



**GARDINER CITY COUNCIL
AGENDA ITEM INFORMATION SHEET**



Meeting Date	09/29/2021	Department	Public Works
Agenda Item	4.a) Consideration of the project to pave Brunswick Avenue hill.		
Est. Cost			

Background Information

Gardiner City Council asked Public Works Director Jerry Douglass to bid out a project to pave Brunswick Hill. After following the bidding process, one bid was submitted for \$25,555.00. Council has asked for an agenda item so that they may get some public input on the project. They will be considering the following:

- 1) There was only one bidder and that bid came in very high. This was not unusual and was expected as the cost of paving projects are inflated due to inflation, a saturated construction/paving market and lack of employees. The bid includes a \$255.00 per ton cost that will extend 850 feet ending at Church Street. For perspective, last year our paving projects (2,400 ton purchase) cost \$77.00 per ton. Many factors go into these bids and bid prices are always based on volume. Even if a job will take less than a full day, the bid price will include a full day of hours charged.
- 2) After a presentation from a professional engineer from Wright Pierce on the upcoming project for the retaining wall and sidewalks, Councilors learned that this construction will begin sometime around April/May of 2022. The final step of this construction would be to pave the road. That could take place in July, 2022. It was suggested that portions of the paving done this fall may be salvageable. The city has a signed contract with MDOT (attached to this agenda item) that stipulates what the project entails, and part of this signed contract includes grinding/milling the existing surface and then repaving a new surface.
- 3) Public Works Director Douglass will be in attendance. Councilors may wish to discuss alternative methods to stabilize the road until the whole project begins in the spring.

Requested Action	After the discussion councilors may wish to make a motion on the subject.
City Manager and/or Finance Review	
Council Vote/ Action Taken	
Departmental Follow-Up	

City Clerk Use Only	1 st Reading _____	Advertised _____	EFFECTIVE DATE _____
	2 nd Reading _____	Advertised _____ w/in 15 Days	
	Final to Dept _____	Updated Book _____	Online _____

VC1000031833

<i>Internal Use Only</i>
TEDOCS #:
CTM#: 20200812000000000106
CSN#:

CSN42021

**STATE OF MAINE DEPARTMENT OF TRANSPORTATION
MUNICIPAL PARTNERSHIP AGREEMENT**

WIN 21932.23

REGARDING

HIGHWAY IMPROVEMENTS ON ROUTE 201 IN GARDINER

This Cooperative Agreement (AGREEMENT) is entered into by and between the MAINE DEPARTMENT OF TRANSPORTATION ("MaineDOT"), an agency of state government with its principal administrative offices located on Child Street, Augusta, Maine, and the CITY OF GARDINER ("MUNICIPALITY"), a municipality in the State of Maine with offices located at 6 CHURCH STREET, GARDINER, ME.

WHEREAS,

GARDINER shall perform MILL AND FILL ON ROUTE 201, BEGINNING AT CHURCH STREET AND EXTENDING NORTH TO MAINE AVE, AND REPLACE RETAINING WALL. (the "Project"). GARDINER estimates this project at \$500,000.

GARDINER SHALL:

- A. Procure all contracts for and oversee the Project on **ROUTE 201** for the Work outlined above.
- B. Cause such Work to be performed in accordance with a design by an engineer licensed in the State of Maine. The Licensed Engineer shall provide a certification to the Municipality and to MaineDOT that, in his/her professional opinion, the Project as designed will provide a smooth ride, not reduce the safety, mobility or structural quality of the state [state aid] road. All design documents must be stamped and signed in accordance with this provision by the Professional Engineer.
- C. Agree to secure all necessary Federal, State and Local permits necessary to complete the work. **GARDINER** also agrees to secure any needed property rights in accordance with all applicable State and Federal Law.
- D. Agrees that any exceptions to State Design Standards shall be documented as part of this process. This documentation shall compare the new design to the existing conditions for each of the exceptions to current design standards. Any such exceptions shall be displayed on the cover sheet for the Project plans with the signature and PE stamp of the engineer responsible for the design of the Project.
- E. Be responsible, within the Project limits, for the following:

