



EXHIBIT A

May 15, 2023

RE: City of Duluth
Cross City Trail Phase 3 Final Design
Proposal
SEH No. DULUT 159621

Mr. Patrick Loomis, PE
Project Engineer
City of Duluth Engineering
411 West First Street
Duluth, MN 55802

Dear Mr. Loomis:

Project Background

We are pleased to present this proposal to continue working with City of Duluth staff on the Cross City Trail Phase 3 project. Our current contract included an amendment in September of 2022 for \$86,200 to provide final design, project memorandum, wetland delineation and permitting, meetings, and easement coordination with Minnesota Power.

From the time of our last amendment through April of 2023, we have continued with finalizing the plans and provided additional services outside of the scope of our September 2022 amendment. During this time, we expended portions of our fee to complete unforeseen additional work as requested by the City. The full \$86,200 amendment from September 2022 has now been expended.

The additional work included project management and meetings, easement acquisitions, cultural resources review, floodplain analysis and legal surveys. A summary of the activities we completed outside our original scope include:

Work Completed

Project Management and Meetings

\$7,400

- SEH facilitated bi-weekly team meetings with City staff beyond our amended agreement.
- Project Management for the additional tasks completed.

Route Alternatives / Cost Estimates

\$11,300

- Our final design contract did not include evaluating additional route alternatives and cost estimates. This was based on the understanding the route was finalized prior to starting final design. After our final design contract was executed, we continued to provide route alternatives and corresponding cost estimates based on City comments from the bi-weekly team meetings. The final alignment was agreed upon in January of 2023.
- This included alignment alternatives to meet ADA requirements, limit clearing and fill areas, avoid floodplain impacts, utilize tax forfeit property, align with existing BNSF easements, 57th Avenue curb replacements, and alley/street vacations.
- This included additional topo survey and design to shift the trail alignment north from 57th to 58th Avenue West.

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 418 West Superior Street, Suite 200, P.O. Box 229, Duluth, MN 55801-0229

218.279.3000 | 888.722.0547 | 888.908.8166 fax | sehinc.com

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Cultural Resources Review

\$12,200

- Phase 1 Environmental Review - SEH completed for the BNSF parcels the City is purchasing for the project.
- Archaeological Phase 1A – per the MnDOT review of the Project Memorandum, an archaeological review was required. City authorized SEH to hire Duluth Archaeology to complete the work.
- Archaeological Phase 1 – per the Phase 1A report, additional field sampling has to be completed prior to construction. SEH has hired Duluth Archaeology to complete the work.

Floodplain Modeling, Impacts Analysis, Special Use Permit

\$10,600

- The planned trail route between 57th and 59th Avenues West resulted in floodplain impacts. In discussions with the City Planning Department, the floodplain had to be modeled, a report generated, and a Special Use Permit had to be applied for. SEH completed this work and the Special Use Permit was approved by the Planning Commission on May 9, 2023.

BNSF Rail Crossing Design

\$4,900

- SEH prepared a separate plan set for the concrete crossing panels that BNSF required as part of their permit. SEH also coordinated design review calls with BNSF and MnDOT.

Easement Exhibits

\$7,490

- BNSF Easements – SEH prepared draft and final easement exhibits for the Cross City Trail. As part of this work, we mapped out the existing BNSF R/W and compared it against existing City easements. This helped identify any easement gaps in the trail alignment. We also provided exhibits for the agreement.
- MnPower Easements – We prepared easement drawings for the lands that MP owns to be incorporated into their land agreement.
- Tax Forfeit Property – The project alignment included acquiring tax forfeit lands from St. Louis County. SEH prepared exhibits for the parcels to be acquired.

ALTA Survey

\$12,600

- A part of the BNSF Purchase Agreement, the BNSF is requiring an ALTA survey on the land to be purchased from them. SEH has completed the preliminary ALTA work and provided to the City. SEH will complete the final ALTA survey according to the Title Commitment and Table A the City provided.

Project Documentation

\$3,100

- STIP updates – SEH provided updated exhibits, estimates and descriptions for the required STIP updates.
- Project Memorandum Updates – SEH updated the Project Memorandum document to match the STIP changes.

Schedule

We have submitted final plans to the City and MnDOT State Aid. The plans are currently going through the Federal review process, and we are able to make the necessary updates immediately upon receipt of review comments and a signed amendment to our contract.

The following work is left to be completed to have the plans ready for bidding:

- Federal Aid review comments – anticipated to be received in May 2023.
- Final specifications and project manual meeting Federal Aid requirements.
- SEQ, Tabs, and Estimate updates per the change in “participating” pay items.

- DCP final documents
- Bid support answering contractor questions during bidding.

Amendment Fee Request

Our fee for the additional services described above is \$69,590 and we are requesting a contract amendment in that amount.

Future Work

We understand you may be looking for assistance with Construction Administration, observation, and staking during construction. The following estimated fee can be used for budgeting purposes. We will provide an updated Fee Proposal for these services at the time of bidding.

- Construction Administration, Observation (full-time for 10 weeks), and Staking - \$79,200

We look forward to continuing our work with you on the Cross City Trail Project and to discuss this proposal with you further. If you have any questions, please contact me at **218.260.9551** or via email at **mbolf@sehinc.com**.

Sincerely,

SHORT ELLIOTT HENDRICKSON INC.



Matt Bolf, PE
Principal / Project Manager
(Lic. MN, WI)

mb/mh