



Title: MCWD Campus Improvements Next Steps

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Purpose:

At the August 12, 2021 Operations and Programs Committee (OPC) Meeting, staff will provide:

- An overview of necessary improvements for the Minnehaha Creek Watershed District (MCWD) exterior campus
- A summary of design and coordination issues encountered in 2020
- The current status of design and project budget
- The range of options by which MCWD might proceed with improvements

Background:

After establishing its offices at 15320 Minnetonka Boulevard in 2013, the Minnehaha Creek Watershed District (MCWD) implemented periodic maintenance and improvements to its campus. The condition of certain facilities later degraded to the extent that routine maintenance was no longer adequate or economical, and as a result, the MCWD Board of Managers approved an Operations Program capital improvement budget of \$414,000 to design and implement campus improvements in 2020. Following a request for proposals process to select a design team, the Board approved a contract with LHB, Inc. for \$44,494 at its February 27, 2020 meeting. The scope of this contract included design and construction oversight for full replacement of the upper and lower parking lots and driveway shared with Campbell-Sevey; reconfiguration of curbing within the parking areas and narrowing the Minnetonka Boulevard ingress and existing drive aisle to increase parking and meet accessibility requirements; improvement and expansion of stormwater management; correction of drainage issues; provision of on-site storage and a refuse enclosure; and landscaping enhancements. Design progressed through spring 2020, and the Board of Managers approved 90% design plans and authorized construction bid solicitation on a base bid construction estimate of \$346,000 at its May 28, 2020 meeting.

Campbell-Sevey was kept apprised of MCWD's project planning work as a party to a cross-easement over the shared driveway. The 1990 easement encumbers 30 feet on either side of the common property boundary which primarily runs the center line of the driveway. Communication with Campbell-Sevey was generally positive with construction cost being the only concern raised. Following this ongoing coordination, 90% plans were provided to Campbell-Sevey prior to the intended bid release in early June. Staff also provided Campbell-Sevey a draft construction agreement at this time to coordinate construction activities, cost sharing, and to communicate an intention to reduce the property area encumbered by the 1990 easement, which expired in May 2020.

Following review of 90% design plans, Campbell-Sevey expressed concerns regarding the extent of the improvements to the shared driveway and associated cost, the necessity of replacement given its assessment of the condition, and potential loss of access to its lower parking lot and loading dock during construction. Campbell-Sevey also conveyed that it would not accept relocating the ingress at Minnetonka Boulevard slightly west or overall narrowing of the driveway surface due to its trucking needs. Without these adjustments to curbing and median location, MCWD could not create up to seven new parking stalls, a key goal of the project.

Construction cost estimates were produced by subtotaling separate areas of improvement (parking lot and driveway, walkways and drainage, stormwater improvements, and storage structures) to allow for selection of individual areas of improvement. This framework also included three MCWD bid alternates (subsurface drainage system, cistern, and landscape improvements) and separated the Campbell-Sevey portion of the driveway construction as a bid alternate. The intention of this bid structure was to provide Campbell-Sevey the option to disengage from the project if it found

construction bids to be unfavorable. When this option was more fully explored with LHB, staff came to understand that this approach, in practice, would be problematic to implement because of the likelihood of differential settling between an improved driveway section and existing driveway section.

In an effort to advance construction in 2020, staff worked with legal counsel and LHB to more closely consider the concerns raised by Campbell-Sevey including proposing revision of the cross-easement; completing a technical analysis defining the need to replace the driveway; exploring value engineering options to reduce the cost of the driveway replacement or opt for repair rather than replacement; and proposing revised project phasing to address access concerns for Campbell-Sevey during construction. This effort included negotiations with Westdale Nursery and New Horizon Academy to secure temporary license agreements which would allow Campbell-Sevey to access its property through the nursery-daycare shared driveway during construction. Since LHB's design budget of \$40,194 had been expended in development of plans and construction documents, the \$4,300 of LHB's budget that was reserved for construction oversight was instead used to perform additional technical analyses and development of design revisions in an attempt to respond to Campbell-Sevey's concerns.