- a. Ensuring that the safety of the corridor and the life of the resulting structural and design elements are equal to or better than existing conditions and design;
 - b. Ensuring that the structures, roadways and/or design features affected by the Project work shall, at a minimum, be of improved quality in terms of materials and utility;
 - c. Ensuring that the Project does not introduce safety hazards;
 - d. Ensuring that the Project retains the same level of mobility or improves mobility of travel within the corridor, unless approved traffic calming measures are proposed;
 - e. Ensuring that the Project does not decrease the life expectancy of this component of Maine's transportation system; and,
 - f. Ensuring that the Project meets the current standards of Americans with Disabilities Act of 1990 (ADA) design requirements.
- F. Provide certification through their Engineer to MaineDOT that the Project is complete and was constructed as designed.
- G. Ensure that construction shall commence within EIGHTEEN (18) months and shall be certified complete within THIRTY-SIX (36) months of execution of this agreement. **GARDINER** may forfeit the unpaid balance of this grant if these deadlines are not met or they can not demonstrate earnest and good faith efforts to meet them.
- H. Be responsible for or cause its contractors to be responsible for all damage to public or private property of any kind resulting from any act, omission, neglect or misconduct of **GARDINER** or its contractors, including damage to vehicles passing through the Project limits.
- I. *Bear all risk of loss relating to the Project and the Work regardless of cause.*

MAINEDOT SHALL:


- A. **Provide a maximum \$300,000 in State funds supporting the Work stated above.** Reimbursement will be made by the Department at a minimum of 1/3 project completion upon receipt of supporting cost documentation from the Municipality. Payments will be made *per Appendix A attached*. The Department's Region Engineer shall review the costs and certify their eligibility prior to reimbursement of Municipal Partnership Initiative Funds. Payment by MaineDOT Municipal Partnership Initiative funds shall not exceed \$300,000 or 40% of the actual costs incurred and paid by the Municipality.
- B. **This project has been approved for Calendar Year 2020.** If the Municipality commences construction of the project as outlined above prior to January 1, 2020, the Municipality assumes the risk and responsibility for costs incurred, in the event that funding levels fall below MaineDOT projections. If this occurs, the Municipality will not receive reimbursement from MaineDOT.

The **CITY OF GARDINER** and MaineDOT agree to function within all applicable laws, statutes, regulations, and AGREEMENT provisions; avoid hindering each other's performance; fulfill all obligations diligently; and cooperate in achievement of the intent of this AGREEMENT.

IN WITNESS, WHEREOF, the parties hereto have executed this AGREEMENT effective on the day and date last signed.

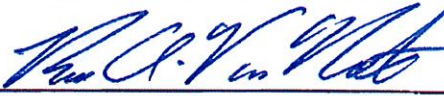
CITY OF GARDINER

Dated: 7/31/2020

By: 
Christine Landes
City Manager

**STATE OF MAINE
DEPARTMENT OF TRANSPORTATION**

Dated: 8/5/2020

By: 
Bruce A. Van Note
Commissioner

**APPENDIX A
PROJECT SCOPE AND COST SHARING
MAINE DEPARTMENT OF TRANSPORTATION**

Municipal Partnership Initiative Project

MUNICIPALITY OF GARDINER

PROPOSED IMPROVEMENTS TO: ROUTE 201

STATE PROJECT IDENTIFICATION NUMBER (WIN) 21932.23

FUNDED CONSTRUCTION YEAR 2020

Project Scope: MILL AND FILL ON ROUTE 201, BEGINNING AT CHURCH STREET AND EXTENDING NORTH TO MAINE AVE, AND REPLACE RETAINING WALL

Funding Outline: The Total Project Estimated Cost is \$500,000 and the Parties agree to share costs through all stages of the Project under the terms outlined below.

Work Element	Municipal Share		State Share		Total Cost
	%	\$	%	\$	
Project Costs	40	\$200,000	60	\$300,000	\$500,000
PROJECT SHARES		\$200,000		\$300,000	\$500,000
Total Cost of Additional Work above agreement estimate	100%				
TOTAL ESTIMATED MUNICIPAL REIMBURSEMENT		\$200,000			

REIMBURSEMENT SCHEDULE:

Upon 1/3 project completion the municipality may begin invoicing the Department. Preferred invoicing interval is 1/3, 2/3, final, the Department will accept monthly invoices after 1/3 project completion with a maximum invoice submittal not to exceed 5 invoices.

