



# Exhibit A

June 1, 2022

Mr. Jim Shoberg, PLA  
Senior Parks Planner  
City of Duluth | Property and Facilities Management  
1532 W. Michigan Street  
Duluth, MN 55860

Re: Proposal for Design Engineering Services  
Design Services for Marten Trail Segments 1 and 2

Dear Mr. Shoberg:

In response to your request, we propose to provide Engineering Services in connection with the full design for Segment 1 and pre-design for Segment 2 of the Marten Trail, hereinafter called the Project. Our services will be provided in the manner described in this Proposal subject to execution of a mutually-agreeable contract consistent with those previously executed with the City of Duluth. Hereinafter, the City of Duluth is referred to as the City.

## **I. PROJECT DESCRIPTION**

The City of Duluth is seeking Professional Engineering Services to assist with design and permitting to construct Segment 1 and a pre-design report for Segment 2 of the Marten Trail. The proposed trail route along the Lake Superior shoreline was summarized in concept in a 2019 mini-master plan.

Our Professional Engineering Services will focus on final design of Segment 1 and developing a concept layout for Segment 2 of the Marten Trail. We will utilize field topographic surveys to create an alignment for the Segment 1 trail route and use field survey to supplement MnTOPO for developing a concept alignment for Segment 2. We will also evaluate any necessary stream/stormwater crossings. Our team will develop trail alignment and grading plans in accordance with DNR Trail design guidelines. Project work tasks will include developing engineering design drawings and developing construction cost estimates. We will utilize Rob Peterson with GEI, Inc., to perform field delineation for identification of potential wetland impacts and Gary Hage with EPC to obtain geotechnical information impacting the design of the pedestrian bridge abutments and a railroad underpass on Segment 2.

Our Project Team has extensive experience in delivering this type of project and is committed to delivering this project on the schedule established by the City. Our team has trail experience with the City of Duluth on the Western Waterfront Trail Renewal Project, Western Waterfront Vegetation Restoration Projects, Clyde Connector Trail, and Fairmount Snowmobile Trail which demonstrates our ability to listen to City staff, provide support where needed, and provide Engineering solutions tailored to match the City's budget for a project of this type.

## **II. SERVICES TO BE PROVIDED BY TKDA**

Based on TKDA's understanding of the Project, we propose to provide the following services:

### **TASK A • PRE-DESIGN OF SEGMENT 2 CLYDE AVENUE TO BLACKMER PARK**

After holding a kickoff meeting our team will focus on pre-design of Segment 2 with major work tasks include refining the concept design for a separated grade crossing of the BNSF track, grading associated with the crossing and trail layouts, obtaining wetland delineation information to determine potential wetland impacts, obtaining geotechnical information to inform the design of pedestrian bridge abutments and a proposed railroad underpass.

#### **TKDA Work Tasks & Responsibilities:**

- Review onsite information, proposed route, and any related stream or stormwater crossings. We will obtain additional topographic survey information for the entire length of Segment 2 as well as near the proposed pedestrian bridge and rail crossing locations.

- Create preliminary design drawings for grade-separated crossing of the BNSF single track for use with permitting the crossing. Our team will work with BN permitting staff to review our preliminary design in accordance with the review process outlined in the BN Grade Crossing Guidelines.
- Provide for wetland delineation and permitting through our subconsultant, GEI (Rob Peterson).
- Provide for geotechnical evaluation of proposed pedestrian bridge abutments and railroad underpass through our subconsultant, EPC (Gary Hage).
- Review WLSSD forcemain location and easement information in the area of Grand Avenue Estates for siting the trail and rail crossing.

**City Responsibilities:**

- Attend the kick-off meeting; assist in providing background information relevant to Project, review updated predesign reports and construction plans, and submit funding applications.
- Provide TKDA with access to the site as necessary to perform site observations.

**TASK B • FINAL DESIGN THROUGH CONSTRUCTION--SEGMENT 1 SPRING STREET TO CLYDE AVENUE**

TKDA's team will prepare preliminary and final design, construction plans, specifications, and cost estimates as necessary for the grading and construction Segment 1 of the Marten Trail in the area of Spring Street to Clyde Avenue. TKDA previously developed a high-level pre-design report for the trail construction, and we will refine it during the final design stage as follows:

- Perform topographic survey of the project area and review existing railroad track configuration and available space for siting the trail in proximity to Lake Superior shoreline.
- Perform wetland delineation and permitting for the project limits using our sub-consultant, GEI (Rob Peterson).
- Review and update the original initial alignment and cross sections for the trail along the proposed route to determine estimated grades and construction quantities for constructing a new trail alignment meeting DNR trail standards.
- We will review hydraulic requirements for passing stormwater flow through the trail corridor. Our team will also review potential wetland impacts for the project as delineated by our sub-consultant, GEI (Rob Peterson).
- Work to create refined design details for permitting and discuss with review agencies before moving to final design. Our team will review the use of shoreline armoring, living-shoreline protection zones, or placement of concrete or bituminous pavement to create a space to construct the trail in the narrowest sections along the lake and to prevent loss of granular materials into the water resource.
- We will meet with City staff to finalize the elements of work to be included in the project and to review construction cost estimates.
- TKDA will develop final design for the project as well as construction documents and specifications for construction of the trail and stormwater elements.
- TKDA will assist the City with seeking contractor pricing, hosting a pre-bid meeting and answering questions during the bidding process.
- TKDA will provide for part-time onsite construction observation (we've estimated hours to be spread over the project construction time line at approximately 10 hrs/week), construction administration (review submittals, prepare change orders, and review pay applications).

**TKDA Responsibilities:**

- Prepare documentation of the project kick-off meeting and the data provided by the City to the TKDA Team. We will prepare and maintain a detailed project schedule.
- Review record plans and determine public and private utility relocation needs.
- Develop preliminary level construction plans using topographic survey information and in conformance with DNR design standards. Meet with review agencies to confirm and refine design in narrow areas.
- Evaluate stormwater hydraulics and prepare concept designs in accordance with Federal, State and Local rules.



- Develop concept construction cost estimates for budgeting purposes.
- Provide for part-time onsite construction inspection, staking, and contract administration.

**City Responsibilities:**

- Provide any additional background/record drawing information that may be required to complete the design work.
- Attend pre-design review meeting and provide plan reviews and feedback promptly to maintain the project schedule.

**III. ADDITIONAL SERVICES AND ASSUMPTIONS**

If authorized in writing by the City, we will furnish or obtain from others Additional Services of the types listed below which are not considered as basic services under this Proposal. Additional Services shall be billable on an Hourly Time and Materials basis and such billings shall be over and above any maximum amounts set forth in this Proposal.

- A. Additional Geotechnical evaluation for the proposed bridge, railroad underpass, or the trail alignment.
  - B. Additional field wetland delineation and permitting or banking/replacement plan development.
  - C. Preliminary and Final Design plans and specifications for construction of additional segments of the trail beyond Segments 1 and 2.
  - D. Field survey of topographic information on additional routes or segments beyond those identified in our fee estimate or property boundaries.
  - E. Trail easement descriptions or exhibits.
- IV. Structural design and plans for lakeshore overlooks or other structural types of shoreline protection. In this proposal, we have assumed that we can design the trail improvements so that they may be constructed above the ordinary high water elevation, minimizing permitting efforts. Design, construction plans, and permitting for additional shoreline protections below Ordinary High Water (OHW) would be considered additional services.

**V. CITY RESPONSIBILITIES**

These responsibilities include, but are not limited to, the following:

- A. Designate one individual to act as a representative with respect to the work to be performed, and such person shall have complete authority to transmit instructions, receive information, interpret and define policies, and make decisions with respect to critical elements pertinent to the Project. This individual shall be identified in the signature block area of this Proposal.
- B. Provide TKDA with access to the site as required to perform services listed in SECTION II.
- C. Provide reviews of materials furnished by TKDA in a reasonable and prompt manner so that the Project schedule can be maintained.

**VI. PERIOD OF SERVICE**

We would expect to start our services promptly upon receipt of your written acceptance of this Proposal and to complete SECTION II services as follows:

1. Provide pre-design costs and layouts for Segment 2 to the City by July 1, 2022 to begin the review and funding application process. We can provide edits to those documents in early July if needed, and provide final wetland delineations and TEP-approved boundaries by September of 2022 for City records. We will obtain soil borings and a draft geotechnical recommendation for use in our predesign work, and will have a final geotechnical report and recommendation for bridge and underpass design work by September 2022 for the City's records.
2. Develop final design and construction documents for Segment 1 between Spring Street and Clyde Avenue by September 2, 2022. The City anticipates advertising for contractor bids to construct Segment 1



beginning in September, with construction wrapping up in spring of 2023.

## **VII. COMPENSATION**

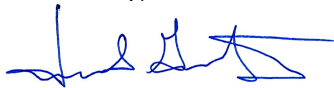
Compensation to TKDA for services provided as described in SECTION II of this Proposal shall be on an Hourly Time and Materials basis in an amount not to exceed \$75,800 for the total of the two (2) segments and project scope identified in our proposal. We have shown the work scope and costs for each trail segment in the detailed Project Fee Estimate Hourly Rate attached to this proposal.

