



# Board of County Commissioners Agenda Request

25  
Agenda Item #

**Requested Meeting Date:** 1-12-16

**Title of Item:** Cooperative Agreement

<input type="checkbox"/> REGULAR AGENDA <input checked="" type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	<b>Action Requested:</b> <input type="checkbox"/> Approve/Deny Motion <input checked="" type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
<b>Submitted by:</b> John Welle		<b>Department:</b> Highway Department
<b>Presenter (Name and Title):</b> NA		<b>Estimated Time Needed:</b> NA
<b>Summary of Issue:</b> <p>During the upcoming construction season, a joint federally-funded enhanced pavement marking project will take place in the counties of Aitkin, Carlton, Itasca, Lake, and St. Louis. In Aitkin County, enhanced pavement markings will be placed on a portion of CSAH 6 and and CSAH 11. St. Louis County is the lead agency on this project. A Cooperative Agreement is needed to facilitate the project . Under the agreement, each participating county is paying the 10% non-federally funded cost of the signs installed in their county. In addition, a \$500 administrative fee will be paid by each of the counties to St. Louis County to cover their contract administration costs. Authorization to enter into this agreement by the following resolution is requested. The agreement has been reviewed by the Aitkin County Attorney.</p> <p>WHEREAS, the Minnesota Department of Transportation has secured federal funding for participating counties in the Northeast Minnesota Area Transportation Partnership to complete a highway safety improvement project to install 6-inch set reflective epoxy edgelines on various county highways, and</p> <p>WHEREAS, participating counties include Aitkin, Carlton, Itasca, Lake, and St. Louis.</p> <p>BE IT RESOLVED, that the Aitkin County Board Chairperson, the Aitkin County Auditor, and the Aitkin County Engineer are hereby authorized and directed to enter into said agreement with the participating counties.</p>		
<b>Alternatives, Options, Effects on Others/Comments:</b>		
<b>Recommended Action/Motion:</b> Approve by resolution		
<b>Financial Impact:</b> <i>Is there a cost associated with this request?</i> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>What is the total cost, with tax and shipping?</i> \$ 500 fee plus 10% local match (\$7,950) <i>Is this budgeted?</i> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i>		

SP 088-070-045 (Parent Project Number)  
Aitkin County (SP 001-070-003)  
Carlton County (SP 009-070-003)  
Itasca County (SP 031-070-002)  
Lake County (SP 038-070-006)  
St. Louis County (SP 069-070-020, CP 0000-225072)

**COOPERATIVE AGREEMENT  
BETWEEN**

**AITKIN COUNTY  
CARLTON COUNTY  
ITASCA COUNTY  
LAKE COUNTY  
ST. LOUIS COUNTY**

**FOR THE INSTALLATION OF  
6-INCH WIDE WET REFLECTIVE EPOXY EDGELINE**

THIS AGREEMENT, hereinafter referred to as the "Agreement," is between the COUNTY OF AITKIN, a duly organized county within the State of Minnesota, hereinafter referred to as "Aitkin County", the COUNTY OF CARLTON, a duly organized county within the State of Minnesota, hereinafter referred to as "Carlton County", the COUNTY OF ITASCA, a duly organized county within the State of Minnesota, hereinafter referred to as "Itasca County", the COUNTY OF LAKE, a duly organized county within the State of Minnesota, hereinafter referred to as "Lake County", and the COUNTY OF ST. LOUIS, a duly organized county within the State of Minnesota, hereinafter referred to as "St. Louis County".

WITNESSETH:

WHEREAS, the Minnesota Department of Transportation has secured federal funding for counties in District 1 to complete a joint highway safety improvement project to install 6-inch wide wet reflective epoxy edgeline on various county highways in 2016; and

WHEREAS, the participating counties in this project are Aitkin County, Carlton County, Itasca County, Lake County and St. Louis County; and

WHEREAS, each participating county has determined the locations and quantities of 6-inch wide wet reflective epoxy edgeline for their respective county highways; and

WHEREAS, this work shall be completed under the project hereafter identified as "2016 District 1 6-inch Wet Reflective Epoxy Edgeline", SP 088-070-045.

THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, with regard to the aforementioned project, the parties hereby agree to the following:

SP 088-070-045 (Parent Project Number)  
Aitkin County (SP 001-070-003)  
Carlton County (SP 009-070-003)  
Itasca County (SP 031-070-002)  
Lake County (SP 038-070-006)  
St. Louis County (SP 069-070-020, CP 0000-225072)

1. St. Louis County shall prepare the plan, specifications, and engineer's estimate for said project in accordance with the 2016 Edition of the Minnesota Department of Transportation "Standard Specifications for Construction."
2. Aitkin County, Carlton County, Itasca County and Lake County shall provide St. Louis County with the required locations and quantities for work within their respective counties. St. Louis County shall incorporate said information into the plan and proposal.
3. St. Louis County, acting through the St. Louis County Highway Engineer, shall award the contract for said project, hereinafter referred to as the "Contract," to the lowest responsible bidder in accordance with current Minnesota Statutes and specifications.
4. St. Louis County shall perform all necessary Contract administration, and shall administer the terms of the Contract from Contract award to the certification of final payment.
5. St. Louis County shall perform all record keeping and construction inspection for quantities associated with St. Louis County's portion of the project in accordance with the plan.
6. Aitkin County, Carlton County, Itasca County and Lake County shall perform all record keeping and construction inspection for quantities associated with their respective county's portion of the project in accordance with the plan and shall report any observed deficiencies or discrepancies to St. Louis County immediately.
7. Each participating county's cost share of the mobilization and traffic control items shall be a percentage that is based upon each county's proportion of total linear feet of epoxy striping.
8. The participating counties have obtained Federal funding in the amount of \$859,500.00, which is anticipated to equal 90 percent of the total project cost. Each participating county will be responsible for its local share, which cumulatively is anticipated to equal 10 percent of the total project cost. Each participating county shall be responsible for 100 percent of the cost of overrun for items in that county's group. The estimated cost participation by county is listed in Appendix A. This project will be split into two phases. Phase 1 will be completed in 2016 and will include 100 percent of the quantities in Aitkin County, Carlton County, Itasca County and Lake County. Phase 2 will be completed in 2017. This phase will allow St. Louis County to coordinate planned pavement projects with the epoxy striping in this project.

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9. Upon the awarding of the Contract, the actual local share obligation for each participating county shall be based upon the Contract unit prices as contained in the successful Contractor's bidding documents. Aitkin County, Carlton County, Itasca County and Lake County shall each pay to St. Louis County, within 30 days after award of Contract, an amount equal to 95 percent of their county's actual local share obligation.
10. Aitkin County, Carlton County, Itasca County and Lake County shall each pay to St. Louis County, within 30 days of certification of final payment, the remaining balance of their county's local share obligation. If any funds are received by St. Louis County in excess of the project and administrative costs, they will be returned to the county that overpaid, without interest.
11. Aitkin County, Carlton County, Itasca County and Lake County shall each pay to St. Louis County, within 30 days of certification of final payment, a flat fee in the amount of \$500.00 for Contract administration services rendered by St. Louis County to each of the participating counties under this Agreement.
12. St. Louis County shall require all Contractors and Subcontractors performing work for said project to name Aitkin County, Carlton County, Itasca County and Lake County as insured parties in the amounts listed in the insurance requirements contained in the Contract.
13. To the full extent permitted by law, actions by the Parties pursuant to this Agreement are intended to be and shall be construed as a "cooperative activity" and it is the intent of the Parties that they shall be deemed a "single governmental unit" for the purpose of liability, as set forth in Minnesota Statutes, Section 471.59, Subd. 1a.
14. Each participating county shall be liable for its own acts to the extent provided by law, and each participating county hereby agrees to indemnify, hold harmless and defend the others, their officers and employees against any and all liability, loss, costs, damages, expenses, claims or actions, including attorney's fees, which the others, their officers and employees may hereafter sustain, incur or be required to pay, arising out of or by reason of any act of omission of the participating county, its agents, servants or employees, in the execution, performance, or failure to adequately perform its obligations pursuant to this Agreement.

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IT IS FURTHER AGREED, that any and all employees of the respective participating counties in this Agreement, while engaged in the performance of any work or service which that county is specifically required to perform under this Agreement, shall be considered employees of that respective participating county only and not of any other participating county in this Agreement. Any and all claims that may or might arise under the Workers Compensation Act of the State of Minnesota on behalf of said employees while so engaged and any and all claims made by any third parties as a consequence of any act, of said employees, shall be the sole obligation of their respective county.

## Appendix A

### Phase 1 Estimated Project Cost

Item	Units	Estimated Quantity	Estimated Unit Price	Estimated Total Cost	Estimated Federal Share	Estimated Local Share
2021.501 MOBILIZATION	LUMP SUM	1	\$25,000.00	\$25,000.00	\$22,500.00	\$2,500.00
2563.601 TRAFFIC CONTROL	LUMP SUM	1	\$15,000.00	\$15,000.00	\$13,500.00	\$1,500.00
2582.502 6" SOLID LINE EPOXY GR IN (WR)	LIN FT	1,106,688	\$0.65	\$719,347.20	\$647,412.48	\$71,934.72
Total				\$759,347.20	\$683,412.48	\$75,934.72

