



**TO:** Mayor Shaun Sipma  
Members of the City Council

**FROM:** Lance Meyer, P.E., City Engineer

**DATE:** August 19, 2019

**SUBJECT: BURDICK EXPRESSWAY ADA UPGRADES NDDOT PE AGREEMENT (4394)**

**I. RECOMMENDED ACTION**

1. It is recommended that the council approve the agreement with the NDDOT and authorize the Mayor to sign the agreement.

**II. DEPARTMENT CONTACT PERSONS**

Lance Meyer, City Engineer	701-857-4100
Stephen Joersz, Traffic Engineer	701-857-4100

**III. DESCRIPTION**

A. Background

Burdick Expressway is planned to have ADA compliant pedestrian ramps installed during the 2021 construction season. The project will start at 16<sup>th</sup> St SW and continue east to Broadway. It will start again at 16<sup>th</sup> St SE and continue to 27<sup>th</sup> St SE. The other portions of Burdick Expressway are included in the Burdick Expressway Major Rehabilitation project or have been previously completed.

B. Proposed Project

The project will be funded with federal funds. Thus, the NDDOT requires the City to sign a professional engineering (PE) agreement with the NDDOT. The agreement allows the City and NDDOT to cost share in PE related costs to develop the project.

The only major stipulation in the agreement states that if the city unilaterally and voluntarily terminates the agreement, the city is responsible for all engineering costs associated with the project.

If the city would terminate the agreement, the city would have to pay the NDDOT for costs incurred or the funds would be subtracted from our State Highway Tax Distribution Fund or future funds.

C. Consultant Selection

Apex Engineering Group was selected by the NDDOT to perform the PE services for this project.

**IV. IMPACT:**

A. Strategic Impact:

Burdick Expressway is an arterial roadway throughout the City. FHWA and the NDDOT have prioritized this corridor to receive federal funds to upgrade pedestrian ramps to meet ADA compliance

B. Service/Delivery Impact:

Once the project is complete, all pedestrian ramps on Burdick Expressway will meet ADA compliance guidelines.

C. Fiscal Impact:

The funding for this project will be split 90/10 with the federal/state share picking up 90% of the project cost and the City picking up 10% of the project cost. The project is listed in the CIP as E-1.

Project Costs

The project is at the early design stage currently, so individual costs are only estimated and are as follows:

Construction and Engineering: \$737,000

Project Funding

Federal Funds:	\$663,300
<u>Highway Reserves:</u>	<u>\$ 73,700</u>
Total:	\$737,000

**V. ALTERNATIVES**

Council could choose not to enter into the PE agreement. This would cancel the project with the NDDOT and the federal funds would be re-programmed to another City. The project would have to be 100% funded by the City.

**VI. TIME CONSTRAINTS**

The NDDOT needs the agreement to be executed as soon as possible to begin the necessary engineering on this project.

**VII. LIST OF ATTACHMENTS**

- A. PE Agreement