The level of effort required to accomplish SECTION II services can be affected by factors which are beyond our control. Therefore, if it appears at any time charges for services rendered under SECTION II will exceed the above, we agree we will not perform services or incur costs which will result in billings in excess of such amount until we have been advised by you additional funds are available and our work can proceed.

## **VIII. CONTRACTUAL INTENT**

We thank you for the opportunity to submit this Proposal. We agree that your issuance of a mutually agreeable contract in our previously negotiated format will be our notice to proceed. This Proposal will be open for acceptance for 30 days, unless the provisions herein are changed by us in writing prior to that time. Please feel free to contact Jeff Goetzman directly at 218.390.9295 or [jeff.goetzman@tkda.com](mailto:jeff.goetzman@tkda.com) if you have any questions.

Sincerely,



Jeff Goetzman, PE  
Project Manager



Douglas W. Fischer, PE  
Vice President – Municipal, Utility, and Planning Division

Attachment: Project Fee Estimate

JSG:DWF:jks





## Project Fee Estimate

Client:		City of Duluth Parks and Recreation Department						Date:	5/31/2022
Project:		Marten Trail Segment 1 Final Design & Segment 2 Pre-Design						By:	JSG
					Est. Person Hours			Total Hours	Total Dollars
Project	Task		Sr Reg Eng	Reg Eng	Grad Eng	PLS	Tech III		
A		Pre-design--Segment 2--Clyde Avenue to Blackmer Park							
	1	Kickoff Meeting--Review Past Work, Scope, Timing	1	1				2	\$ 291
	2	Update/Extend Predesign Alignment & Culvert Crossing Inventory (field topo, field work)	1	2	12		24	39	\$ 3,705
	3	Review WLSSD/FM Location and Easement	1		4	2	4	11	\$ 1,291
	4	Spur Trail/Connection Easement	1		4	3	16	24	\$ 2,592
	5	Wetland Delineation and Permitting (Rob Peterson, GEI Subconsultant)	1	2	4			7	\$ 5,000
	6	Trail Grading/Design Development at Tunnel Crossing	2	4	32			38	\$ 3,666
	7	Coordination of BN/ROW Access for Geotech		2	4			6	\$ 564
	8	Develop Tunnel Plan/Details for BN Review (up to 60% per BN Grade Crossing Guidelines)	2	4	32			38	\$ 3,666
	8	Geotechnical Evaluation/Recommendation--Bridge Abutments, Tunnel (EPC, subconsultant)	1					1	\$ 15,000
	11	Cost Estimate Updates for Grant Funding Application--Segment 2	1	2	8			11	\$ 1,113
	12	Review Meetings with City Staff	3	2	8			13	\$ 1,491
	Subtotals:		14	19	108	5	44	190	\$ 39,321
B		Final Design through Construction--Segment 1--Spring Street to Clyde Avenue							
	1	Kickoff Meeting--Review Scope, Timing	1	1				2	\$ 291
	2	Update Predesign Alignment & Layout (field topo, field work)	2		16	2	16	36	\$ 3,676
	3	Refine Concept (shore armoring or living shortline options)	2		28			30	\$ 2,898
	4	Develop Detailed Layout for Permitting Evaluation/Meet with City/Reviewers	2		16			18	\$ 1,818
	5	Preliminary Construction Cost Estimate	1	2	8			11	\$ 1,113
	6	Wetland Delineation and Permitting (Rob Peterson, GEI Subconsultant)	1		2			3	\$ 5,500
	7	Construction Documents (Final Plans with Details, Utility Coordination)	4	4	40			48	\$ 4,764
	8	Specifications	2	4	8			14	\$ 1,506
	9	Final P/S/E Submittal to City	1	2	8			11	\$ 1,113
	10	Bidding Assistance	1		4			5	\$ 549
	11	Construction Staking	1		2		20	23	\$ 2,229
	12	Part-time Onsite Construction Observation	4		80			84	\$ 7,956
	13	Construction Administration (weekly meetings, submittals, pay applications)	4		16			20	\$ 2,196
		Subtotals:	26	13	228	2	36	305	\$ 35,978
Total Person Hours			40	32	336	7	80	495	
Billing Rate/Hr x Multiplier			\$ 189	\$ 102	\$ 90	\$ 185	\$ 93		
Total Billable for Charged Time			\$ 7,560	\$ 3,264	\$ 30,240	\$ 1,295	\$ 7,440		\$ 75,299
Detailed Splits:									
Geotechnical and Wetland Sub-consultants:									\$ 25,500
TKDA Engineering Services:									\$ 49,799
Expenses:									\$ 500
Estimated Total Fees (Rounded)									\$ 75,800