Ultimately, Campbell-Sevey requested that MCWD delay the bid release because of its position on overall cost; relocation of the driveway and curbing potentially disrupting its delivery trucks; disruption to its operations caused by construction; and lack of a demonstrable need for the project. Campbell-Sevey also expressed that the pandemic had caused financial constraints that would prevent it from cost-sharing in a more comprehensive driveway replacement. Beyond additional communication with Campbell-Sevey, MCWD also recognized the pandemic as disrupting its operations and use of the office and opted to place the project on hold throughout 2020.

Summary:

After more than a year of remote work, due to the COVID-19 pandemic, staff began returning to in-office work in June 2021. Recently, in an effort to restart this project, staff requested that LHB revisit the 90% design plans and evaluate potential options for moving forward given the concerns raised by Campbell-Sevey, the authorities granted to them within the cross-easement, and a range of potential cost participation from Campbell-Sevey. Based on that review and legal review of the cross-easement, MCWD has outlined for discussion by Committee, a range of options for advancing the project. Below is a brief summary of each option, including the scope of the project, which of MCWD's improvement goals are met, potential points of risk related to uncertainty, and estimated costs. All options would provide for required, expanded stormwater management, the addition of on-site storage, and a refuse enclosure required by City of Minnetonka. The primary considerations in each option are the impact of project scope on the ability to increase parking, gaining support from Campbell-Sevey, and overall cost to the District.

1. Parking lots reconstructed; MCWD driveway portion resurfaced

MCWD proceeds with full reconstruction of the upper and lower parking lots with very limited changes to only the MCWD driveway including driveway resurfacing (mill and overlay) and changes to curbing within the upper lot to meet ADA requirements. This option may lead to cracking and other issues between the two sides of the driveway due to differential settling between the improved section on the MCWD property and the unimproved section on the Campbell-Sevey property. Additional design work would be required to develop a pavement section transition between the replaced parking lot sections and the resurfaced driveway section, reconfiguration of curbing, and upper driveway stormwater management. Parking would be increased by approximately six stalls by restriping the lower lot and adding parallel parking to the north of the building. Under this option, no improvements would be made to the Campbell-Sevey property. The terms of the cross-easement allow MCWD to complete work on its own property at its own expense, but MCWD would enter into an agreement with Campbell-Sevey for limited use of its driveway section for construction access during the driveway resurfacing.

Estimated total construction cost with contingency: \$381,117

2. Parking lots reconstructed; entire driveway resurfaced

MCWD proceeds with full reconstruction of the upper and lower parking lots, mill and overlay of the entire driveway, and changes to curbing to accommodate accessibility and stormwater management. This option would provide for a uniformly improved driveway surface and more control over driveway grades to aid in routing stormwater. Mill and overlay does not offer the same longevity as a full reconstruction but substantially improves the condition. Additional design work would be required to develop a pavement section transition between the replaced parking lot sections and the resurfaced driveway section and reconfiguration of curbing. As in Option 1, parking would be increased by approximately six stalls by restriping the lower lot and adding parallel parking to the north of the building. Under this option, MCWD would need Campbell-Sevey's coordination for construction access and cost participation.

Estimated total construction cost with contingency: \$410,267

3. Full reconstruction as proposed by original design with changes to proposed curbing design

MCWD proceeds with full reconstruction of the upper and lower parking lots, and MCWD and Campbell-Sevey proceed with full reconstruction of the entire driveway. This option utilizes design plans developed in 2020 to reconstruct all bituminous areas, but is not likely a viable option considering Campbell-Sevey's earlier position that full reconstruction is unnecessary, too costly, and would cause an untenable interruption to its operations. Based on 2020 communication, Campbell-Sevey may be amenable to reducing the width of the cross-easement which would allow MCWD to adjust driveway curbing to the west of the MCWD building and increase parking in this location, but full reconstruction of the driveway would be necessary to create grades suitable for this additional parking. It is unlikely that Campbell-Sevey will agree to reduce the ingress width from Minnetonka Boulevard, which will remove the option of increased parking in the upper lot. The original design plans increased parking by twelve stalls, but additional parking in the upper lot gained by narrowing the ingress is unlikely to be acceptable to Campbell-Sevey. Parking could be increased by approximately ten stalls with slight revisions to the original design plans.

