



Legislation Text

File #: RES 18-1496, **Version:** 1

Authorizing Parks and Recreation Department to enter into a Joint Powers Agreement with Dakota County regarding the construction of the Robert Pira Regional Trail project.

WHEREAS, under Minnesota Statutes 471.59, subdivision 1, two governmental units may enter into an Agreement to cooperatively exercise any power common to the contracting parties, and one of the participating governmental units may exercise one of its powers on behalf of the other governmental units; and

WHEREAS, the City and Dakota County have cooperatively undertaken the construction and construction engineering of 3.7 miles of off-road multi-use trail; and

WHEREAS, the joint powers agreement between the City and County defines the roles, responsibilities, and obligations for project, cost contribution, funding shares and obligations, federal cost splits, cost updates, construction management, amendments, change orders and supplemental agreements, project acceptance, and indemnifications regarding the construction of the Robert Pira Regional Trail from Harriet Island Regional Park in Saint Paul to the MRT at Kaposia Landing Park in South St. Paul; and

WHEREAS, the Project is eligible for the expenditure of federal aid funds and is programmed in the approved State Transportation Improvement Program (STIP) for the fiscal years 2018 and 2022, and is identified in MnDOT records as State Project 164-090-014, and in Federal Highway Administration (FHWA) records as Minnesota Project NMTP-TA 6218(221); and

WHEREAS, the City of Saint Paul and Dakota County desire to temporarily provide local funds in lieu of the federal funds so that the project may proceed prior to the fiscal year(s) designated in the STIP; and

WHEREAS, the Delegated Contracting Process (DCP) Advance Construction (AC) Agreement No. 1031220 between the City of Saint Paul Parks and Recreation Department and MnDOT defines the terms and conditions of the Federal Participation in Construction and AC; and

WHEREAS, it is permissible under FHWA procedures to perform advance construction of eligible projects with non-federal funds, such that the City will be reimbursed with federal funding for the eligible costs at a later date; and

WHEREAS, for the project to be advance constructed in advance of the year it is programmed for the federal funds, the County and City will fund their share with nonfederal funds, with the intent to request federal funding for the federally eligible costs in a subsequent federal fiscal year through the Metropolitan Council Transportation Advisory Board (TAB) Federal Funds Management Process; and

WHEREAS, the City and County have included these projects in their Capital Improvement Programs to share project responsibilities; now, therefore, be it

RESOLVED, it is agreed the City and County will share project responsibilities and jointly participate in the project costs associated with constructing the proposed off-road, multi-use trail as described in the Joint Powers Agreement; and, be it

FURTHER RESOLVED, that the Mayor and the City Clerk are hereby authorized and directed for and on

behalf of the City of Saint Paul, to execute and enter into a Joint Powers Agreement with Dakota County prescribing the terms and conditions of said agreement.