



Minnesota Ballpark Authority Meeting Minutes – January 16, 2009

Chair Steve Cramer called the meeting of the Minnesota Ballpark Authority for January 16, 2009 to order at 1:00 PM. The roll was taken. Commissioners John Wade and Michael Vekich were absent. Commissioners Barb Sykora and Joan Campbell were present. Kathleen Lamb, Legal Counsel, was also present.

Commissioner Sykora moved approval of the agenda, seconded by Commissioner Joan Campbell and approved unanimously – 3 YEAS, 0 NAYS.

APPROVED

Commissioner Campbell moved approval of the December 19, 2008 meeting minutes, seconded by Commissioner Sykora and approved unanimously – 3 YEAS, 0 NAYS.

APPROVED

PUBLIC COMMENT

- None

CHAIR REPORT

Chair Steve Cramer reported the following:

- Chair Cramer and Commissioner Sykora attended the swearing-in ceremony of the new Hennepin County Commissioners on January 6th. Executive Director Kenney will be setting up meetings with the new Commissioners to brief them on the project and the role of the MBA.
- Chair Cramer attended the funeral of Twins owner Carl Pohlad. MBA Commissioners will make a contribution to the Twins Community Fund in his memory.

EXECUTIVE DIRECTOR REPORT

Executive Director Dan Kenney reported the following:

- Progress is being made on the elevated walkway that will connect “A” ramp to the ballpark. The revised design and cost estimate are complete. This project will be funded by MnDOT as part of a Joint Powers Agreement between the MBA and MnDOT.
- Work on the Transportation Management Plan is wrapping up. This is important because we will be able to determine City investment related to changeable message signs and signal timing out of the \$2 million that has been allocated by the City Council. Once this amount is determined discussions can begin with the City related to other potential investments on City infrastructure and streetscape that could be combined with MBA committed resources so we can expand the connections to the ballpark.

- Mr. Kenney and Ed Hunter are meeting with HERC officials next week related to improvements they are considering around their facility. We want to make sure that their efforts tie in with what the MBA will be planning. Mr. Kenney would like to have a separate work session in February to discuss the next steps on district enhancements and get feedback from the MBA Board on areas we would like to consider for additional investment.
- The Access Advisory Committee is meeting next week to discuss the initial draft of the Access Guide that will be available in April, 2010.

Chair Cramer asked Commissioner Sykora to give an update on the public art process. Commissioner Sykora stated that the artists have been chosen for the 5th Street Panels and Vertical Circulation Building public art projects. On February 10th a community open house will be held at the Hennepin County Library - Central from 11:30 – 1:00 PM. The community will have an opportunity to meet the artists and view their concept plans.

Commissioner Campbell reported on recent meetings of the 2010 Partners group. She said that there have been some good presentations made on the concept plans for transportation in the ballpark area. Hennepin County continues to be in discussion with Congressman Oberstar's office about these plans.

ACTION ITEMS:

09-MBA-21: To authorize the Chair and Executive Director to execute an Amendment No. 2 to the Braun-Intertec consultant contract for Special Testing and Inspection Services, in the amount of \$450,000.

Background: In the spring of 2007, proposals were solicited from qualified firms to provide special inspections and testing services as required by the International Building Code and local authorities.

On April 25th, 2007, staff presented to the Board Resolution No. 07-MBA-09, in which authorization was requested to enter into contract with Braun-Intertec to provide certain inspection and testing services, with an initial NTE contract amount of \$1,237,635, with the understanding that payment was to be made against that contract on a time-and-materials basis. Approval was subsequently given at that meeting.

On May 16, 2008, staff presented to the Board Resolution No. 08-MBA-08, in which authorization was requested to execute Amendment No. 1 to the Braun-Intertec contract in the amount of \$800,000, for additional scope and required manpower primarily in the form of inspections for the plaza/pedestrian bridges within MnDOT right-of-way. Additionally, the GMP design documents resulted in numerous additions and increases to structural foundations and piles that also required additional inspections. Approval was subsequently given at that meeting, with the understanding that payments would continue to be made on a time-and-materials basis.

Since that time, Mortenson's precast fabrication and cast-in-place concrete activities have been completed ahead of schedule, with the incurrence of multiple shifts and overtime, which in turn necessitated additional inspection personnel and payment of premium inspection costs. Further, a look-ahead to the completion of all code-required steel fabrication and erection inspection requirements would indicate that the current inspection contract amount will be exceeded without additional funding.

The costs for this scope of work fall within the project's current budget, with a 50% allocation to the ballpark budget, and a 50% allocation to the infrastructure budget. This request for amendment has been reviewed and approved by the Twins.

Action Requested:

BE IT RESOLVED, that the MBA Board authorizes the Chair and Executive Director to execute Amendment No. 2 to the Braun-Intertec consultant contract, for continued special inspection and testing services in an increased amount of \$450,000, resulting in a new contract amount of \$2,487,635, which may not be exceeded without further Board authorization.

Commissioner Campbell moved approval, seconded by Commissioner Sykora and approved unanimously – 3 YEAS, 0 NAYS.

APPROVED

09-MBA-22: To authorize the Chair and Executive Director to execute an Amendment No. 1 to the SRF Consulting Group, Inc. consultant contract for engineering, design, and construction support services, in a not-to-exceed amount of \$250,000.

Background: On February 27, 2008, staff presented to the Board Resolution No. 08-MBA-04, in which authorization was requested to enter into contract with SRF Consulting Group, Inc. ("SRF") to provide engineering, design and construction support services in conjunction with a number of activities, which included ongoing EIS mitigation, 5th and 7th street bridge design issues, and design for the conversion of 2nd Avenue North to two-way traffic. This initial contract amount was established at \$400,000, with the understanding that payment was to be made against that contract on a time-and-materials basis. Approval was subsequently given at that meeting.

