



TO: Mayor and Council

FROM: Craig Hupy, Public Services Area Administrator
Nick Hutchinson, City Engineer

CC: Tom Crawford, Interim City Administrator

SUBJECT: Council Agenda Responses

DATE: 4/4/16

CA-10 - Resolution to Award a Construction Contract to Doan Construction Company (Bid No. 4417) for the 2016 Ramp & Sidewalk Repair Project (\$1,648,829.00)

Question: Roughly how much of this \$1.6M contract for 2016 Ramp and Sidewalk Repairs do you expect to be spent on curb ramps and how much on sidewalks and how does that relative spending mix compare to recent years actual? (Councilmember Lumm)

Response: It is estimated that approximately \$900K will be for ramps, and \$750K for sidewalk repairs, which is a 55%/45% split. Over the past four years, the split between these two activities has averaged about 50/50.

Question: Of this \$1.6M contract (\$1.8M with contingency), about how much is funded by the sidewalk levy, how much is funded from the street millage, and how much from other sources (including what they are and the amount)? (Councilmember Lumm)

Response: The 1/8 mil levy for sidewalks is estimated to generate approximately \$620,000. The estimated sidewalk work on this contract amounts to approximately \$750,000. As the "sidewalk levy" and the "street millage" are parts of the same millage, the shortfall is covered by the overall millage. There are additional funds that also contribute for sidewalk repairs adjacent to City-owned parcels and township parcels, however these amounts are typically very small.

Question: As has been mentioned previously (and is stated in the cover memo), the 2016 Ramp and Sidewalk Repair project is the last of the city's initial five year program. Going forward, is the \$600K reflected on the Street Millage Fund budget impact sheet (reviewed March 14) the best estimate at this point for what annual sidewalk and ramp repair expenses will likely be? (Councilmember Lumm)

Response: This figure is the best estimate available at this time for sidewalk repair work going into the future. This does not include ramp repair work, as it is expected that the City will have substantially completed its requirements to replace the list of ramps outlined in the Consent Decree by the end of the 2016 construction season.

Question: Does this contract cover all the ramp and sidewalk repairs in the city including those in the DDA district? If not, what are the others and who is responsible for the repairs? If so, approximately how much is the city reimbursed by the DDA or other entities? (Councilmember Lumm)

Response: The City and DDA have an agreement that the DDA refund the City the portion of the millage for sidewalks that goes to the DDA. The City then assumes responsibility for sidewalk repairs in the DDA district. Sidewalk repairs in the DDA district were completed in 2013 and 2015.

Question: The cover memo indicated there was only one responsible bid. Does that mean there was just one bid submitted or were there other bids that were submitted, but were not responsive to the RFP? Also, can you please comment on the low number of bidders we're seeing on construction work – I know the city publishes the RFP's on its website and reaches out as well, but is there anything else we can do to encourage more competition (e.g. perhaps reach out to a wider geographic area)? (Councilmember Lumm)

Response: Only one bid was submitted. The bids are published on the Michigan Intergovernmental Trade Network (MITN), of which most contractors large enough to handle this volume of work are subscribed. This site covers the entire State of Michigan and beyond. As the cost of transporting materials is a large part of the cost of construction, local contractors often have a competitive advantage over out of town contractors.

Question: The cover memo for the resolutions ordering an election on the street and sidewalk millage indicates that over the last four construction seasons (2012 thru 2015), approximately 17 miles of sidewalks have been replaced and 22,000 sidewalk slabs repaired. What do you estimate these amounts to be (roughly) once this fifth construction season is completed? (Councilmember Lumm)

Response: Based on the estimated amount of work for the 2016 construction season, it is anticipated that approximately 20 miles of sidewalks will have been replaced, and 28,000 sidewalk slabs will have been repaired.

