



Title: Authorization to Amend Five Vegetation Maintenance Contracts to Extend Work Through 2023

Resolution number: 23-019

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Reviewed by: Name/Title: Josh Wolf, Project Maintenance & Land Management Program Manager;
Chuck Holtman, Legal Counsel

Recommended action: Authorization to amend a contract with Landbridge Ecological with a scope of services for one year of vegetation maintenance at the Minnehaha Creek Greenway sites; authorization to amend a contract with Prairie Restorations, Inc. with a scope of services for one year of vegetation maintenance at the Six Mile Marsh Prairie Restoration and Laketown Wetlands sites; authorization to amend a contract with Landbridge Ecological with a scope of services for one year of vegetation maintenance at the Pond Buffers & Shoreline sites; authorization to amend a contract with Minnesota Native Landscapes with a scope of services for one year of vegetation maintenance at the West & Southwest sites; and authorization to amend a contract with Natural Shore Technologies with a scope of services for one year of vegetation maintenance at the CR 101 Shoreline and Jennings Bay Wetland sites.

Schedule: April 2023: Amend contracts
April 2023 – December 2023: Vegetation maintenance performed

Budget considerations: Fund name and code: Project Maintenance & Land Management, 2003
Fund budget: \$970,544
Expenditures to date: \$554,283
Requested amount of funding: \$185,605

Past Board Actions:

Res #: 19-034	Authorization to Enter into Four Contracts for Vegetation Maintenance at 25 Sites
Res #: 21-026	Authorization to Execute a Contract for Six Mile Marsh Prairie and Laketown Wetland Vegetation Maintenance
Res #: 22-019	Authorization to Extend Five Vegetation Maintenance Contracts Through 2022

Summary:

In 2003, the Minnehaha Creek Watershed District (MCWD) adopted a policy in which MCWD maintains vegetation established as part of capital project implementation. This action was in response to the finding that project partners may not have the expertise, budget, or oversight needed for ongoing vegetation maintenance and that MCWD is best equipped to ensure that maintenance is regular and consistent. As more recent capital projects have reached the end

of their warranty period, and maintenance and management goals have been refined for MCWD lands, the number of sites where vegetation maintenance is needed has grown to 27 sites.

In 2021 and 2022, MCWD grouped the 27 sites by geography and similar vegetation maintenance needs, which resulted in five site groupings (the table below provides a breakdown of the five groupings and their associated sites). MCWD then sought competitive quotes for each of these five groupings, resulting in MCWD entering into five vegetation maintenance contracts, with four firms, to manage the vegetation at these 27 sites.

Minnehaha Creek Greenway Sites (4 sites)	SMMRP & Laketown (2 sites)	Pond Buffers & Shorelines Sites (11 sites)	West & Southwest Sites (8 sites)	CR 101 Shoreline & Jennings Bay Wetland (2 sites)
Cottageville Park	Six Mile Marsh Prairie Restoration	Nokomis Gateway Pond	Long Lake Creek Wetland	CR 101 Causeway Shoreline
Minnehaha Preserve (Reach 20)	Laketown Wetland	Nokomis Amelia Pond	Independence Wetland	Jennings Bay Wetland Restoration
Minnehaha Creek Preserve Enhancement (Japs Olson)		Nokomis Knoll Pond	Johnson / Rolling Hills Restoration	
Methodist Hospital Wetland Restoration		SW Bde Maka Ska Ponds	County Road 26 Remeander (Waldera Barkus)	
		Cedar Meadows Pond	Chute Property	
		Twin Lakes Pond	Rye Property	
		Long Lake Ponds and Shoreline	Gould Property	
		Our Lady of the Lake Rain Garden	Steiger Wetland	
		Gideon Glen		
		Minnehaha Creek Headwaters Shoreline		
		MCWD Office Buffer		

The scope of work for each of these five contracts was complete on December 31, 2022. During the remainder of 2023, the Project Maintenance & Land Management Program will be reassessing MCWD’s approach to vegetation maintenance and recommending a revised approach for 2024 and beyond. Given staff’s forthcoming reassessment, staff recommends amending the contracts to add scopes of work for 2023. Staff has reviewed this recommendation with MCWD Legal Counsel and MCWD Legal Counsel has drafted a contract amendment document which would allow each of the five contracts to be amended to provide for maintenance through December 31, 2023, and modified with their respective scope of work for vegetation maintenance in 2023.

MCWD staff solicited quotes for vegetation maintenance in 2023 from the current four contractors. MCWD received quotes from each of the vegetation maintenance contractors. Staff finds that each contractor has performed the work to date in a competent and efficient fashion, further finds that the quotes are comparable to costs over the past two years, and that each quote is reasonable and reflects efficiencies of the existing firms’ site familiarity and work to date. Therefore, staff recommends approval of the following amendments:

- Amend the Minnehaha Creek Greenway Sites contract with Landbridge Ecological to add one year of vegetation maintenance in the amount of \$39,043; and
- Amend the the Six Mile Marsh Prairie Restoration & Laketown Wetland contract with Prairie Restorations, Inc. to add one year of vegetation maintenance in the amount of \$28,645; and

- Amend the Pond Buffers & Shorelines Sites contract with Landbridge Ecological to add one year of vegetation maintenance in the amount of \$45,894; and
- Amend the West & Southwest Sites contract with Minnesota Native Landscapes to add one year of vegetation maintenance in the amount of \$51,150 and establish a not-to-exceed budget of \$56,265; and
- Amend the County Road 101 and Jennings Bay Wetland contract with Natural Shore Technologies to add one year of vegetation maintenance in the amount of \$4,000 and establish a not-to-exceed budget of \$4,400.