### Phase 1 Estimated Cost Participation by County

Participating County	Estimated Quantity (LIN FT)	Percentage	Estimated Traffic Control + Mobilization Cost		Estimated Epoxy Striping Cost		Estimated Total Cost (Local Share)
			Federal	Local	Federal	Local	
Aitkin County	116,160	10%	\$3,600.00	\$400.00	\$67,953.60	\$7,550.40	\$7,950.40
Carlton County	257,664	23%	\$8,280.00	\$920.00	\$150,733.44	\$16,748.16	\$17,668.16
Itasca County	439,296	40%	\$14,400.00	\$1,600.00	\$256,988.16	\$28,554.24	\$30,154.24
Lake County	53,856	5%	\$1,800.00	\$200.00	\$31,505.76	\$3,500.64	\$3,700.64
St. Louis County	239,712	22%	\$7,920.00	\$880.00	\$140,231.52	\$15,581.28	\$16,461.28
Total	1,106,688	100%	\$36,000.00	\$4,000.00	\$647,412.48	\$71,934.72	\$75,934.72
<b>Total Cost</b>	<b>\$759,347.20</b>						
<b>Total Federal Share</b>	<b>\$683,412.48</b>						
<b>Total Local Share</b>	<b>\$75,934.72</b>						

## Appendix A

### Phase 2 Estimated Project Cost

Item	Units	Estimated Quantity	Estimated Unit Price	Estimated Total Cost	Estimated Federal Share	Estimated Local Share
2021.501 MOBILIZATION	LUMP SUM	1	\$10,000.00	\$10,000.00	\$9,000.00	\$1,000.00
2563.601 TRAFFIC CONTROL	LUMP SUM	1	\$5,000.00	\$5,000.00	\$4,500.00	\$500.00
2582.502 6" SOLID LINE EPOXY GR IN (WR)	LIN FT	274,560	\$0.65	\$178,464.00	\$160,617.60	\$17,846.40
Total				\$193,464.00	\$174,117.60	\$19,346.40

### Phase 2 Estimated Cost Participation by County

Participating County	Estimated Quantity (LIN FT)	Percentage	Estimated Traffic Control + Mobilization Cost		Estimated Epoxy Striping Cost		Estimated Total Cost (Local Share)
			Federal	Local	Federal	Local	
Aitkin County	0	0%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Carlton County	0	0%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Itasca County	0	0%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Lake County	0	0%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
St. Louis County	274,560	100%	\$13,500.00	\$1,500.00	\$160,617.60	\$17,846.40	\$19,346.40
Total	274,560	100%	\$13,500.00	\$1,500.00	\$160,617.60	\$17,846.40	\$19,346.40
<b>Total Cost</b>	<b>\$193,464.00</b>						
<b>Total Federal Share</b>	<b>\$174,117.60</b>						
<b>Total Local Share</b>	<b>\$19,346.40</b>						

## Appendix A

### Total Estimated Project Cost

<b>Phase</b>	<b>Total Cost</b>	<b>Federal Share</b>	<b>Local Share</b>
Phase 1	\$759,347.20	\$683,412.48	\$75,934.72
Phase 2	\$193,464.00	\$174,117.60	\$19,346.40
Grand Total	\$952,811.20	\$857,530.08	\$95,281.12

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COUNTY OF AITKIN

By \_\_\_\_\_  
County Board Chair

By \_\_\_\_\_  
County Auditor

APPROVED AS TO FORM:

By \_\_\_\_\_  
County Attorney

By \_\_\_\_\_  
Public Works Director/Highway  
Engineer

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COUNTY OF CARLTON

By \_\_\_\_\_  
County Board Chair

By \_\_\_\_\_  
County Auditor

APPROVED AS TO FORM:

By \_\_\_\_\_  
County Attorney

By \_\_\_\_\_  
Public Works Director/Highway  
Engineer

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COUNTY OF ITASCA

By \_\_\_\_\_  
County Board Chair

By \_\_\_\_\_  
County Auditor

APPROVED AS TO FORM:

By \_\_\_\_\_  
County Attorney

By \_\_\_\_\_  
Public Works Director/Highway  
Engineer

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COUNTY OF LAKE

By \_\_\_\_\_  
County Board Chair

By \_\_\_\_\_  
County Auditor

APPROVED AS TO FORM:

By \_\_\_\_\_  
County Attorney

By \_\_\_\_\_  
Public Works Director/Highway  
Engineer

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COUNTY OF ST. LOUIS

By \_\_\_\_\_  
County Board Chair

By \_\_\_\_\_  
County Auditor

APPROVED AS TO FORM:

By \_\_\_\_\_  
Assistant County Attorney

By \_\_\_\_\_  
Public Works Director/Highway  
Engineer

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