DC-1 – Resolution to Direct the City Administrator to Open Discussions with the Downtown Development Authority for Modification of the City/DDA Parking Agreement

Question: What progress has the City to fulfill its obligations under the current parking agreement to “endeavor through collective bargaining and other measures to reduce the provision of free or subsidized employee parking provided in structures, lots or parking meter locations operated by the DDA.” (Councilmember Warpehoski)

Response: One way the City has striven to reduce the provision of subsidized or free parking is to utilize the services of the getDowntown program to assist its employees that commute downtown. This includes encouraging employee participation in annual events such as Commuter Challenge and Conquer the Cold. The City also supports use of the go!Pass by its downtown City staff. In its 2014/15 report, the getDowntown program reported that the City was the third highest employer among its top ten go!pass users (Sava Restaurants was first, Zingerman’s Deli was second, and the City of Ann Arbor was third).

With respect to collective bargaining, parking has not been included as part of the overall labor strategy and therefore, has not been a subject of negotiations. Any changes to the labor strategy should be discussed with the Labor Committee.

Question: What is the process envisioned in developing these potential parking agreement recommendations – will there be Council participation, opportunities for public engagement and input or will this be (as the resolution suggests) a simpler process where the Administrator works with the DDA and develops recommendations for council to consider? (Councilmember Lumm)

Response: It is recommended that the City Administrator, working with City staff, and the representative(s) of the DDA would evaluate the current the terms of the Agreement.

Question: About how long do we expect the review to take and recommendations to come to Council, and when does the current city/DDA parking agreement expire? (Councilmember Lumm)

Response: The City/DDA Parking Agreement terminates June 30, 2033, unless terminated pursuant to the following (1) Either the City or the DDA may terminate the Agreement without cause, on June 30, 2022 and on the 11-yr anniversary thereafter, provided that written notice of termination is provided no less than 365 days in advance of the date of termination; or (2) Either party may terminate the Agreement upon the breach of the other party, which breach remains uncured 60 days after notice.

DC-2 – Resolution to Order Election and to Determine Ballot Question for Charter Amendment for the 2017 Street, Bridge, and Sidewalk Millage (7 Votes Required)

DC-3 – Resolution of Intent on the Use and Administration of the Street, Bridge, and Sidewalk Millage Funds

Question: Under current practices, if a sidewalk gap is filled and the full cost cannot be captured through assessment and other sources, where does the balance of the cost come from? (Councilmember Warpehoski)

Response: Recent practice has been to fund the portion of the work that is not assessable from the General Fund, on a project by project basis.

Question: How would the added flexibility proposed under DC-2 affect the ability to reach the goal of 80%+ of pavement in good condition or better in 10 years as described in the asset management plan presented to Council this spring (assuming no other change in funding)? (Councilmember Warpehoski)

Response: Staff anticipates that the amount of funding used for the items not covered in the previous millage to be sufficiently small in comparison to the total revenue available for road repairs as to not have an effect on that goal.

Question: At the previous council meeting there was discussion if the changes proposed under DC-2 and 3 would allow the vote to be considered a “renewal.” Are either of the proposed millage texts eligible to be described as a “renewal”? (Councilmember Warpehoski)

Response: Either version of the 2017-2021 millage is proposed as a new millage that would replace the expiring 2012-2016 millage, and either would be presented to the voters as a new/replacement millage.

Question: The resolution adopted by council in 2011 (Attachment A) included a resolved clause stating that “The City Administrator will track and account for the expenditure of the millage funds in accordance with the attached guidelines and will report to the city council annually”. Do we have that expenditure detail since 2012 and if so, can you please provide it? (Councilmember Lumm)

Response: Please see attachment.

Question: The Pedestrian Safety and Access Task Force report’s recommendations included a number of action items that would require funding such as:

- Highlight pedestrian crossing locations thru landscaping and lighting
- Appropriate scaled roadside environments; amenities that enhance the pedestrian experience
- Buffering between motorized travel lanes and pedestrian spaces

