

# MISSOULA REDEVELOPMENT AGENCY

## CONDENSED BOARD MEETING MINUTES

April 6, 2017

FINAL

A **Special** meeting of the Board of Commissioners of the Missoula Redevelopment Agency was held on Thursday, April 6, 2017 at the Hal Fraser Conference Room, 140 W. Pine, at 9:30 a.m.. Those in attendance were as follows:

**Board:** Karl Englund, Daniel Kemmis, Ruth Reineking, Nancy Moe

**Staff:** Ellen Buchanan, Annette Marchesseault, Tod Gass, Jilayne Dunn

**Public:** Clint Burson, Missoula Chamber of Commerce; Ben Dawson, International Brotherhood of Electrical Workers (IBEW); Tom Taylor, Grant Creek Excavating; Chris Anderson, DJ&A; Ben Weiss, Bicycle Pedestrian Program Manager

### **CALL TO ORDER**

9:30 a.m.

### **APPROVAL OF MINUTES**

March 16, 2017 Regular Board Meeting Minutes were approved as submitted.

### **PUBLIC COMMENTS & ANNOUNCEMENTS**

Gass said on June 21, 2017 MRA and the Parks Department will unveil the new Ron McDonald Trail marker. Moe asked if it was a mounted map. Gass said yes, it will be a colored high pressure laminate that is guaranteed for 10 years and it will be mounted on the existing trail marker. Buchanan said getting a new map has included a bit of rebranding of the trail and Paddy McDonald has been involved in the process all along.

### **ACTION ITEMS**

[Mary Avenue West Construction Manager at Risk \(URD III\)](#) – Request for Contractor Approval (*Marchesseault*)

Marchesseault said at the January 2017 meeting, the Board authorized the Construction Manager at Risk (CMAR) model for this project. City Council approved it in February and staff proceeded with the Request for the Qualifications (RFQ) and Request for Proposals (RFP) process. Three responses were received from HM Concrete, Grant Creek Excavating and Knife River. Several criteria were used in evaluating the proposals. Price was an important part but wasn't the main focus of the evaluation criteria. Marchesseault said the

Evaluation Committee included herself, Ellen Buchanan, and Tod Gass from the MRA staff, Kevin Slovarp, City Engineer and Chris Anderson from DJ&A. The Committee unanimously recommended Grant Creek Excavating for the CMAR position. Their bid price is \$1,005,419, which is well below the engineer's estimate of \$1,718,297. Staff is asking for Board approval of Grant Creek Excavating as the CMAR and then staff would take this recommendation to City Council for approval and then the contract would be executed.

Buchanan said the contractor priced their bid based on 70% complete design so they will work with DJ&A on where there might be some savings when it goes to 100% construction documents. This is one of the advantages of using this process. Anderson said this is an accelerated delivery process. We were able to bid this in March instead of June, when the 100% documents are scheduled to be ready. Anderson said kudos to MRA for choosing this process. Englund asked if the \$700,000 plus difference between the engineers estimate and the selected bid is concerning. Anderson said no, since all of the bids were in this area. He felt the 15% contingency and the timing of the process explain the difference. Buchanan said all of the bids were under the engineer's estimate. Reineking asked if Anderson felt there was still an adequate contingency. Anderson said yes and DJ&A will be working directly with the contractor to get the best pricing. He said unless something unknown comes up, he feels very comfortable with Grant Creek Excavating's bid. Moe asked if the contractor's bid includes costs for consulting the final 30% of the drawings. Anderson said yes, all of the contractors knew about the process so it was built into their bids. Moe asked if Anderson anticipated any change orders that would eat up some of the savings between the recommended bid and the engineer's estimate. Anderson said he didn't think so and in fact MRA may see some savings since the engineer and contractor are working together on getting the best price for the project during the final 30% design.