The five quotes total a combined budget of \$168,732. Staff proposes that the Administrator be authorized an additional 10 percent spending authority for contingencies, resulting in a not-to-exceed budget of \$185,605.

The \$168,732 budget for 2023 is in line with recent annual vegetation maintenance costs, where MCWD has spent approximately \$158,000 annually. The increased cost of ~\$10,000 in 2023 is associated with the addition of 7-acres of management at the Johnson/Rolling Hills Restoration (West & Southwest contract), and the installation of mulch at Cottageville Park in the native landscaping areas (Minnehaha Creek Greenway Sites contract).



RESOLUTION

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- WHEREAS the Minnehaha Creek Watershed District (MCWD) engages in regional capital improvement projects as described in its Water Resource Management Plan;
- WHEREAS the MCWD has constructed various regional treatment facilities that include a vegetation component;
- WHEREAS the MCWD Board of Managers (“Board”) has a maintenance policy under which MCWD retains responsibility for maintenance of vegetation planted in conjunction with capital projects;
- WHEREAS in 2021 and 2022, MCWD entered into five contracts for vegetation maintenance at the Minnehaha Creek Greenway sites, the Six Mile Marsh Prairie & Laketown sites, the Pond Buffers & Shoreline sites, the West & Southwest sites, and the CR 101 Shoreline & Jennings Bay Wetland sites; and the vegetation maintenance scope of work for these contracts was complete on December 31, 2022;
- WHEREAS in 2023, staff will be reassessing MCWD’s approach to vegetation maintenance and recommending a revised approach for 2024 and beyond;
- WHEREAS staff recommends amending the five contracts for vegetation maintenance at the Minnehaha Creek Greenway sites, the Six Mile Marsh Prairie & Laketown sites, the Pond Buffers & Shoreline sites, the West & Southwest sites, and the CR 101 Shoreline & Jennings Bay Wetland sites to extend them December 31, 2023 and incorporate a supplemental scope of services for 2023;
- WHEREAS staff has obtained a quote from Landbridge Ecological for one year of vegetation maintenance at the Minnehaha Creek Greenway sites for \$39,043;
- WHEREAS staff has obtained a quote from Prairie Restorations, Inc. for one year of vegetation maintenance at the Six Mile Marsh and Laketown sites for \$28,645;
- WHEREAS staff has obtained a quote from Landbridge Ecological for one year of vegetation maintenance at the Pond Buffers and Shoreline sites for \$45,894;
- WHEREAS staff has obtained a quote from Minnesota Native Landscapes for one year of vegetation maintenance at the West and Southwest sites for \$51,150;
- WHEREAS MCWD staff has obtained a quote from Natural Shore Technologies for one year of vegetation maintenance at the CR 101 Shoreline and Jennings Bay Wetland sites for \$4,000;
- WHEREAS staff finds that the work of the contracted firms under the existing contracts has been satisfactory, and further finds, on the basis of past scopes of work, that the quotes are reasonable, and that the firms’ familiarity with the sites will allow for the work to be performed efficiently and within the necessary schedule, and the Board concurs that it therefore is appropriate to proceed on the basis of quotes received;

NOW, THEREFORE, BE IT RESOLVED that the Board authorizes the District Administrator, on advice of District Counsel, to amend a contract with Landbridge Ecological with a scope of services for one year of vegetation maintenance at the Minnehaha Creek Greenway sites in the amount of \$39,043; and

BE IT FURTHER RESOLVED that the District Administrator is authorized, on advice of District Counsel, to amend a contract with Prairie Restorations, Inc. with a scope of services for one year of vegetation maintenance at the Six Mile Marsh Prairie Restoration and Laketown Wetland sites in the amount of \$28,645; and

BE IT FURTHER RESOLVED that the District Administrator is authorized, on advice of District Counsel, to amend a contract with Landbridge Ecological with a scope of services for one year of vegetation maintenance at the Pond Buffers & Shoreline sites in the amount of \$45,894; and

BE IT FURTHER RESOLVED that the District Administrator is authorized, on advice of District Counsel, to amend a contract with Minnesota Native Landscapes with a scope of services for one year of vegetation maintenance at the West & Southwest sites in the amount of \$51,150; and

BE IT FURTHER RESOLVED that the District Administrator is authorized, on advice of District Counsel, to amend a contract with Natural Shore Technologies with a scope of services for one year of vegetation maintenance at the CR 101 Shoreline and Jennings Bay Wetland sites in the amount of \$4,000; and

BE IT FINALLY RESOLVED that the District Administrator is authorized, in his judgment, to execute change orders obligating the MCWD up to an additional \$15,837, in aggregate, under the above contracts.

Resolution Number 23-019 was moved by Manager _____, seconded by Manager _____. Motion to adopt the resolution ___ ayes, ___ nays, ___ abstentions. Date: 4/27/2023

Secretary Date: _____