- Road/roadside design treatments to slow motorized travel speed
- Fill sidewalk gaps
- Add new crosswalks consistent with a minimum distance standards between crosswalks
- Improve crosswalk maintenance to “optimal condition” for signage, markings, lighting and warning beacons
- Improve understanding of traffic laws and local expectations through major education/outreach effort
- Enhanced enforcement activity
- Improve sight lines; Improve lighting
- Add beacons - active warning beacons at all crosswalks on multi-lane roads
- Add advanced stop bars - at unsignalized mid-block crosswalks
- Add pedestrian crossing islands – at all unsignalized crosswalks on arterial/collector roadways where speed limit is 30 mph or more
- Widen shared use pathways
- Evaluate red RRFB’s
- Establish new standing committee, develop action plan (including cost estimates and implementation strategies)
- Develop new street design process/approval process

Under the existing two millages, which of these (if any) are permitted uses of the millage proceeds and on what basis are they determined to be permitted uses?
(Councilmember Lumm)

Response:

- Highlight pedestrian crossing locations thru landscaping and lighting. No, unless part of a reconstruction or resurfacing project.
- Appropriate scaled roadside environments; amenities that enhance the pedestrian experience. No, unless part of a reconstruction or resurfacing project.
- Buffering between motorized travel lanes and pedestrian spaces. No, unless part of a road project scope.
- Road/roadside design treatments to slow motorized travel speed. No, unless part of a reconstruction or resurfacing project.
- Fill sidewalk gaps. No.
- Add new crosswalks consistent with a minimum distance standards between crosswalks. Current language is not completely clear, but has been interpreted to include crosswalks.
- Improve crosswalk maintenance to “optimal condition” for signage, markings, lighting and warning beacons. Current language is not completely clear, but has been interpreted to include crosswalk enhancements.
- Improve understanding of traffic laws and local expectations through major education/outreach effort. No.
- Enhanced enforcement activity. No.
- Improve sight lines; Improve lighting. No, unless part of a road project scope.

- Add beacons - active warning beacons at all crosswalks on multi-lane roads. Current language is not completely clear, but has been interpreted to include crosswalks.
- Add advanced stop bars - at unsignalized mid-block crosswalks. No, unless part of a road project scope.
- Add pedestrian crossing islands – at all unsignalized crosswalks on arterial/collector roadways where speed limit is 30 mph or more. Yes, where appropriate.
- Widen shared use pathways. Yes, within the limitations outlined in the October 2011 Use Resolution.
- Evaluate red RRFB's. No.
- Establish new standing committee, develop action plan (including cost estimates and implementation strategies). No.
- Develop new street design process/approval process. No.

The basis used for determining what uses are permitted is the Council Resolution titled “Resolution of Intent on the Use and Administration of Street and Bridge Resurfacing and Reconstruction and Sidewalk Repair Millage Funds”, Legistar File No. 11-1192.

Question: On Attachment A in resolution DC-2 which lists permitted uses of proceeds, the first bullet under section 1 includes the phrase “and other non-motorized facilities”. Can you please define and describe specifically what “other non-motorized facilities” are and what specific types of expenditures would be permitted under this “other non-motorized facilities” category/phrase? (Councilmember Lumm)

Response: If this is referring to DC-3, “Non-motorized facilities” can refer to any infrastructure used for non-motorized transportation, including bicycle lanes, shared use paths, sidewalks, crosswalks, etc.

Question: Also related to “other non-motorized facilities”, what will be the criteria used in determining whether this millage or the Act 51 funds allocated to the Alternative Transportation Fund for non-motorized improvements will be used for “ other non-motorized facilities”? (Councilmember Lumm)

Response: The ALT fund was originally created to establish a system of on-street bike lanes at locations where road resurfacing was not planned. Over the years, it has also been used for other non-motorized transportation projects where other funding sources were not appropriate. This was determined on a case-by-case basis. This will continue to be the case in the future to determine the most appropriate funding source for each project.

Question: On Attachment A in DC-2, the second bullet under section 1 (“construction, reconstruction or enhancement of pedestrian crosswalks”) is new. Can you please define and describe specifically what a crosswalk “enhancement” is and what specific types of expenditures would be permitted under this “enhancement” category/phrase?