DESIGN EXCEPTIONS REQUIRED: YES x NO

Design exceptions where required for this project. Please see attached approval from MaineDOT Chief Engineer outlining design exceptions.

Project: 78923/021932.25 - Waterville, Main ST MPI

Status
Active ▾

Status Date
07/24/2020

Status Last Changed By
LOAD, FINISS

Federal Project Number

Project Type
Capital Improvement Non Programmed ▾

Project Manager
ANDREWS, JAMIE

Program Manager
BERNHARDT, DAVID

Lead Unit
Maintenance

STIP Approval Dates
Stage
Authorization to Proceed
STIP FHWA Approval
Preliminary Engineering

Right of Way

ROW Negotiations/Acquisitions

Advertise/Construction

CE Construction Engineering

STIP Approval Date History

Stage U/ProjEx/ProjectMgr/PMStatus?strProjectSequence=78923&sort=strStageCode-asc	STIP FHWA Approval U/ProjEx/ProjectMgr/PMStatus?strProjectSequence=78923&sort=strFHWAApprovalDte-asc	Updated By U/ProjEx/ProjectMgr/PMStatus?strProjectSequen
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City of Gardiner-MPI Application-Brunswick Avenue Retaining Wall/Sidewalk and Brunswick/Bridge Street Paving Project

Safety Improvement

The granite retaining wall located on Brunswick Avenue has recently become a safety issue with the collapse of the wall in several spots. Most recently, the area was coned off forcing some of the pedestrian traffic to step-down off the sidewalk and into the regular roadway to go around the collapsed area. The repair/replacement of this wall will open up the sidewalk area, once again, letting pedestrians stay on the proposed newly built sidewalk that will be incorporated into the project.

As the bridge project continues to fruition, there will be the occurrence of new pavement from one end of the Water/Bridge Street intersection to the other end near Summer Street. The request to upgrade the paving project, working with the hired bridge paving sub-contractor, from the top of Brunswick Hill to the intersection of Maine Avenue/Bridge Street Intersection would allow for a smooth transition in these areas. This project makes sense to allow all construction to take place at once thus discouraging a future project that would call for digging up that area once again.

Degree of Betterment

The improvement/rebuild of the retaining wall collapse on Brunswick Avenue would be two-fold. The first priority would be the safety of the pedestrians walking up/down what will be the newly constructed sidewalk. They have been forced to step down into a very busy traffic lane, thus exposing themselves to danger. Secondly, the homeowner where this retaining wall is located has been exposed to his property possibly eroding down the street with a heavy rain event. (This is how this collapse originally occurred.) Securing and rebuilding this wall will assure that his property is contained and secure and he will not lose any more of the front piece.

The degree of betterment to the paving project from the top of Brunswick to the intersection of Bridge and Maine Avenue will allow for an upgraded stretch of road that will coincide with the bridge project. This will increase the minimum useful life of this section of highway for at least a decade.

Record of Prior Municipal Requests

In 2013, the City of Gardiner worked with MaineDot on an MPI Project for Highland Avenue Win #20232.21. This project included the milling and profiling of Highland Avenue to allow for a minimum useful life of at least ten years. The sidewalk was almost completely relocated to one side of the street and allowed for it to be rebuilt. In 2017, another MPI was completed on water and Mechanic Street along with route 24. They were mill and fills and shim and overlays.

Both MPI projects were completed on time and to the satisfaction

Another project that the City of Gardiner worked on (although not an MPI project) was the repaving of Rt 126 from the New Mills area to the Middle School, reconstruction of sidewalks, improved drainage, and a new culvert all within this area. This was partly due in funding from the Safe Routes to School Program.

Economic Development & Job Creation

Reconstructing the retaining wall, upgrading the sidewalk, and repaving this area will improve pedestrian walkability to our downtown, and allow for smoother traffic flow to the businesses that line Bridge Street all the way to the downtown and the top of Brunswick Avenue. It is expected with the upcoming opening of work-force housing on Summer Street, that many more individuals will be using this corridor for multi-model forms of transportation to frequent jobs, recreation, and run errands.

