

Prepared by the
Utility Agreements and Permits Unit
(Payable)
(\$1,075,346.50)
(Actual Cost)

S.P. 6982-322 (T.H. 35)
Location: I-35, I-535 & US 53 in the City of
Duluth
Utility Owner: City of Duluth
MnDOT Agreement Number 1034938
Amendment Number 1

AMENDMENT NUMBER 1
TO
AGREEMENT NUMBER 1034938

This Amendment Number 1 to Agreement Number 1034938 (Amendment) is between the State of Minnesota (State), acting through its Commissioner of Transportation, and City of Duluth, including its agents, contractors, and subcontractors (Utility Owner).

RECITALS

The State plans to let a contract to construct State Project Number 6982-322 (Project) on Federal Aid Interstate Highway Number 35, which is part of the National System of Interstate Highways. The Federal Highway Administration (FHWA) identifies the Project as Minnesota Project Number BLD-NHFP 1350(129) in its records. The Project is located on, along and adjacent to I-35, I-535 & US 53 in the City of Duluth.

Authorized FHWA officials have approved the Project.

The State and the Utility Owner entered into Agreement Number 1034938 (Original Agreement). Under the Original Agreement, the Utility Owner agreed to relocate Natural Gas Mains and their fixtures, and related equipment (Facilities) according to Exhibit A of the Original Agreement. The State agreed to reimburse the Utility Owner for this relocation. The Utility Owner is relocating its Facilities according to the original Agreement.

The estimated relocation cost of the Original Agreement is \$584,440.00. Exhibit B, which is attached to the Original Agreement, shows this amount.

The Utility Owner has let a contract for the relocation work. The cost of the contract will exceed the amount in Exhibit B of the Original Agreement.

The parties are willing to amend the Original Agreement as stated below.

AMENDMENT

Unless otherwise noted, in this amendment, deleted contract terms will be ~~struck out~~ and the added contract terms will be underlined.

Revision 1. Article IV.A.1. and 2. are amended to read as follows:

1. Exhibit ~~B-B1~~, which is attached to this Agreement, is a detailed, itemized estimate of the cost of the Utility Owner's relocation work. Actual cost includes all expenses attributable to design engineering and construction relocation work. Reimbursement will be based on the actual costs for work that conforms to Exhibit A. Betterment, increase in value, and salvage value derived from the relocated Facilities will not be included in this reimbursement.
2. The State will pay the Utility Owner for the actual cost the Utility Owner incurs performing its obligations pursuant to this Agreement, in an amount not to exceed ~~\$584,440.00~~ \$1,075,346.50, upon receiving:
 - a. Proof that the Facilities have been relocated to the Project Engineer's and Utilities Engineer's satisfaction; and
 - b. One original, signed invoice that is supported by an itemized statement of costs. An authorized representative of the Utility Owner must sign the invoice and submit the final bill to the Utilities Engineer no later than 90 days after completing the work.

RELATION TO THE ORIGINAL AGREEMENT

Except as amended herein, the terms and conditions of the Original Agreement and Amendment 1 remain in full force and effect.

The remainder of this page was left blank intentionally.

CITY OF DULUTH

The undersigned certify that they have lawfully executed this contract on behalf of the Governmental Unit as required by applicable charter provisions, resolutions, or ordinances.

By: _____
Mayor

Date: _____

Attested: _____
City Clerk

Date: _____

Approved as to form:

By: _____
City Attorney

Date: _____

Countersigned: _____
City Auditor

Date: _____

**STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION**

State Encumbrance Verification

Individual certifies that funds have been encumbered as required by Minnesota Statutes §§ 16A.15 and 16C.05.

By: _____

Date: _____

Contract Number: _____

Order Number: _____

Department of Transportation

Recommended for Approval:

Approved:

By: _____
District Engineer

By: _____
Director, Office of Land Management

Date: _____

Date: _____

Office of Contract Management

Approved as to Form and Execution:

By: _____

Date: _____

Department of Administration

By: _____

Date: _____



City of Duluth

Department of Public Works & Utilities
Engineering Division
211 City Hall · Duluth MN 55802
Phone: (218) 730-5200 Fax: (218) 730-5907

S.P. 6982-322 (T.H. 35)
MnDOT Agreement 1034938
Amendment Number 1
Exhibit "B1"

July 15, 2019

Carroll Aasen
MN/DOT Office of Land Management
395 John Ireland Blvd. – MS 678
St. Paul, MN 55155

Re: S.P. 6982-322 (T.H.35) – Twin Ports Interchange
Lower Michigan Street Gas Main Relocation
Request – Agreement to Construct

Dear Mr. Aasen:

In our ongoing coordination with the local MnDOT project staff, it has been determined that the City of Duluth's 16" steel gas main located in Lower Michigan Street needs to be relocated to accommodate the work on I-35. The work includes not only the 16" steel transmission gas main construction, but it additionally requires some preparatory gas service construction in the adjacent neighborhood to separate building gas services from the transmission main.