Estimated total construction cost with contingency: \$437,882

MCWD's interest in amending the 1990 driveway cross-easement remains. The terms of maintenance are impractical and the width, which exceeds the width of the actual driveway by over 15 feet at some points, is unduly restrictive to both parties. A new easement width that aligns with requirements of the City of Minnetonka, follows dimensions of the existing or proposed driveway reconstruction, and provides better maintenance terms will be pursued with Campbell-Sevey as a starting point to negotiating repair or replacement of the shared driveway.

At the August 12 OPC meeting, staff will provide an overview of campus improvement needs and project developments throughout 2020 leading up to a pause in work. Staff will also present potential next steps and project options in detail and lead a discussion to determine the best path forward in consideration of potential involvement by Campbell-Sevey, impacts to project budget, and timeline. This discussion will inform an upcoming meeting with Campbell-Sevey and reengagement of a design consultant.

Supporting document:

Attachment 1: MCWD Campus Project Option Diagram.

NOTE: This is a "marked-up" 2020 site plan. The red line with a call out indicating "PROVIDE CURB BUMP OUT" is included to provide a safety median separating the re-designed ADA parking stall and parking lot from the drive aisle.



**PERFORMANCE
DRIVEN DESIGN**
LLC

170 Washington Ave. Suite 201 | Minneapolis, MN 55401 | 612.332.2293

CLIENT
**MINNEHAHA CREEK
WATERSHED DISTRICT**

15320 MINNETONKA BLVD
MINNETONKA, MN 55345

THE SQUARE APPEARS 1/2" = 1'-0"
FULL SHEETS.

6/20/20	RELEASED FOR
6/20/20	BOARD REVIEW SET
NO	DATE
	RELEASOR
NO	DATE
	RELEASOR

I HEREBY CERTIFY that this plan, specification or report was prepared by me or under my direct supervision and that I am a Licensed Professional Engineer under the laws of the State of Minnesota.

