

**BOARD OF WATER COMMISSIONERS
RESOLUTION**

PRESENTED BY
COMMISSIONER _____

No. 24-1789
DATE December 10, 2024

WHEREAS, the Metropolitan Council has awarded a contract for the construction of its Gold Line Bus Rapid Transit Project (the “Project”), a new transit line connecting the east metropolitan area along a ten-mile route with service between Saint Paul and Woodbury; and

WHEREAS, the Board of Water Commissioners of the City of Saint Paul (the “Board”) owns and operates certain water facilities presently located within the limits of the Project; and

WHEREAS, the Board has identified portions of its water facilities within the project area in need of upgrade and wishes the construction of such upgrades be performed as part of the Project; and

WHEREAS, on February 11, 2020, the Board approved a Master Funding Agreement with the Metropolitan Council to provide for reimbursement of water facility work within the Project; and

WHEREAS, said Master Funding Agreement specified that the parties intend to address the exact amount of said reimbursements by execution of future Subordinate Funding Agreements; and

WHEREAS, on February 11, 2020, the Board approved Subordinate Funding Agreement No. 1 with Metropolitan Council to provide for the Board to reimburse the Metropolitan Council for a portion of the costs of providing project management, private utility coordination, design plans, specifications, and construction cost estimates; and

WHEREAS, on May 10, 2022, the Board approved Subordinate Funding Agreement No. 2 to provide reimbursement by the Board to the Metropolitan Council for costs incurred in the construction of requested upgrades to the Board’s water system generally located under Hudson Road, starting at the Plum Street/Bates Avenue intersection, and continuing eastward to a point approximately 185 feet east of Frank Street in an amount not to exceed \$958,609.16; and

WHEREAS, On June 7, 2022, the Board approved Subordinate Funding Agreement No. 3 to provide reimbursement by the Metropolitan Council to the Board for costs incurred in water main installation inspections and temporary water services at a cost not to exceed \$71,625; and

WHEREAS, Metropolitan Council and Board staff have prepared Subordinate Funding Agreement No. 3 Amendment No. 1 raising the not to exceed amount from \$71,625 to \$170,000 due to an extended construction season and increased inspection costs; and

WHEREAS, the city attorney has reviewed and approved said Subordinate Funding Agreement No. 3 Amendment No. 1 as to form; now, therefore, be it

RESOLVED, that Subordinate Funding Agreement No. 3 Amendment No. 1 between the Board of Water Commissioners of the City of Saint Paul and the Metropolitan Council pertaining to reimbursement by the Metropolitan Council to the Board for costs incurred in water main installation inspections and temporary water services at a cost not to exceed \$170,000 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

December 10, 2024

In favor

Opposed

Secretary

ORIGINAL