Also, can you please explain what the differences are between bullet 2 (construction, reconstruction, or enhancement of pedestrian crosswalks) and bullet 3 (reconstruction and construction of accessible street crossings and corner ramps)? (Councilmember Lumm)

Response: Crosswalk enhancements would include any infrastructure necessary to improve the safety of a pedestrian crossing. This could include such things as pavement markings, signage, pedestrian islands, Rectangular Rapid Flashing Beacons (RRFBs), HAWK signals, and other similar treatments. “Accessible street crossings and corner ramps” refers to the requirements of the Americans with Disabilities Act (ADA) requirements to make pedestrian crossings accessible to all users.

Question: Assuming voters approve the ballot question as presented in DC-2 and council adopts DC-3, what is your projection for the approximate spending amounts for:

- construction of new sidewalks
- “other non-motorized facilities”

“pedestrian crosswalk enhancements” (Councilmember Lumm)

Response: There are no projected spending amounts identified for these categories. Projects and budget amounts will be determined as part of the annual Capital Improvement Plan process.

Question: Assuming voters approve the ballot question as presented in DC-2 and council adopts DC-3, my understanding is that there would no limitations on how much of the total millage proceeds could be spent on permitted uses outlined in Attachment A other than street and bridge repair (or guarantee of how much would be spent on street/bridge repair) – is that correct? (Councilmember Lumm)

Response: No such limitations are currently proposed in the language.

Question: In a March 15 staff response to a question on the millage, five years of data was provided (FY13 actual through FY17 plan) on millage revenues and expenditures. For the five year period, the Sidewalk Levy revenues totaled \$3,049,454 and the Sidewalk Program Expenditures totaled \$6,110,230. Can you please reconcile these – while I understand there could be a number of reasons they are not the same, the expenditures are twice the levy revenues – where did the other \$3M in funding come from? (Councilmember Lumm)

Response: The amount spent on sidewalk repairs was what was necessary to perform sidewalk repairs in the entire City within the 5-year span of the current millage. As the “sidewalk levy” and the “street millage” are parts of the same millage, the shortfall is covered by the overall millage.

Question: What was the rationale for recommending broadening the scope of permitted uses of this existing 2.125 mills levy (effectively reducing funds for basic street and bridge repair) rather than requesting a new separate millage for the new permitted uses where funding is desired? (Councilmember Lumm)

Response: The majority of the uses described in the proposed language (with the exception of new sidewalk construction) had already been interpreted as permitted under the current millage. The change in language was proposed to clarify wording in the Use Resolution from 2011.

Question: How many sidewalks slabs (mileage is fine) have been fixed over the past 5 years of the millage? (Councilmember Briere)

Response: In the previous 4 years, approximately 17 miles of sidewalks have been repaired, and 22,000 sidewalk slabs have been repaired. This does not include work planned for the 2016 construction season (see below).

Question: How many were fixed at property-owner expense in the 7 years before that? How many miles are currently marked for replacement? (Councilmember Briere)

Response: This information would require substantial effort to gather from CityWorks. In addition, the first two years of the previous Sidewalk Program, were done prior to CityWorks, and it would a much larger effort to gather the requested data from the paper records.

Question: How many miles are currently marked for replacement? (Councilmember Briere)

Response: The estimated amount of work for the 2016 construction season is 3 miles of sidewalk, or approximately 3,000 slabs.

Question: Were all the sidewalk slabs that were supposed to be repaired/replaced before the millage took effect fixed at the property owner's expense? (Councilmember Briere)

Response: All sidewalks that were repaired under the previous Sidewalk Program were repaired at the adjacent property owner's expense.

Question: Over the past 5 years, how many new sidewalks (mileage is fine) have been built by the City? What portion of the cost of those sidewalks has been paid by the City? By private property owners / special assessment? By other funding? (Councilmember Briere)

Response: Staff needs more time to prepare a response to this question. A response will be provided at a later date.