We request a formal agreement for reimbursement of not only the construction costs, but also reimbursement of the costs of inspection and contract administration.

In summary, the anticipated costs are as follows:

1810 Gas Blanket Project

- 1) Preparatory Gas Service and Branch Mains. This work is necessary to allow shutdown of the 16" steel transmission gas main without cutting off building services. We intend to have this work completed by Hanco Utilities under the City's annual gas "blanket" construction contract. Hanco was selected by low bid public advertisement process. The cost of the preparatory gas relocation work is \$105,682.00.

Lower Michigan 16" Gas Main Replacement

- 2) 16" Gas Transmission Main. This work includes the construction of the new transmission gas main. The City intends to hire a Contractor by public advertisement qualified low bid process to perform this work. The cost of the transmission main replacement is estimated \$395,843.00.

Construction Services

- 3) Construction Inspection and Administration. The City intends to provide construction inspection and administration services with "in-house" staff. The cost of construction inspection and administration is \$82,915.00.

The total value of this proposed agreement is \$584,440.

Please contact me at 218-730-5104 or by email at tpfeffer@duluthmn.gov to answer your questions.

Sincerely,

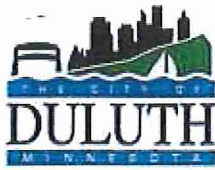


Tom Pfeffer
Senior Engineer

Enclosures

- Memorandum, Cost Estimate, and Work Order Plans for Preparatory Gas Service Work
- Plan and Cost Estimate for Construction of Lower Michigan Street Gas Main Relocation
- Cost Estimate Exhibit for City of Duluth Construction Inspection and Admin

Cc: Roberta Dwyer, MnDOT District 1 – Duluth
John Kriasiak, MnDOT District 1 - Duluth
Eric Shaffer, City of Duluth
Project File



City of Duluth

DEPARTMENT OF PUBLIC WORKS/UTILITIES
Engineering Division • 211 City Hall
411 West First Street • Duluth MN 55802
(218) 730-5200 Fax: (218) 730-5907

NOTICE OF WORK REQUIRED

Date: July 5, 2019

Project: 1822 Lower Michigan Gas Main
Relocation

MnDOT is proposing a project with the I-35 Interchange (can of worms) in Duluth, MN that will require the City of Duluth to relocate a portion of our 16" steel gas main on Lower Michigan between Garfield Ave and 19th Ave W.

This section of steel main currently has various 2" branch mains and services that uses gas for commercial buildings. For the city to move this 16" gas main, we will be required to purge gas to air in the areas where it is currently service customers. Prior to purging, the city would install new 2" PE down alternate routes and reconnect to the new main so these customers will have gas.

Attached are the plans and routes in which the City of Duluth will install. This work will be done under the city's project 1810 Gas Blanket Project.

The estimated cost for this work is \$105,682.00 as shown in Exhibit A.

1810 Gas Blanket Project

S.P. 6982-322 (T.H. 35)
MnDOT Agreement 1034938
Amendment Number 1
Exhibit "B1"

