



**REQUEST FOR PROPOSAL
CITY OF DULUTH, MN**

**RFP 22-99740
Engineering Services for West Superior Street Reconstruction
From Carlton Street to West Michigan Street**

Issued October 17, 2022

**State Project No. 118-109-021
City of Duluth Project No. 2104**

Proposals Due: November 9, 2022 by 4:00 pm central time

SUBMIT TO

**CITY OF DULUTH
ATTN: PURCHASING DIVISION
CITY HALL, ROOM 120
411 WEST 1ST STREET
DULUTH, MN 55802**

PROJECT OVERVIEW

The City of Duluth is interested in retaining a consultant to provide design engineering services for the reconstruction of West Superior Street from Carlton Street to West Michigan Street through the Lincoln Park Craft District. The City is planning a total street and utility reconstruction with the development of an active transportation corridor. The project is anticipated to be constructed over a three-and-a-half-year period starting in late summer of 2025, and continuing through the summer of 2028. Construction administration and inspection services are not included in this request.

BACKGROUND

The City of Duluth has been awarded a \$24,999,160 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant for reconstruction of West Superior Street. The Lincoln Park Active Transportation Corridor (LNPK ATC) project is a transformational re-design of a former urban highway to a multimodal mobility hub for people of all ages, abilities and incomes. The project will be a full reconstruction of the roadway and utilities of this 1.65-mile segment of West Superior Street from Carlton Avenue to Michigan Street in the Lincoln Park Craft District. West Superior Street contributes to the vitality of the Lincoln Park Craft District through its multi-faceted role and this project will take into account travel service changes, modal shifts, and technological advancements. The Lincoln Park neighborhood of Duluth, MN, and more specifically St. Louis County Census Tract 156 (LNPK 156), serves as a major transportation hub for the United States as host of the Port of Duluth, I-35/535, TH 53, the Twin Ports Interchange, and major rail infrastructure.

The RAISE grant application includes further background regarding the history of the street and the intended design concept. The grant application also includes a required list of features to be incorporated in the design and a preliminary design of the street layout. The application is attached to this request for proposals as Appendix B and all interested proposers should familiarize themselves with it. National Association of City Transportation Officials (NACTO) design principles should also be incorporated into the design.

The existing 16-inch water main from Carlton to Garfield Avenue will be replaced with new 20-inch HDPE water main. The existing 20-inch water main from Garfield Avenue to West Michigan Street will be replaced with new 24-inch HDPE water main. Storm water catch basins, manholes and pipes will be replaced throughout the project area as necessary and green infrastructure elements will be included in the design. A minimal amount of work on the sanitary sewer mains within Superior Street will be required. The City will ensure that existing sanitary mains have been CIPP lined or are PVC prior to construction. The project will include replacement of any clay tile laterals off the existing mains.

The City plans to replace the 6-inch steel gas main on 18th Avenue West with new MDPE prior to construction of this project. All other gas mains will remain and will be worked around during construction. City staff will recoat the 16-inch gas main at 24th Avenue West when it is exposed. City staff will provide the maximum span distance allowable on the 16-inch steel gas main for incorporation into the project.

It is anticipated that Western Lake Superior Sanitary District (WLSSD) will perform work on their mains crossing Superior Street at 23rd Avenue West. The Consultant shall assume that WLSSD will provide plans and specifications to be incorporated into the City project for bidding and construction.

The street lighting system will be replaced with a human scale lighting system. Fiber optic lines will be extended through the corridor as part of a municipal broadband network.

Phasing of construction is preliminarily anticipated to be as follows but may be modified following public feedback and design:

- 2026 Carlton Street to 25th Avenue West
- 2027 20th Avenue West to West Michigan Street
- 2028 25th Avenue West to 20th Avenue West

Phasing may require adjustments due to funding obligations. The first payment to the contractor is required before January of 2026 which may warrant some small-scale work or individual intersections prior to the bulk of the project. Construction of intersections that will improve traffic flow during the remainder of the project or would benefit from a tighter schedule would be preferred. Paying for project specific materials on hand may also meet the requirements for funding.

The project will be funded through federal RAISE grant funds, Minnesota State Aid (MSA) funds, City Sales Tax funds and other city local funding sources, and utility funds. Federal funds will not be used for the design phase of the project.

Design services are desired to review existing street and infrastructure, gather preliminary design data, perform preliminary design and environmental review documents, cost estimates, complete final design, construction plans and specifications, all permits, and bidding assistance.

