

City Council Agenda Memo

From: Jackie Lanning, City Engineer

Council Meeting: January 28, 2020

Subject: Authorize a Memorandum of Understanding between the South Dakota Department of Transportation and City for the 20th Street South BUILD Project.

Person(s) Responsible: Jackie Lanning, City Engineer

Summary:

This resolution will authorize the City Manager to sign a Memorandum of Understanding (MOU) between the South Dakota Department of Transportation (SDDOT) and the City of Brookings, which outlines the responsibilities of the SDDOT and the City of Brookings (comprised of City/County/Donors).

Background:

The City of Brookings has been awarded a federal “Better Utilizing Investments to Leverage Development (BUILD)” Grant to construct 20th Street South between 22nd Avenue South and 34th Avenue South along with a new interchange at Interstate 29 and 20th Street South. The project has been added into the Statewide Transportation Improvement Program and given project number EM 0295(45)130 and PCN 020V.

The project has specific deadlines required by the grant. The BUILD Grant funds must be obligated by September 15, 2021 and the grant funds must be expended by September 30, 2026. The following schedule is described in the MOU to meet the grant deadlines:

June 30, 2020	The CITY will submit PROJECT preliminary Gradeline plans
August 12, 2020	The CITY will conduct the Preliminary Design Inspection
October 23, 2020	The CITY will conduct the Final Design Inspection
December 16, 2020	The CITY will provide a Release to Right-of-Way
February 9, 2021	The CITY will release final plans for review to the STATE
June 15, 2021	The CITY will provide all certifications, final plans, right-of-way certifications, environmental clearances, utility certifications, and necessary state and federal PROJECT documentation

September 15, 2021: Anticipated Bid Date

2022: Anticipated Construction

Discussion:

The City requested the State to function as the administrator for the project along with the Federal Highway Administration (FHWA). The SDDOT staff has experience in federal projects including environmental review, right of way, and interchange and off-ramp design. The SDDOT financial system is also approved to use the FMIS system, which would expedite the approval of the Advance Construction for the Grant.

Responsibilities of each party are described in the MOU. The State will provide the following:

- a. Project agreements authorizing federal funding through FHWA;
- b. Technical assistance to the City for the Project;
- c. Geotechnical recommendations;
- d. Surfacing recommendations;
- e. Plans Specifications and Estimate (PS&E) review, letting, and construction administration;
- f. A more detailed agreement for the Project prior to PS&E approval; and
- g. Coordination on the development of a Grant agreement with FHWA.

Upon completion of the Project, it is the intent that the State will assume jurisdiction, ownership, replacement, repair, and maintenance responsibilities for all portions of the Project within the control of access.

The City's responsibilities include the following:

1. The City will be responsible for all local match requirements for the Project
2. The City will coordinate all match and reimbursements with other partners
3. The City will be responsible for any costs determined ineligible for grant funding by the State or FHWA.
4. The City will be responsible for any costs in excess of the estimated Project costs.
5. The City Engineer will function and assume all duties as the Project Manager (PM) for the Project.

Staff agrees with the terms outlined in the MOU.

Legal Consideration:

None.

Financial Consideration:

The budget for the project is as follows:

BUILD Grant:	\$18,677,630
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City:	\$2,000,000
County:	\$2,000,000
Private Donors:	<u>\$669,407</u>
Total project cost:	\$23,347,037

The City will be responsible for the 20% match for the project, which will be split between the City/County and private donors. The City is currently drafting Agreements with the County and private donors.

Options:

The City Council has the following options:

1. Approve as presented
2. Approve as amended
3. Deny
4. Move to a study session

Recommendation:

Staff recommends approval of the resolution as presented.

Action Requested:

Approve the resolution to authorize the City Manager to sign a Memorandum of Understanding (MOU) between the SDDOT and the City of Brookings.

Supporting Documentation:

1. Resolution
2. Memorandum of Understanding
3. Letter from City to SDDOT
4. Letter from SDDOT to City
5. Map