CITY OF DULUTH ENGINEERING DIVISION

Project: Construction of 1/2" & 1" Plastic Gas Services

and 1", 2", 3", 4", and 6" High Pressure Plastic Gas Main

and related work in various locations in the City of Duluth

Contractor: HANCO UTILITIES

City of Duluth Project No. 1810

EXHIBIT A

Item No.	Spec. No.	Description	Unit	Est. Qty	Unit Price	Quantity to Date	Total Price
1	2021.501	Mobilization	LS	1	\$15,000.00	0.00	\$0.00
2	2104.501	Remove PE Gas Main	Lin Ft	150	\$6.00	0.00	\$0.00
3	2104.501	Remove Risers	Each	57	\$100.00	0.00	\$0.00
3	2104.501	Remove Steel Gas Main Less than 6"	Lin Ft	200	\$6.00	50.00	\$300.00
4	2104.501	Remove Steel Gas Main 6" & Larger	Lin Ft	100	\$6.00	0.00	\$0.00
5	2104.503	Remove Concrete Pavement (does not include sidewalk)	SY	130	\$25.00	1465.00	\$36,625.00
6	2104.505	Remove Bituminous Pavement	SY	65	\$20.00	25.00	\$500.00
7	2104.513	Saw Bituminous or Concrete Pavement Full Depth	Lin Ft	500	\$5.00	630.00	\$3,150.00
8	2105.501	Trench Box Installation and Removal	Each	10	\$10.00	0.00	\$0.00
9	2105.503	Granular Backfill (tons)	Tons	75	\$35.00	0.00	\$0.00
10	2105.503	Boulder Excavation (Trench)	Cu Yd	10	\$25.00	0.00	\$0.00
11	2211.502	Aggregate Base or Driving Surface, Class 5 (tons)	Tons	75	\$35.00	10.00	\$350.00
12	2451.601	Rock Excavation (Trench)	Cu Yd	20	\$250.00	0.00	\$0.00
13	2505.602	Televising of Sanitary or Storm Sewer Lateral	Each	10	\$125.00	0.00	\$0.00
14	2505.602	Location of Sanitary or Storm Sewer Lateral by Sonde Method	Each	2	\$75.00	0.00	\$0.00
15	2505.602	Excavation for Potholing Sanitary or Storm Sewer Lateral, 0' - 7' Deep	Each	15	\$475.00	0.00	\$0.00
16	2505.602	Excavation for Potholing Sanitary or Storm Sewer Lateral, 7' - 10' Deep	Each	4	\$375.00	0.00	\$0.00
17	2505.602	Furnish & Install 6" PE Valve & Valve Box (No Excavation)	Each	2	\$500.00	0.00	\$0.00
18	2505.602	Furnish & Install 4" PE Valve & Valve Box (No Excavation)	Each	3	\$400.00	0.00	\$0.00
19	2505.602	Furnish & Install 3" PE Valve & Valve Box (No Excavation)	Each	5	\$350.00	4.00	\$1,400.00
20	2505.602	Furnish & Install 2" PE Valve & Valve Box (No Excavation)	Each	30	\$250.00	0.00	\$0.00
21	2505.602	Furnish & Install 1" PE Valve & Valve Box (No Excavation)	Each	30	\$200.00	9.00	\$1,800.00
22	2505.602	Reconnect Existing PE Services to New Main	Each	150	\$375.00	12.00	\$4,500.00
23	2505.602	Excavation for Cut-Off of HP Gas Main or Gas Service (Department to Furnish & Install Cut-Off Materials)	Each	75	\$250.00	21.00	\$5,250.00
25	2505.602	Excavation for Connecting HP Gas Service to Gas Main or Connecting New HP Gas Main to Existing Gas Main	Each	250	\$525.00	9.00	\$4,725.00
26	2505.602	Emergency Repair of Gas Line	Each	2	\$500.00	0.00	\$0.00
29	2505.603	Furnish & Install 6" PE Gas Main with Granular Encasement	Lin Ft	100	\$30.00	0.00	\$0.00
30	2505.603	Furnish & Install 6" PE Gas Main by Horizontal Directional Drill	Lin Ft	150	\$30.00	0.00	\$0.00
31	2505.603	Furnish & Install 4" PE Gas Main	Lin Ft	250	\$20.00	0.00	\$0.00
32	2505.603	Furnish & Install 4" PE Gas Main by Horizontal Directional Drill	Lin Ft	750	\$20.00	0.00	\$0.00
33	2505.603	Furnish & Install 3" PE Gas Main	Lin Ft	850	\$12.00	0.00	\$0.00
34	2505.603	Furnish & Install 3" PE Gas Main by Horizontal Directional Drill	Lin Ft	3,000	\$20.00	0.00	\$0.00
35	2505.603	Furnish & Install 2" PE Gas Main	Lin Ft	4,000	\$10.00	0.00	\$0.00
36	2505.603	Furnish & Install 2" PE Gas Main by Horizontal Directional Drill	Lin Ft	20,000	\$20.00	1280.00	\$25,600.00
37	2505.603	Furnish & Install 1" PE Gas Main	Lin Ft	300	\$14.00	0.00	\$0.00
38	2505.603	Furnish & Install 1" PE Gas Service	Lin Ft	1,500	\$10.00	169.00	\$1,690.00
39	2505.603	Furnish & Install 1" or 1/2" PE Gas Service by Horizontal Directional Drill	Lin Ft	14,000	\$15.36	0.00	\$0.00
40	2505.603	Furnish & Install 1/2" PE Gas Service	Lin Ft	1,000	\$10.00	156.00	\$1,560.00
	2505.603	Reset 400 CFH or smaller Gas regulator	Each	50	\$150.00	0.00	\$0.00
41	2505.603	Excess Flow Valves	Each	50	\$150.00	0.00	\$0.00
	2505.603	Furnish & Install 1/2" Riser & Meter Stop	Each	50	\$300.00	0.00	\$0.00
	2505.603	Furnish & Install 1" Riser & Stop Valve	Each	5	\$449.00	0.00	\$0.00
	2505.603	Furnish & Install 2" Riser & Stop Valve	Each	2	\$675.00	0.00	\$0.00
42	2360.502	Type SP 12.5 Wearing Course Mixture (3.C)	SY/IN	300	\$35.00	75.00	\$2,825.00
43	2521.501	4" Concrete Walk (Includes Removal and 4" C-5 Base)	SF	1,250	\$18.00	100.00	\$1,800.00
44	2521.501	Concrete Driveway, Alley Apron, or Street (Includes 8" CL-5 Base)	CY	30	\$300.00	40.69	\$12,207.00
45	2531.501	Concrete Curb and Gutter Design B624 (Includes Removal)	Lin Ft	400	\$40.00	40.00	\$1,600.00
46	2540.602	Bollards	Each	60	\$750.00	0.00	\$0.00