Marchesseault said it's a real benefit to have the contractor as part of the team. They might anticipate where there might be change orders and address that before construction. Buchanan said realistically this is a straight forward project and she doesn't anticipate much fluctuation from the bid. Moe said as the project moves forward, it would be helpful for the Board to get a report if there are any savings realized through this process. Englund said he would like a regular report on the process, savings or not, since it is such a new model to the Board. Anderson said this whole process is fairly new to everybody. It was introduced formally by the Federal Highway Administration (FHWA). Discussion ensued. Buchanan said the Front Street Parking Structure was done using this model and Fort Missoula Regional Park is using this model. She said it was first made available through state law to schools.

**MOE: I MOVE THE STAFF RECOMMENDATION.**

**STAFF RECOMMENDATION:**

**Staff recommends that the MRA Board approve awarding the Construction Manager at Risk contract for the Mary Avenue West street improvements project to Grant Creek Excavating LLC in the amount of \$1,005,419, and recommend that City Council also approve Grant Creek Excavating LLC as the CMAR for the Mary Avenue West street improvements project, authorize the MRA Board Chairman to sign the contract, authorize Staff to sign the necessary documents to execute the contract (Notice of**

**Award and Notice to Proceed), and authorize MRA to proceed with the construction project.**

**Kemmis seconded the motion.**

Taylor, Grant Creek Excavating, said it's an interesting project and they wanted to give this model a try. He said he anticipates more projects will use this model in the future.

**Motion approved unanimously. (4 ayes, 0 nays, 1 absent)**

**Clark Street Sidewalk Project (URD III)** – Request to Award Construction Contract (Gass)

Gass said this project is using a more traditional award method. This sidewalk project was introduced to the Board at their September 21, 2016 regular meeting. The Clark Street Sidewalk Project area is generally described as Clark Street between Livingston Avenue and Mary Avenue; and Dearborn Avenue, Fairview Avenue, and Benton Avenue between Clark Street and Eaton Street. The Project Area comprises a large portion of the area that was amended into URD III in 2015. In November 2016, MRA entered into a Professional Services Agreement with DJ & A, P.C. and went through a design development phase and a public process. It was introduced to the Franklin to Fort Neighborhood Council in January 2017 and held a public open house in January where the preliminary design was presented to residents and property owners. Several encroachment and design issues were resolved with the property owners and the final design was approved by the City Engineer. Last month bids were solicited and the low bid was submitted by HM Concrete of Frenchtown, Montana in the amount of \$324,888. The bid was considerably below the engineer's estimate. MRA has worked with HM Concrete on several other successful sidewalk projects over the last couple of years. Staff is satisfied with the unit pricing included in the bid proposal. DJ&A has reviewed the bid.

**Staff is recommending the Board move to award the construction contract for the Clark Street Sidewalk Project to HM Concrete in the amount of \$324,887.90, and authorize the MRA Board Chairman to sign the construction contract, and authorize Staff to sign the necessary documents to execute the contract.**

**REINEKING: I MOVE THE STAFF RECOMMENDATION.**

Reineking said it's great that these bids are coming in so much lower than the estimates.

**Moe seconded the motion. No public comment.**

Buchanan said MRA really pushed DJ&A to get these projects ready for bid before construction season. She said they've done a great job and those were good decisions.

**Motion approved unanimously. (4 ayes, 0 nays, 1 absent)**

**Bitterroot Trail Crossing Study at South Avenue & Johnson Street (URD III)** – Request for Funding (*Buchanan*)

This request is being driven by the purchase of the Montana Rail Link (MRL) property along Johnson Street between North and South Avenues. The City will soon have the opportunity to finish the connections along the Bitterroot Trail. Buchanan said one of the biggest questions is how to get trail users across the intersection of South Avenue and Johnson Street. Alta Planning + Design, Inc. out of Bozeman has already done some preliminary work. They looked at the possibility of doing a diagonal crossing through the intersection. Now that the City is going to be completing these last sections of trail, this needs to be determined. There are always two camps; the bicycle /pedestrian camp and the vehicular camp. Parks and Recreation paid for the original work that Alta did. MRA is being asked to fund up to \$10,000 to complete that work. It would include some synchro traffic modeling, what the signal that is currently there is capable of, etc. Buchanan said Ben Weiss, Bicycle Pedestrian Program Manager, was present to speak to the request. Buchanan said with respect to the MRL property purchase, MRA should have the results of the final Phase Two Environmental Assessment by tomorrow. The testing results came in two weeks ago. NewFields said nothing in the results of the testing should keep the City from purchasing the property. Title work is already completed. The only thing they found is some superficial contamination of the dirt. Some is from the creosote on the tracks and there is one area with higher levels of lead from activities that went on when Roscoe Steel was on site. Buchanan said the area was remediated years ago but the standards are higher now. Some dirt may need to be removed and clean fill brought in but it is pretty inconsequential. Buchanan said closing on the property should occur within the next week or two. Debt will need to be issued to pay for the purchase of the property and to pay for the construction of the trail.

