



Minnesota Department of Transportation

District 1
1123 Mesaba Ave.
Duluth, MN 55811

Date 8/26/2021

RECEIVED
AUG 25 2021

Emily Larson
Mayor
City of Duluth
411 W 1st Street
Duluth, MN 55802

RE: Request for City Approval (Municipal Consent) of the Final Layout for State Projects (SP) 6910-102 & 6910-103.

Dear Mayor Larson,

MnDOT is proceeding with plans to complete State Projects 6910-102 & 6910-103, US Steel and Gogebic Culvert Replacements. In accordance with Minnesota Statute 161.164, I am submitting for City approval the projects Final Layouts, identified as Layout No. 1, S.P. 6910-102 & Layout No. 1, SP 6910-103.

The City's approval (municipal consent) is required for this project because it requires acquisition of permanent right of way. Municipal consent of MnDOT projects is described in Minnesota Statutes 161.162 through 161.167 (attached).

Approval or disapproval of the final layouts is by resolution of the City Council. (A sample resolution is attached). However, if the City neither approves nor disapproves the final layout within 90 days of the public hearing, the layout is deemed approved (per MN Statute 161.164).

The deadlines (per MN Statute 161.164) for the City's responsibilities regarding municipal consent of the attached layout are as follows, based on a submittal date of the final layout to the City of [8/26/2021]:

- Within 15 days of receiving the final layout, schedule a public hearing (by 9/17/2021).
- Within 60 days of receiving the final layout, conduct the public hearing (by 10/25/2021).
- Provide at least 30-days' notice of the public hearing.
- Within 90 days of the public hearing, approve or disapprove the layout by resolution (by 11/25/2021)

MnDOT will attend the public hearing to present the final layout and answer questions, as required by statute.

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Project Purpose

For SP 6910-102, deteriorating drainage structure resulting in reduced hydraulic capacity and distress to TH 23. Culvert replacement will provide for adequate hydraulic capacity, structural stability, and road core integrity.

For SP 6910-103, deteriorating drainage structure resulting in reduced hydraulic capacity, distress to TH 23 and Willard Munger Trail. Culvert replacement will provide for adequate hydraulic capacity, structural stability, and road core integrity.

Project Description

SP 6910-102 is located in St. Louis county on Trunk Highway (TH) 23 near Gary New Duluth. The US Steel Creek culvert crossing is located approximately 525 feet south of the TH 23/Becks Road intersection. The proposed culvert invert elevation is approximately 42 feet below the surface of TH 23 at US Steel Creek.

Tied SP 6910-103 is located in St. Louis county on Trunk Highway (TH) 23 near Gary New Duluth. The Gogebic Creek culvert is located approximately 675 feet southwest of the TH 23/Spring Street intersection and crosses under TH 23 and the Munger Trail. The existing culvert inlets on the north side of TH 23, continues under the Munger Trail, and outlets on the south side of a private drive (vacated city street named Industrial Avenue). The proposed culvert invert elevation is approximately 20 feet below the surface of TH 23 at Gogebic Creek.

Planned Project Schedule

SP 6910-102 is planned to let October 28th, 2022. Construction is expected to begin in May of 2023 and wrap up in the summer. There is a detour of TH 23 onto W Gary St. and Becks Rd. that will be required as part of this project. This detour is expected to last 3 weeks.

Tied SP 6910-103 is planned to let October 28th, 2022. Construction is expected to begin in May of 2023 and wrap up in the summer. Traffic on TH 23 is expected to maintain 2 lanes of traffic through the duration of the project.

City's Estimated Project Costs

Some project costs are the City's responsibility, as detailed in MnDOT's cost participation policy. (See the policy and the *Cost Participation and Maintenance with Local Units of Government Manual* at MnDOT's this website: <http://www.dot.state.mn.us/policy/financial/fm011.html>).

Attached is MnDOT's current estimate of the City's costs for S.P. 6910-102 & 6910-103. It also shows MnDOT's estimated costs.

As shown on the attached, the City of Duluth's total cost participation for SP 6910-103 is estimated to be \$168,000. For SP 6910-102, the City of Duluth's cost participation is estimated to be \$10,000.

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City's Maintenance Responsibilities

Post construction, the City of Duluth will be responsible for the complete maintenance of the portion of the culvert within the City of Duluth's drainage easement on SP 6910-103 Layout 1.

Please feel free to contact me if you have any questions about this submittal.

Sincerely,



Max Gagnon
Project Manager
1123 Mesaba Ave
Duluth, Mn 55811
(218) 464-7659

Attachments:

Final Layouts for SP 6910-102, dated 6/26/2019 & SP 6910-103, dated 6/01/2020
MN Statutes 161.162 – 161.167
Estimated Project Costs
Sample City Resolution

cc:

Cindy Voigt, City of Duluth
Jim Benning, City of Duluth
Tom Pfeffer, City of Duluth

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Good Faith Cost Participation Estimate Summary

S.P. 6910-102 & 6910-103 (TH 23 in Gary/Duluth)

The City of Duluth's share of construction costs was estimated using Mn/DOT's cost participation policy and the [Cost Participation and Maintenance with Local Units of Government Manual](#) (PDF). You can find both the policy and the manual at <http://www.dot.state.mn.us/policy/financial/fm011.html>). This policy is used statewide to calculate participation of local units of government on Mn/DOT construction projects. This estimate could change if the layout changes or the city requests certain features. The City will be notified of any major changes in cost to the project. The major cost items and the cost splits are summarized below.

Trunk Highway 23

Mn/DOT will be responsible for 100% of the costs associated with the reconstruction of TH 23 in the City of Gary/Duluth as is shown on the submitted Final Geometric Layout's.

Lighting

For SP 6910-102, the City of Duluth will be responsible for the removal and replacement of three overhead lighting units on TH 23. The preliminary estimate for this portion of the work is approximately \$10,000.

Drainage Costs

For SP 6910-103, the City of Duluth will be responsible for the Drainage Structure connection and the lining of the City's portion of the culvert under Industrial Avenue. The preliminary estimate for this portion of the work is approximately \$168,000.