Since that time, MBA staff has developed two additional areas of work near or on the 7th Street Bridge that require engineering and design services. As SRF is the original designer of record for this structure, and since SRF is currently under contract with the MBA, the MBA staff believes that the performance of this engineering and design work by SRF represents the best public value.

The requested amendment amount of \$250,000 represents the anticipated costs to design a wider sidewalk on the 7th Street Bridge over BNSF; streetscape improvements to 3rd Avenue North at 7th Street; and an additional contingency for future design activities that may be required.

The \$250,000 will be paid from infrastructure contingency, and is within the overall project budget.

Action Requested:

BE IT RESOLVED, that the MBA Board authorizes the Chair and Executive Director to execute Amendment No. 1 to the SRF Consulting Group, Inc. consultant contract, for continued design and engineering services in an amount of \$250,000, resulting in a new contract amount of \$650,000, which may not be exceeded without further Board authorization.

Commissioner Campbell moved approval, seconded by Commissioner Sykora and approved unanimously – 3 YEAS, 0 NAYS.

09-MBA-23: To authorize the Chair and Executive Director to enter into a Project Closeout Agreement with the Metropolitan Council to resolve cost allocations associated with the 2007 re-lining of the Metropolitan Council's sanitary sewer interceptor, which runs beneath the 5th Street Bridge and beneath the property that was acquired by for Ballpark construction.

Background:

In late 2006, the Metropolitan Council surveyed the condition of its sanitary sewer inceptor running beneath the 5th Street Bridge and beneath property subsequently acquired for Ballpark construction. It determined to re-line the brick tunnel with PVC inserts to shore up its structural integrity. It wished to access the tunnel before Ballpark construction commenced in May 2008. Both the Northstar line project and the Ballpark construction project needed to coordinate the timing of their construction with the Metropolitan Council's relining project. The Metropolitan Council agreed to construct an extra pit to accommodate the schedule needs of both Northstar and the Ballpark Project to accelerate the relining project. The parties agree that the cost of this extra pit was \$200,000.

The Metropolitan Council and the Ballpark Authority agree that the Ballpark Authority's total cost responsibility with regards to the tunnel relining project is \$100,000, inclusive of a release for all future claims or costs associated with the work.

Action Requested:

BE IT RESOLVED that the MBA Board authorizes the Chair and Executive Director to enter into an agreement with the Metropolitan Council to reimburse the Metropolitan Council for \$100,000 of its costs in re-lining its sanitary sewer interceptor beneath the 5th Street Bridge in return for a release of claims.

BE IT FURTHER RESOLVED that the MBA Board authorizes the Chair and Executive Director to take all steps necessary and proper to enforce the MBA obligations incurred by reason of such agreement.

Commissioner Campbell moved approval, seconded by Commissioner Sykora and approved unanimously – 3 YEAS, 0 NAYS

Discussion Items:

- A. **Community Participation Program – Lynn Littlejohn, Mortenson Construction**
Ms. Littlejohn introduced representatives from two minority-owned firms that are presently participating in construction of the ballpark; Calvin Littlejohn, owner of Tri-Construction and Gilbert Odonkor, owner of Yaw Construction. Mr. Littlejohn said that Tri-Construction has been in business since 2000. He thanked the MBA and Mortenson Construction for the opportunity for a small contractor to have access to a project of this magnitude. Financially, if not for the Community Participation Program, a business like Tri-Construction would not have the capability to bid on scopes of work as large as the ballpark project. This program has opened up many doors for his small business. He said that they are not just getting work from this project but learning much about the industry. They are shadowing Mortenson on how they do such things as tracking, books and management because if they learn the overall business they can make it in the industry. It is these kinds of things and new pieces of work that will be invaluable to their business in

the future. Mr. Odonkor also thanked the MBA and Mortenson for the opportunity for his small business to work with the best in the industry. Along with the work experience they are learning about safety, the schedule of work for these large concrete packages and without this project, they would not have had the opportunity to have this history and experience under their belt. This puts his company leaps and bounds over their competitors.

- B. **Construction and Planning Update – Ed Hunter, MBA Project Manager** – Mr. Hunter reported the design for the enhanced plaza, the plaza extension and the elevated walkway to the “A” ramp are completed to the point where Mortenson can start to award contracts soon. The estimated completion for the plaza and extension is August, 2009. Chair Cramer asked when the official unveiling of the design for the plaza would occur. Dan Kenney estimated the unveiling and naming rights of the plaza will be announced sometime in mid-February. Mr. Hunter also reported that the as-builts for the completed public utility systems have been received and will soon be turned over to the City for ownership. On February 1st the Vertical Circulation building will be turned over to Northstar so that mutual occupancy of the space can occur.

- C. **Construction and Planning Update – Dan Mehls, Mortenson Construction**– Mr. Mehls reported that the overall project schedule has over 11,000 activities and the 6000th activity has been reached. The majority of the concrete structure is complete and steel structure is half way done. One-third of the canopy and upper deck steel is in place. Precast stadia sections are fabricated and being shipped out as needed.

- D. **MBA Financial Report – Brenda Juneau, MBA Finance Coordinator**
Ms. Juneau presented the MBA unaudited financial reports through December 31, 2008 for the General Fund and Capital Projects. Funds from the sales tax revenue have been requested from Hennepin County for \$1.2 million to cover expenses for the second half of 2008. Interest in the Capital Project Fund is down in December due to the interest rate. The General Fund continues to run under budget.

Next meeting: February 20, 2009

There being no further business, Chair Cramer moved to adjourn. The motion was approved unanimously - 3 YEAS, 0 NAYS. The meeting of the Minnesota Ballpark Authority for January 16, 2009, was adjourned at 1:50 P.M.