Weiss said his understanding is that MRA has recently solicited proposals for design of the trail. He said this request is very timely since they need to study what happens at the intersection so whomever is designing the trail knows what they are designing. Clearly from a convenience standpoint, Weiss said the City wants just one crossing, but they want it from a safety standpoint too. Weiss pulled up the intersection on the large monitor and provided an overview of some of the options. For example, if a diagonal crossing was installed they could maintain the right hand turns onto, and left hand turns from, South Avenue. One concern with this would be the length of time for the signal for the diagonal crossing and the potential of traffic backing up farther down on South Avenue. This is why the traffic modeling is necessary. Weiss said the request is worded to address crossing for all users, but FHWA does allow a bike only diagonal crossing. They use a bike specific signal that is user activated by a metal detector in the ground. Weiss said this works well since it only activates the signal when someone is there to use it. Weiss said the City has some preliminary numbers from a couple of engineers in the field. One is from Alta and the other is from the head of traffic signals in the City of Portland, which has actually implemented some of these diagonal crossings. Weiss said he is comfortable with the amount requested. He said if it goes over by a few hundred, he has some funds he could use to cover that.

Moe asked why the diagonal crossing would be restricted to bicycles since the pedestrian users cross that way also. Weiss said there are national guidelines for how long you need to keep the light green for a pedestrian to cross a street. For example, it might be one second for every three and half feet of distance. Weiss said he is guessing that adding that time to

the light would cause traffic to back-up and the modeling will show that would cause undue congestion at rush hour. Weiss said he anticipates some engineers would feel that in order to get pedestrians across diagonally, it would be too great an impact to vehicular traffic to allow. Moe asked how they can prevent this from happening when it's human nature to take the most direct route across. Anderson said it is worth noting that these diagonal bicycle crossings may be signed for bicycles only, but in reality pedestrians might use them also. Anderson gave someone running the trail as an example. Moe said what about someone with a cane who would not be able to cross that quickly. Weiss said the way these crossings are designed is there is not a button activated crossing light, but rather a metal detector in the ground that automatically triggers the crossing light when a bicycle activates it. Weiss said theoretically a pedestrian could cross at the same time a bicycle triggers the light but it is pretty easy to separate those users and pedestrian crossing light buttons would trigger the two-leg crosswalk areas. Weiss said pedestrians are traditionally safer in crosswalks than bicyclists because they are operating at a speed that drivers are accustomed to and paying attention to.

Buchanan asked if both scenarios will be looked at as part of the study. Weiss said that is the plan.

Englund asked if MRA would be overseeing the study or if Weiss would oversee it. Buchanan said MRA is only providing funding.

#### **KEMMIS: I MOVE APPROVAL OF THE STAFF RECOMMENDATION.**

**Staff Recommendation: Staff recommends that the MRA Board approve an amount up to \$10,000 to fund the necessary study by the Parks Department to determine the design of the trail crossing at the intersection of South Avenue and Johnson Street and authorize the Director to enter into the appropriate agreements with the Parks Department.**

**Reineking seconded the motion. No further discussion. No public comment.**

**Motion passed unanimously. (4 ayes, 0 nays, 1 absent)**

#### **NON-ACTION ITEMS**

#### **STAFF REPORTS**

#### **COMMITTEE REPORTS**

#### **ADJOURNMENT**

Adjourned at 10:04 a.m.

Respectfully Submitted,



Jilayne Dunn