Subtotal \$105,682.00

Lower Michigan 16" Gas Main Replacement

LOWER MICHIGAN 16" GAS MAIN REPLACEMENT						ESTIMATE		BID	
LINE	NOTES	SPEC NO	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	ITEM TOTAL	Bid Price	Bid Total
1		2021.501	MOBILIZATION	EACH	1	30,000.00	30,000.00	95,000.00	95,000.00
2		2101.524	CLEARING AND GRUBBING	SQFT	550	0.50	275.00	3.00	1,650.00
3		2104.503	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	LNFT	510	4.50	2,295.00	3.00	1,530.00
4		2104.503	REMOVE CURB & GUTTER	LNFT	31	6.00	186.00	15.00	465.00
5		2104.503	REMOVE GAS MAIN (PE)	LNFT	43	5.00	215.00	40.00	1,720.00
6		2104.503	REMOVE GAS MAIN (STEEL)	LNFT	42	50.00	2,100.00	70.00	2,940.00
7		2104.502	SALVAGE SIGN	EACH	1	400.00	400.00	70.00	70.00
8		2104.518	REMOVE CONCRETE WALK	SQFT	48	2.50	120.00	9.00	432.00
9		2104.504	REMOVE BITUMINOUS PAVEMENT	SQYD	415	4.00	1,660.00	8.50	3,527.50
10	1	2105.507	SELECT GRANULAR BORROW MOD 7% (CV) (P)	CY	135	35.00	4,725.00	60.00	8,100.00
11	2	2211.509	AGGREGATE BASE CLASS 5	CY	96	40.00	3,840.00	70.00	6,720.00
12		2301.602	DRILL & GROUT REINF BAR (EPOXY COATED)	EACH	12	32.00	384.00	20.00	240.00
13	3	2360.509	TYPE SP 9.5 WEARING COURSE MIX (3,C)	TON	38	120.00	4,560.00	150.00	5,700.00
14	3	2360.509	TYPE SP 12.5 WEARING COURSE MIX (3,C)	TON	50	120.00	6,000.00	150.00	7,500.00
15		2505.602	CONNECT TO GAS MAIN	EACH	3	2,400.00	7,200.00	8,000.00	24,000.00
16	4	2505.602	GAS MAIN CUTOFF	EACH	4	1,000.00	4,000.00	3,500.00	14,000.00
17		2505.602	6" STEEL VALVE AND VALVE BOX	EACH	1	3,000.00	3,000.00	5,000.00	5,000.00
18		2504.602	16" STEEL CASING PIPE END SEAL (SPECIAL)	EACH	2	500.00	1,000.00	3,500.00	7,000.00
19		2504.603	16" STEEL CASING PIPE	LNFT	20	180.00	3,600.00	500.00	10,000.00
20		2505.603	16" STEEL GAS MAIN	LNFT	1060	225.00	238,500.00	505.00	535,300.00
21	5	2505.603	12" HDPE GAS MAIN	LNFT	240	90.00	21,600.00	425.00	102,000.00
22		2505.603	6" PE GAS MAIN	LNFT	62	75.00	4,650.00	150.00	9,300.00
23		2521.518	4" CONCRETE WALK	SQFT	32	10.00	320.00	35.00	1,120.00
24		2521.518	6" CONCRETE WALK	SQFT	16	12.00	192.00	60.00	960.00
25		2531.503	CONCRETE CURB & GUTTER DESIGN B624	LNFT	31	36.00	1,116.00	80.00	2,480.00
26		2531.618	TRUNCATED DOMES	EACH	8	50.00	400.00	75.00	600.00
27		2563.601	TRAFFIC CONTROL	EACH	1	7,500.00	7,500.00	22,500.00	22,500.00
28		2564.502	INSTALL SIGN PANEL TYPE C	EACH	1	250.00	250.00	200.00	200.00
29		2573.503	SILT FENCE, TYPE HI	LNFT	240	5.00	1,200.00	7.00	1,680.00
30		2572.503	SEDIMENT CONTROL LOG TYPE STRAW	LNFT	700	5.00	3,500.00	8.50	5,950.00
31	6	2573.503	SEDIMENT CONTROL LOG TYPE ROCK	EACH	17	15.00	255.00	60.00	1,020.00
32		2573.502	STORM DRAIN INLET PROTECTION	EACH	12	400.00	4,800.00	250.00	3,000.00
33		2582.503	4" SOLID LINE MULTI COMP	LNFT	30	5.00	150.00	20.00	600.00
34		2582.503	4" DBLE SOLID LINE MULTI COMP	LNFT	21	10.00	210.00	120.00	2,520.00
35		2582.503	24" SOLID LINE MULTI COMP	LNFT	55	20.00	1,100.00	35.00	1,925.00