Customer Benefits

As noted above, the new Summer Street work-force housing project will be opening this coming summer. These residents will be privileged to have a newly paved roadway to exit onto when leaving their homes. They will also have an opportunity to have increased walkability, via the newly constructed sidewalk and safe retaining wall area, to the Common Area that hosts many events throughout the spring, summer, and fall months. In addition, with the retaining wall built and sidewalk upgraded, those residents that live in the Brunswick Hill area will also have a safer route to access our growing downtown businesses.

Community Support

At the February 5, 2020 City Council meeting, the City Council authorized to fund half of the project of rebuilding the retaining wall, upgrading the sidewalk, and paving the Brunswick/Bridge Street area. The current bridge(s) project has also shown great community support being rallied with enthusiasm working towards the final Bridge Street Bridge being opened with a celebration that they whole community could possibly play a part in.

Prior/Ongoing MPI Awards

The City of Gardiner has completed two previous MPI projects that were completed on time and of quality construction.

Long Term Maintenance & Capital Benefit

It cannot be understated what long term maintenance will be avoided with the rebuild of the retaining wall on Brunswick Avenue Hill, and the extended paving project that would be incorporated as part of this MPI. It is expected that the newly built retaining wall will last a hundred years with very limited maintenance. The sidewalk upgrade will allow for many years of safe passage up and down Brunswick Avenue. In addition, the paving extension of the area will last at least a decade with minimal maintenance needed.

MaineDOT Worksheet

Municipal Partnership Initiative

Date:	12-Feb-20
Municipality:	Gardiner
Project Location:	Brunswick Ave
Proposed Scope:	Mill and Fill and Retaining Wall Reconstruction
Prop. Completion Date:	Dec-20
Projects Deferred:	PSN 64273 and 76472
Maintenance Deferred:	
Safety Improvement:	<p>The granite retaining wall located on Brunswick Avenue has recently become a safety issue with the collapse of the wall in several spots. Most recently, the area was coned off forcing some of the pedestrian traffic to step-down off the sidewalk and into the regular roadway to go around the collapsed area. The repair/replacement of this wall will open up the sidewalk area, once again, letting pedestrians stay on the proposed newly built sidewalk that will be incorporated into the project.</p> <p>As the bridge project continues to fruition, there will be the occurrence of new pavement from one end of the Water/Bridge Street intersection to the other end near Summer Street. The request to upgrade the paving project, working with the hired bridge paving sub-contractor, from the top of Brunswick Hill to the intersection of Maine Avenue/Bridge Street Intersection would allow for a smooth transition in these areas. This project makes sense to allow all construction to take place at once thus discouraging a future project that would call for digging up that area once again.</p>
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MaineDOT Worksheet

Municipal Partnership Initiative

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MaineDOT Worksheet

Municipal Partnership Initiative

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<i>Proposed Funding:</i>		<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black;"><i>Municipal Contribution est.</i></td> <td style="border-bottom: 1px solid black;">\$</td> <td style="border-bottom: 1px solid black;">200,000.00</td> </tr> <tr> <td style="border-bottom: 1px solid black;"><i>MaineDOT Grant</i></td> <td style="border-bottom: 1px solid black;">\$</td> <td style="border-bottom: 1px solid black;">300,000.00</td> </tr> <tr> <td style="border-bottom: 1px solid black;"><i>Estimated Total Project Cost</i></td> <td style="border-bottom: 1px solid black;">\$</td> <td style="border-bottom: 1px solid black;">500,000.00</td> </tr> <tr> <td><i>Municipal Portion</i></td> <td></td> <td style="text-align: right;">40%</td> </tr> </table>	<i>Municipal Contribution est.</i>	\$	200,000.00	<i>MaineDOT Grant</i>	\$	300,000.00	<i>Estimated Total Project Cost</i>	\$	500,000.00	<i>Municipal Portion</i>		40%
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Municipal Contact:	Tony Laplante													
Phone	582-4200													
MaineDOT Contact:	Rob Betz													
Phone	624-8224													
Comments Due:														
Project Development:														

MaineDOT Worksheet Municipal Partnership Initiative

Planning:	
M&O- Region:	
Environment:	
CORE Approval to Enter into an Agreement:	
by:	
date:	
Other Comments:	
<i>Add Project Map</i>	