



Legislation Text

File #: 24-1359, **Version:** 1

Resolution to Approve a Cost Sharing with Washtenaw County, by the Washtenaw County Parks and Recreation Commission, Regarding Responsibilities and Cost Allocation for the Construction of the Barton/Bandemer Park Pedestrian Tunnel Project

Attached for your review and approval is a resolution outlining an agreement between the City of Ann Arbor and the Washtenaw County Park and Recreation Commission to share funding of the construction of the Barton/Bandemer Park Pedestrian Tunnel Project.

Project Background: In 2018, a Letter of Intent was signed between the City, County, and Huron Waterloo Pathway Initiative to collaborate on an update to the Bandemer-Barton Pedestrian Tunnel 2005 Feasibility Study. The updated feasibility study was completed in 2020 (Bandemer-Barton Trail & Underpass Study dated November 13, 2020 prepared by Bergmann and OHM Advisors) and set forth preferred design options for use in the Design Phase for the project.

In 2021, the City and County entered into a cost-sharing agreement for the Design Phase of the project where it was agreed to that the County would enter a contract with Bergmann and administer the completion of the Design Phase work in accordance with the responsibilities outlined in the Agreement.

In 2023, the City and County signed an MOU to address the parties' desire and intent to cooperate on this project, and outlined that as the property-owner, it is intended that the City solicit bids for construction and, subject to funding, review and decisions to proceed by each party based on the bids, award and administer the construction contract.

In January of 2024, the City and County signed a cost-sharing agreement to address the parties' responsibilities and cost sharing allocation for Phase I of the project which consisted of the construction of the Border to Border Trail segment through Barton Nature Area.

This agreement covers Phase II of the project and the construction of the pedestrian tunnel.

Project Description: The Phase II scope of work to be performed under this agreement includes construction of a pedestrian tunnel between Barton Nature Area and Bandemer Park. This pedestrian tunnel will connect the new segment of B2B trail in Barton Nature Area with the existing B2B Trail network in Bandemer Park and extending to the east. The scope of work includes the pedestrian tunnel, the pathway connections to it, and renovation of an existing informal parking area. Construction of the tunnel is anticipated to be completed in summer/fall of 2025.

The Parks Advisory Commission unanimously recommended approval of the agreement at their July 16, 2024 meeting.

The Washtenaw County Parks and Recreation Commission recommended approval of this agreement at their July 9, 2024 meeting.

Budget/Fiscal Impact: This project is jointly funded by the City, the Washtenaw County Parks and Recreation Commission (“County”), and the non-profit Huron Waterloo Pathways Initiative (“HWPI”). Each organization is responsible for 1/3rd of the cost of the project and HWPI’s portion will be provided through a separate cost sharing agreement with the County.

For the City’s portion of the costs, estimated at \$1,842,071.96 (\$2,002,866.62 including contingency), funding is available from the Park Maintenance and Capital Improvement Millage Fund fund balance. The County will provide the remaining \$3,684,143.91 (\$4,005,733.24 including contingency) on a reimbursement basis with the City.

Estimated Project Cost

Construction Contract	\$4,823,840.25
10% Construction Contingency	\$482,384.00
Construction Engineering	\$475,838.44
Estimated Amtrak Force Account	\$136,912.00
<u>Estimated Fiber Optic Force Account Cost</u>	<u>\$100,000.00</u>
Total with contingency:	\$6,018,974.69
Total without contingency:	\$5,536,590.69

<u>Estimated Cost Sharing</u>	<u>Total Project Costs</u>	<u>Total + Contingency</u>
City of Ann Arbor (1/3rd)	\$1,845,530.23	\$2,006,324.90
Washtenaw County (1/3rd)	\$1,845,530.23	\$2,006,324.90
<u>Huron Waterloo Pathways Initiative (1/3rd)</u>	<u>\$1,845,530.23</u>	<u>\$2,006,324.89</u>
Total:	\$5,536,590.69	\$6,018,974.69