10% Contingency
GRAND TOTAL:

\$34,540.00
\$395,843.00

\$0.00
\$886,749.50

Construction Services

S.P. 6982-322 (T.H. 35)
MnDOT Agreement 1034938
Amendment Number 1
Exhibit "B1"

**COST ESTIMATE
PROFESSIONAL ENGINEERING SERVICES**

CITY OF DULUTH - LOWER MICHIGAN STREET 16" GAS MAIN RELOCATION
MnDOT Agreement No.xxxxxxxx
Twin Ports Interchange Project in Duluth, MN (S.P. 6982-322)

July 15, 2019

BILLING RATE	138	125	113	100	75	70	58	125	HRS	
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CONSTRUCTION SERVICES

LABOR COSTS - CONSTRUCTION SERVICES

JOB TITLE	MGR1 /		ENG2	ENG1	TECH	CAD		CLR	SURV	TOTAL HRS	TOTAL COST
	MGR2	ENG3				TECH					
Construction of Transmission Main											
PreConstruction Coord.		20			4					24	\$ 2,800
Staking		1			24					25	\$ 1,925
On-site Observation		40			600					640	\$ 50,000
Project Management		60								60	\$ 7,500
Finals Documentation		1			22					23	\$ 1,775
Record Drawings		4				24				28	\$ 2,180
Construction of Service Relocations											
On-site Observation		2	8		80					90	\$ 7,150
Project Management			8							8	\$ 900
Finals Documentation			1		4					5	\$ 413
Record Drawings			1			8				9	\$ 673
										0	\$ -
TOTAL	0	128	18	0	734	32	0	0		912	\$ 75,315

DIRECT COSTS - CONSTRUCTION SERVICES

	RATE	UNIT	# UNITS	TOTAL
Mileage	\$0.575	per mile	0	\$ -
Lodging	\$0	per day	0	\$ -
Meals	\$0	per day	0	\$ -
Computer Time	\$0	per hour	0	\$ -
CAD Computer	\$0	per hour	0	\$ -
Printing	\$0.06	per print	0	\$ -
Postage/fax	\$17	per project	0	\$ -
Staking Direct Costs	\$150	per day	4	\$ 600
Materials Testing - Subconsultant	\$7,000	per project	1	\$ 7,000
				\$ -
TOTAL CONSTRUCTION DIRECT COSTS				\$ 7,600

CONSTRUCTION SUMMARY

LABOR	\$	75,315
DIRECT	\$	7,600
TOTAL	\$	82,915

EXHIBIT
TOTAL
\$ 82,915

S.P. 6982-322 T.P.I. Agreement 1034938 Cost Summary			
DESCRIPTION	TOTAL ESTIMATE	TOTAL COST	COST DIFFERENCE
1810 Gas Blanket Project	\$105,682.00	\$105,682.00	
Lower Michigan 16" Gas Main Replacement	\$395,843.00	(1) \$886,749.50	(2) \$490,906.50
Construction Services	\$82,915.00	\$82,915.00	
GRAND TOTAL	\$584,440.00	\$1,075,346.50	(2) \$490,906.50

(1) Lower Michigan Gas Main Replacement Bid Cost

(2) Cost Increase