north of Maryland Avenue in the city of Saint Paul (the “Agreement”); and

WHEREAS, the Agreement provided that Board costs for said relocation work were estimated to be \$148,732.07, from which will be deducted Board costs to inspect certain water main relocation work, estimated to be \$73,857.66, resulting in a total estimated cost to the Board of \$74,874.41; and

WHEREAS, the Agreement further provided that the actual cost to the Board shall be based on the actual bid amount for said relocation work, as contained in a contract to be awarded by the State for work on the Project; and

WHEREAS, the State awarded said contract, and the bid amount for said relocation work resulted in an actual cost to the Board of \$90,025.63, resulting in a revised total cost to the Board of \$16,167.97; and

WHEREAS, the parties executed Amendment No. 1 to Agreement No. 01291, which provided for said reduction in estimated Board costs; and

WHEREAS, the parties further amended the Agreement to provide for State reimbursement of Board costs to inspect certain additional relocation work and costs to obtain a railroad license required for previously addressed relocation work, at an estimated total reimbursement amount of \$41,000; and

WHEREAS, the parties executed Amendment No. 2 to Agreement No. 01291, resulting in a revised total cost to the State of \$24,832.03; and

WHEREAS, the parties desire to further amend the Agreement to provide for State reimbursement of Board costs for providing and maintaining temporary water services in the amount of \$51,112.83; and

WHEREAS, the State has prepared Amendment No. 3 to Agreement No. 01291, which provides for said revised total costs for the Board and State resulting in a revised total reimbursement by State to the Board the amount of \$75,943.86; and

WHEREAS, the assistant city attorney has approved said Amendment No. 3 to Agreement No. 01291 as to form; now, therefore, be it

RESOLVED, that Amendment No. 3 to Agreement No. 01291 between the Board of Water Commissioners of the City of Saint Paul and the State of Minnesota pertaining to revised reimbursement to the Board for the costs of providing and maintaining temporary water services within State Project No. 6244-308, is hereby approved and that the proper officers are hereby authorized and directed to execute said agreement on behalf of the Board.

Water Commissioners

Adopted by the Board of Water Commissioners

Yeas

Nays

November 12, 2019

In favor

Opposed

Secretary

ORIGINAL