Prepared by: Hillary Hanzel, Landscape Architect IV

Reviewed by: Josh Landefeld, Parks & Recreation Services Manager
Derek Delacourt, Community Services Area Administrator

Approved by: Milton Dohoney Jr., City Administrator

Whereas, The County, Huron Waterloo Pathway Initiative, and City previously signed a Letter of Intent dated May 2, 2018 to collaborate on a feasibility study that was completed in 2020 (Bandemer-Barton Trail & Underpass Study dated November 13, 2020 prepared by Bergmann and OHM Advisors) and set forth preferred design options for use in the Design Phase for the project;

Whereas, The LOI also contemplated County and City would enter into further agreements as necessary to advance the project;

Whereas, County and City expressed interest in working cooperatively to complete the Design Phase of the Bandemer-Barton Trail Connection Project and share the costs thereof;

Whereas, County and City entered into a cost-sharing agreement for the Design Phase;

Whereas, County entered into a contract with the consultant to administer the Design Phase work in accordance with the Agreement and its exhibits and attachments;

Whereas, County and City were each responsible for funding and paying for a portion of the Design Phase as established in Exhibit A of the agreement (County 55% / City 45%);

Whereas, County and City signed a Memorandum of Understanding to address the parties' desire and intent to cooperate on the Construction Phase of the project, and outlined that as the property-owner, it was intended that the City solicit bids for construction and, subject to funding, review and decisions to proceed by each party based on the bids, award and administer the construction contract;

Whereas, County and City signed a cost-sharing agreement to address the parties' responsibilities and cost sharing allocation for Phase I of the project which consisted of the construction of the Border to Border Trail segment through Barton Nature Area;

Whereas, The project was split into two phases with Phase I constructing a segment of the Border to Border Trail through Barton Nature Area;

Whereas, Phase II of the project will construct a pedestrian tunnel to connect the Border to Border Trail between Barton Nature Area and Bandemer Park;

Whereas, This agreement includes Construction Phase II for the Barton/Bandemer Pedestrian Tunnel project and does not include Phase 1 Construction of the Barton Nature Area Border to Border Trail project;

Whereas, City solicited construction proposals through Request for Proposals #24-23 through the City's Procurement Unit and six proposals were received and evaluated by City and County staff;

Whereas, The parties agree the City should award a contract to Davis Construction, Inc. hereinafter referred to as "Consultant," to perform the services and work needed to complete the Construction Phase II;

Whereas, City will enter into a contract with Consultant and administer the completion of the Construction Phase II work in accordance with this Agreement and its exhibits and attachments;

Whereas, This project is jointly funded by the City, the Washtenaw County Parks and Recreation Commission and the non-profit Huron Waterloo Pathways Initiative;

Whereas, Each organization is responsible for 1/3rd of the cost of the project and HWPI's portion will be provided through a separate cost sharing agreement with the County;

Whereas, The City's costs are estimated at \$1,845,530.23 (\$2,006,324.90 including contingency) and funding is available from the Park Maintenance and Capital Improvement Millage Fund fund balance;

Whereas, County and City will each be responsible for funding and paying for a portion of the Construction Phase II as established in Exhibit A (County 2/3 share / City 1/3 share);

Whereas, The Park Advisory Commission unanimously recommended approval of this agreement at their July 16, 2024 meeting; and

Whereas, The Washtenaw County Parks and Recreation Commission recommended approval of this agreement at their July 9, 2024 meeting;

RESOLVED, That City Council approve the attached Cost Sharing Agreement with Washtenaw County, by the Washtenaw County Parks and Recreation Commission, regarding responsibilities and cost allocation for the construction of the Barton/Bandemer Park Pedestrian Tunnel Project;

RESOLVED, That the Mayor and City Clerk are authorized and directed to execute the agreement after approval as to substance by the City Administrator and approval as to form by the City Attorney; and

RESOLVED, That the City Administrator be authorized to take the necessary administrative actions to implement this resolution and to approve amendments to the agreement within the project budget.