



## Request for City Council Committee Action From the Department of Public Works

**Date:** September 14, 2010

**To:** Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee

**Subject:** **Assessment for Areaway Abandonment and Removal Project No 2271 for property in the Marquette Ave S Reconstruction Project (PV052): Set Public Hearing.**

### Recommendation:

Adoption of a Committee Report receiving the final costs, directing the City Engineer to prepare a proposed Areaway Abandonment and Removal Assessment and directing the City Clerk to give notice of an Assessment Public Hearing to be held on October 26, 2010 before the Transportation and Public Works Committee for the benefited property at 1000 Marquette Ave S, PID 27-029-24-13-0088, in the amount of \$159,877.94.

### Previous Directives:

- April 30, 2010 Council Action – Amending Construction Results contract for a revised contract total of \$114,672.58. To provide for work not included in original scope of the contract.
- July 31, 2009, Council Resolution 2009R-359 increasing appropriation for CPV052 \$200,000 for assessments.
- July 31, 2009 Council Action – Accepting the low bid of Construction Results Corporation. in the amount of \$99,670 to furnish & deliver all labor, materials, equipment and incidentals necessary to complete the areaway abandonment at 1000 Marquette Ave for the City of Minneapolis PW Department.
- June 6, 2008 Council Resolution 2008R-222 – Ordering the City Engineer to abandon and remove the areaways located in the public street r/w that are in conflict with the 2<sup>nd</sup> Ave S & Marquette Ave Transit Project areas.
- April 4, 2008, Council Resolutions 2008R-132, Areaway Project Designation

**Prepared by:** Suzette R. Hjermstad, Public Works Special Assessment Office, 673-2401  
Don Elwood, P.E., Director Transportation Planning & Engineering

### Approved by:

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Steven A. Kotke, P.E., City Engineer, Director of Public Works

**Presenters:** Christopher M. Engelmann, P.E., Project Manager

### Reviews

Permanent Review Committee (PRC)	Approval	___	Not applicable	___X
Civil Rights	Approval	___	Not applicable	___X
Policy review Group (PRG)	Approval	___	Not applicable	___X

## Financial Impact

Special Assessments against benefited property

## Community Impact

Neighborhood Notification: Not Applicable

Neighborhood Meetings: Not Applicable.

City Goals: Maintain the physical infrastructure to ensure a healthy, vital and safe city

Comprehensive Plan: Not Applicable

Zoning Code: Not Applicable

## Background/Supporting Information:

On April 4, 2008, the City Council designated the location, streets and improvements proposed to be made in the Marquette Ave and 2<sup>nd</sup> Ave S Reconstruction Project (MARQ2). A public hearing was held on May 20, 2008, that included the areaway abandonment and removal of any conflicting areaways within the MARQ2 project in accordance with Section 95.90 of the Minneapolis Code of Ordinances.

As the street reconstruction and streetscape project work proceeded during 2008 and 2009, the City began working with the property manager for the Handicraft Guild Building at 1000 Marquette Ave who in turn communicated with the Chief Manager of Tenth & Nicollet business partner in charge of the property. The property owner of record is Tenth & Nicollet LLC, with a mailing address of 24 University Av NE, Suite 150, Minneapolis, MN 55413. Their property at 1000 Marquette Ave is a commercial parcel.

The building ownership group decided to enlist the City's help with accomplishing the areaway abandonment. Ben Shardlow was contacted via e-mail about the ability to assess the property and the property owners presented a petition to be assessed for the work done on their behalf. The City of Minneapolis' project manager contacted the structural engineering firm, Bonestroo, Inc., and began the process of preparing construction documents for public bid. The project was bid and a contract awarded to Construction Results Corporation in the amount of \$99,670. The project saw a total increase in contract amount of \$15,002.58; these amounts were approved by the property manager. The changes were a result of unforeseen conditions encountered during construction that resulted in the repair of an unidentified sanitary sewer connection.

The project costs are as follows:

Consulting Design and Construction Oversight	\$24,967.55
Construction	\$114,672.58
City Expenses	\$20,461.81
<b>Total</b>	<b>\$159,828.94</b>

City expenses include labor (including project management; coordination with property representative, consultant, and contractor; oversight of consultant and contractor; and bidding set up and management), administration, and overhead.

The assessment public hearing procedure is in accordance with Section 95.90 of the Minneapolis Code of Ordinances which provides the authority for the City Engineer to abandon and remove an areaway in conflict with capital improvement project in the City's right-of-way and a public hearing for the assessment of the cost of removal to be held at a later date.

CC: Council Member Lisa Goodman Ward 7

**T&PW** – Your committee recommends adoption and summary publication of the accompanying Committee Report, receiving a final cost for areaway abandonment and removal and giving notice of an Assessment Public Hearing for the property at:

1000 Marquette Ave, PID No. 27-029-24-13-0088, final cost of \$159,877.94.

in conjunction with the 2<sup>nd</sup> Av S and Marquette Av Street Reconstruction and Streetscape Project, Special Improvement of Existing Street No. 6740.

**T&PW** – Your Committee having received final costs for the Areaway

Abandonment and Removal in the amount of \$159,877.94 at the following property:

1000 Marquette Av, PID No. 27-029-24-13-0088, legally described as that part of Lots 7, 8 and 9, Block 13, Snyder and Co's 1<sup>st</sup> Addition to Minneapolis described as follows:

That part of Lots 7, 8 and 9, Block 13 Snyder and Co.'s 1<sup>st</sup> Addition and that part of Lots 7, 8 and 9, Block 13, Wells, Sampson and Bell Addition described as: Beginning on the Southwesterly line of 10<sup>th</sup> St S at a point 212.5 feet Southeasterly from the Southeasterly line of Nicollet Av, thence Southwesterly parallel with Nicollet Av to the Northeasterly line of the alley, thence Southeasterly along said Northeasterly line to the Northwesterly line of Marquette Av, thence Northeasterly along said Northwesterly line to the Southwesterly line of 10<sup>th</sup> St S, thence Northwesterly to the point of beginning.

in accordance with the Areaway Abandonment and Removal Project No 2271 in conjunction with the 2<sup>nd</sup> Av S and Marquette Av Street Reconstruction and Streetscape Project, Improvement of Existing Street No 6740, as ordered by Resolution 2008R-222, now recommends that the City Engineer be directed to prepare an Areaway Abandonment and Removal Assessment against the benefited properties.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on October 26, 2010 in accordance with Chapter 8, Sections 12 and 13, of the Minneapolis City Charter, to consider the amount proposed to be assessed to the benefited property.