Question: Please provide that separate accounting, per year, for the sidewalk portion of the millage - the dollar amount that was assessed and the dollar amount that was spent on sidewalk maintenance. (Councilmember Briere)

Response: See attached document titled "Street and Sidewalk Expenditures"

Question: Has the cost of materials for sidewalk repair/replacement increased significantly? Has the cost of construction of new sidewalks increased? If so, please show the cost history. (Councilmember Briere)

Response: The cost of installing new sidewalks is highly variable depending on the conditions encountered at each location, therefore drawing broad conclusions on the changing cost of construction for new sidewalks is not reliable. To give an idea of the varying cost of sidewalk replacement over the last 5 years, the cost of removing and replacing one typical 5' x 5' slab of concrete is shown below:

2012	\$154
2013	\$148
2014	\$161
2015	\$161
2016	\$187

Over this time period, the trimming of displaced sidewalk joints has been relatively constant at an average of \$32 per slab.

Question: How has the revenue from the millage for street and bridge maintenance changed over the past 15 years? (Councilmember Briere)

Response: Data going back 15 years is not readily available in the financial system, but could be obtained with more time. Revenue from the Millage dating back to 2008 is shown below:

2008	\$9,359,283
2009	\$9,328,144
2010	\$9,440,434
2011	\$9,031,456
2012	\$8,917,409
2013	\$9,623,062 (first year with extra 1/8 mil)
2014	\$9,899,841
2015	\$10,124,671
2016	\$10,408,642

Question: What opportunities are there to leverage funds for the construction of new sidewalks? How might these opportunities be met with millage funding?
(Councilmember Briere)

Response: The primary opportunities available involve using local funds to leverage various Federal funds, which require a local match to receive the grant. Some examples of these programs are the Surface Transportation Program (STP), Safety Funds, and Transportation Alternatives Program (TAP).