SIGNATURE: *[Signature]*
TYPED OR PRINTED NAME: **KEVIN EXPEN**
DATE: **06/09/2020** REG. NO.: **65898**

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PROJECT NAME
**MCWD CAMPUS
IMPROVEMENT PROJECT**

15320 MINNETONKA BLVD
MINNETONKA, MN 55345

EXAMINER'S TITLE
DEMOLITION PLAN

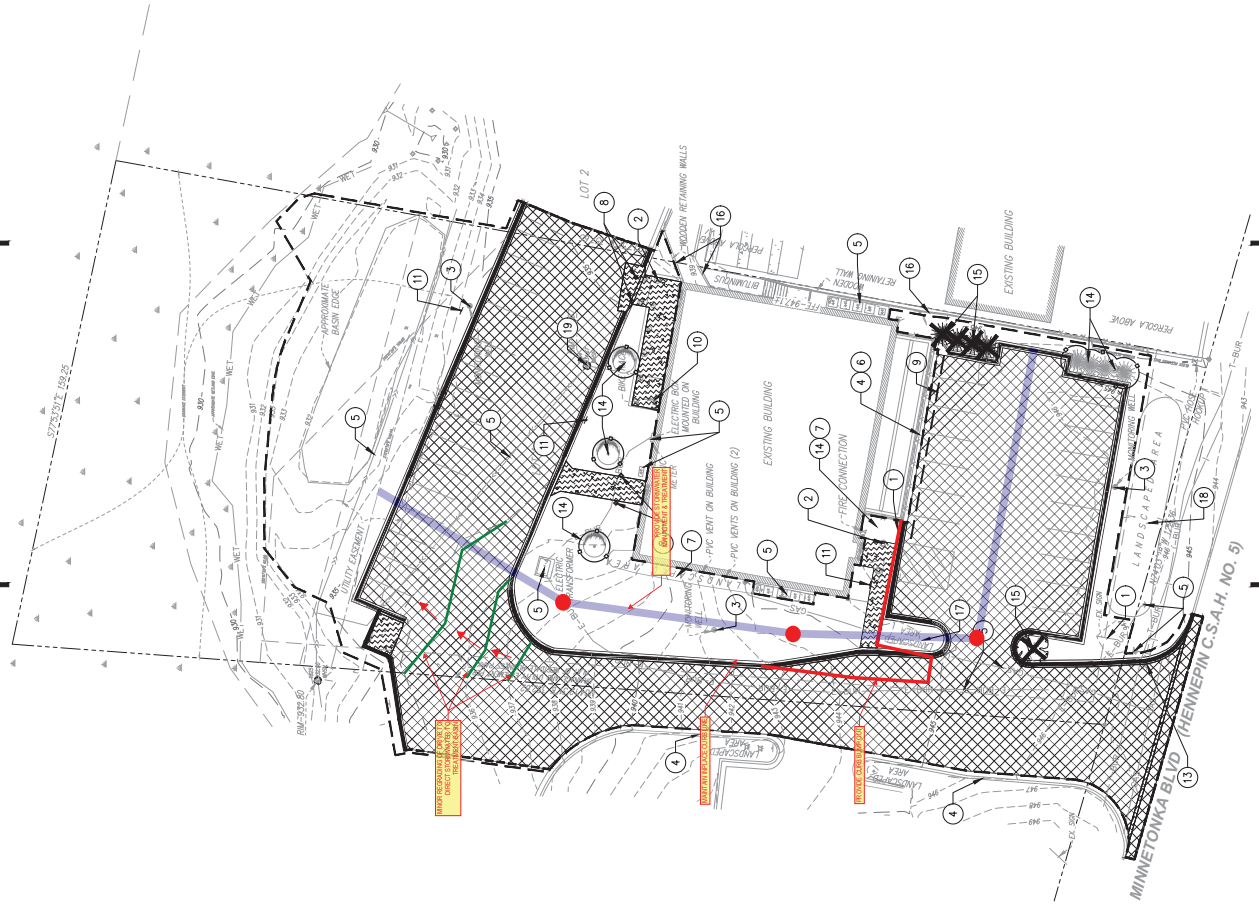
FILE NO.: 2007T0010
DRAWN BY: BPS
CHECKED BY: BPS
PROJECT NO.: 2007T
DRAWING NO.: **C300**

LEGEND

- PROPERTY LINE/RIGHT-OF-WAY LINE
- CONSTRUCTION LIMITS
- SAWCUT EXISTING PAVEMENT (FULL DEPTH)
- REMOVE CURB AND GUTTER
- REMOVE CONCRETE
- REMOVE BITUMINOUS PAVEMENT
- ⊙ PROTECT EXISTING TREE (SEE DETAIL 2, SHEET L501)
- ✗ CLEAR AND GRUB EXISTING TREE

KEY NOTES

- 1 PROTECT EXISTING SIGN
- 2 PROTECT EXISTING COLUMN AND CONCRETE FOUNDATION (TYP.)
- 3 PROTECT EXISTING MONITORING WELL
- 4 PROTECT EXISTING CURB AND GUTTER
- 5 PROTECT EXISTING UTILITY
- 6 PROTECT EXISTING FENCE
- 7 REMOVE EDGER AND ROCK MULCH ALONG BUILDING
- 8 REMOVE EXISTING BOLLARDS
- 9 SALVAGE EXISTING CURB STOPS (TYP.)
- 10 SALVAGE EXISTING BIKE RACK
- 11 REMOVE EXISTING SIGN
- 12 PROTECT EXISTING WALK
- 13 ADJUST EXISTING VALVE BOX & COVER
- 14 PROTECT EXISTING TREES OR SHRUBS
- 15 CLEAR AND GRUB EXISTING TREE
- 16 PROTECT EXISTING WALL
- 17 SALVAGE EXISTING BOULDER
- 18 PROTECT EXISTING BOULEVARD PLANTINGS
- 19 PROTECT EXISTING STRUCTURE. ADJUST EXISTING CASTING.



MINNETONKA BLVD (HENNEPIN C.S.A.H. NO. 5)