**City of Ann Arbor
Street/Sidewalk Millage Income Statement**

11/30/2015	Fiscal 2012 Actual	Fiscal 2013 Actual	Fiscal 2014 Actual	Fiscal 2015 Actual	Fiscal 2016 Plan
Revenues					
Street Operating Millage	\$ 8,917,409	\$ 9,037,579	\$ 9,297,001	\$ 9,501,801	\$ 9,796,369
Sidewalk Levy		\$ 585,483	\$ 602,840	\$ 622,870	\$ 612,273
Investment Income	589,045	(87,405)	248,938	157,218	206,137
Transfers In from Other Funds	2,557,748	3,103,826	3,189,988	5,435,865	2,407,326
Construction Reimbursement				607,729	
MDOT/FED Participating Costs	1,648,828	(16,096)		-8815	
US Dept of Trans - Grant		1,669,074	210,305	125,874	
Other Income	290,678	90,210	13,731	28,118	
Total Revenues	14,003,708	14,382,670	13,562,802	16,470,661	13,022,105
Expenditures					
1000 Administration					
1113 Tax Refunds	210,103	118,039	80,740	26,662	
1124 Leave Accr/Depreciation					
1141 Bad Debts	5,175	6,917	9,902	617	
4500 Engineering	373,677	1,181,963	391,839	405,840	390,249
Old Projects					
9703 E Stadium Bridges Replacement	4,817,789	3,251,055	(2,197)	30,721	70,000
9828 Miller Imps (Newport-Maple)	105,466	1,093,853	2,536,637	298,431	50,000
9829 Geddes-Earhart Intersection	29,844	5,679		99	-
9835 Plymouth Rd Resurfacing	418,513	112,981	25,792	12,217	
9836 W Stadium (Suffolk-Hutchins)	60,864	586,376	5,055	(1,868)	
9857 Dexter Ave Impr-W Huron/N Maple	1,197,946	1,396,038	251,135	(196,294)	
9861 Packard/Hill Resurfacing	1,240,920	1,178,540	13,891	(52,763)	
Sidewalks/Ramps/Crosswalks					
9866 Sidewalk Replacment Program		646,108			
9863 2012 Curb Ramp Replacment	528,420	3,265	19,794		
9864 2012-2017 Curb Ramp Replacement	138,695	513,348	254		
9880 2013 Ramp Repair & Replacement		105,181	116,312	237	-
9881 2013 Sidewalk Repair/Repl Program		367,329	719,512	816	-
9090 2014 Curb Ramp Replacements			405,847	740,142	-
9091 2014 Sidewalk Repl/Repairs			514,699	780,592	-
9158 2015 Curb Ramp Replacements				435,299	766,150
9159 2015 Sidewalk Repl/Repairs				631,783	528,217
9842 Clague Safe Routes to School					38,000
xxxx 2016 Curb Ramp Replacements					1,340,000
xxxx 2016 Sidewalk Repl/Repairs					1,200,000
xxxx Asphalt Sidewalk Replacement & Maint					150,000
xxxx Major Mid-Block Crossings					50,000
9151 Ann Arbor Saline - Midblock Cross				62,523	62,477
Stand-Alone Road Projects					
9867 Stone School Rd (I-94 to Ellsworth)	18,251	153,121	380,735	2,665,188	666,000
9870 Fourth Ave Water & Resurf	65,913	493,246	335,423	805	
9872 S. State & Ellsworth Roundabout	18,291	59,169	510,794	1,418	30,000
9873 Madison Impr-7th to Main	55	161,840	2,503,894	44,408	-
9874 Pontiac Trail Impr-Skydale to M-14	147,000	108,670	339,073	2,978,980	10,000
9879 Packard-Anderson to Eisenhower		92,754	471,916	(20,769)	-
9073 AA-Saline (County) - Eisenhower to Oak Valley		3,117	537,927	560,595	120,000
9084 2014 Annual Street Resurfacing			1,920,158	1,753,403	-
9111 2015 Annual Street Resurfacing			14,391	1,608,548	2,200,000
9137 Stadium Blvd. (Hutchins to Kipke)			6,602	604,983	550,000
9179 Scio Church Rd Improvements (7th to Main)				9,744	
9089 S. Maple (Jackson to Stadium) - MDOT			72,949	307,125	95,000
9777 Geddes Avenue (Apple Way to HPW)			179,230	610,247	2,384,270
9093 Fuller/Maiden Lane Bridge Rehab			12,106	328,271	560,000
9706 Fuller/Maiden/E Medical Intrsec	34,102	119,772	27,803	9,029	240,000
9074 Forest Ave (S. University to Hill)		79,688	1,052,188	3,738	
9096 Geddes Guardrail			2,160	5,418	30,000
9097 Nixon/Green/Dhu Varren Study			2,903	77,552	15,000
9172 2015 Retaining Wall Insp/Maint.				15,194	81,000
xxxx Nixon/Green/Dhu Varren Intersection Improvement					200,000
xxxx Fifth Ave (Kingsley to Catherine)*					50,000
xxxx Huron River Drive Sloughing Correction					350,000
Resurfacing Projects with Water Main					
xxxx Division (Madison to Huron)*					890,000
xxxx Observatory (Geddes to Ann)*					475,000
Annual Capital Maintenance Program					
9167 2015 Street Capital Maintenance				68	500,000
xxxx Hill Street (Fifth to State)*					121,000
Annual Local Resurfacing					
9086 Springwater Subdivision - Phase I			247,323	1,885,289	10,000
9144 Springwater Subdivision - Phase 2				50,971	815,000
9085 Arbor Oaks Phase II				673,479	-
Russell, Russett, Redeemer, Hewett*					684,000
9178 Colony/Essex/Manchester Concrete				25,002	1,025,898
9138 Londndr/Devnshr/Belmnt Water				51,126	0
Major Street Resurfacing					
Green Rd (Nixon to Burbank)					1,565,000

Revenues	Fiscal 2013 Actual	Fiscal 2014 Actual	Fiscal 2015 Actual	Fiscal 2016 Plan	Fiscal 2017 Plan
Street Operating Millage	\$9,037,579	\$9,297,001	\$9,501,801	\$9,796,369	\$10,015,808
Sidewalk Levy	\$585,483	\$602,840	\$622,870	\$612,273	\$625,988
Sidewalk Program Expenditures	\$1,013,437	\$1,234,211	\$1,413,191	\$1,669,391	\$780,000