Funding for construction is from Federal and MSA funds. A **Project Memo** and all the required submittals will be required and submitted by December 15, 2023. MnDOT and the City of Duluth have previously submitted all or parts of the project area to the State Historic Preservation Office. While the overall West Superior Street Commercial District is not eligible for listing in the National Register of Historic Places, sever of the individual buildings are eligible. Some previous studies and determination letters are available upon request by Consultants. The road shall be constructed to State-Aid Standards and shall include provisions for oversize and overweight vehicles (design vehicle to be determined during design) on haul routes designated by the Duluth Seaway Port Authority.

The City of Duluth will provide the following:

- Records of any public meetings held concerning the project (as requested).
- Previous surveys, reports, and studies (if available)
- All available street and utility drawings from previous projects (as requested).
- All available historic resource inventories and assistance in obtaining other relevant prior work (as requested)
- Assistance in obtaining other related information in City files pertaining to the project if needed.

GENERAL PROJECT SCOPE

Engineering Services are expected to include all work necessary to provide final design including plans, specifications and bidding services for all three phases in one bid package. These include, but are not limited to the following:

1. Project initiation, site visits and other meetings as necessary with City Engineering Staff.
2. Five (5) public meetings to share design and schedule, to be run by Consultant.
3. Stakeholder meetings as required within the Consultant's public involvement plan.
4. Preliminary Surveys and Information Gathering.
5. Preliminary Engineering Design and Project Memo, including sending the required environmental letters and providing responses to the City.
6. Traffic study and signal warrant/signal justification report for all intersections. Intersection evaluation will include a discussion on the warrants/feasibility of 4-way stop, signals, and roundabouts.
7. Design of traffic signals at intersection of Garfield Avenue and W Superior Street and intersection of 27th Avenue W and W Superior Street. Roundabout design or additional intersections if warranted will be considered extra work.
8. Production of Construction Plans and Specifications (Special Provisions).
9. Bid assistance and pre-bid meeting.

All work shall be performed in accordance with the most recent version of the City Standard Specifications and Engineering Guidelines (available on the City of Duluth website.)

SCOPE OF SERVICES

1. Initial Site Visit and Consultations

- a. The Consultant shall meet with City of Duluth representatives to review project scope and complexity, design criteria, related requirements, view existing conditions, gather data from the City engineering files and previously prepared reports. Additional consultations shall, where necessary, clarify the technical requirements and objectives of the contract and may be in the form of letters, emails and/or telephone conversations.
- b. The Consultant shall provide documentation of meetings and data provided.
- c. The Consultant shall ascertain the applicability of information provided, review data for completeness, and notify the City of any additional data required. It shall be the responsibility of the Consultant to determine, by site inspection procedures, the reliability of all the drawings and information which they choose as reference.

- d. The Consultant shall provide a brief status update on the project with each pay request summarizing the percent of the total work is complete, what stage the project is in, and what work is included in the request.

2. Reconnaissance, Field Surveys & Geotechnical Exploration

- a. The Consultant shall perform a full topographic survey. The Consultant shall map the existing right-of-way, based on existing monuments and documents for inclusion in plans. If existing documentation regarding ROW limits is not sufficient for ROW certification, the Consultant shall tie in or provide such survey information in order to complete the required ROW certification form. The construction plans shall preserve or re-set all monuments and their boxes that are disturbed with the project. The Consultant shall review/document condition and make recommendations on repairing structures to remain in place of all existing utility structures, including vaults, in the ROW. The Consultant shall survey the existing storm sewer system and document all private (roof and footing drains) and public connections to it. Driveways will be surveyed to the ROW and side streets will be surveyed to a sufficient distance to allow for connections to the new roadway (includes utilities).
- b. The Consultant shall identify all ROW conflicts early in the design process. The Consultant shall prepare easement language and exhibits for any locations that are identified for the City to send to the property owners. ROW conflicts may include private underground vaults. The Consultant should plan on obtaining access to all basements or utility rooms in order to verify existing utility locations, type of water service material and verify existence or location of any underground vaults that may conflict with the reconstruction. The Consultant shall review all walls that support the roadway/sidewalks and plan for design services to repair or replace as needed.
- c. Consultation with all regulatory agencies to determine required information for permit applications as it relates to the design and execution of the entire project will be required. The Consultant shall be responsible for all permit applications that may be required of the City.
- d. The Consultant shall complete a Phase 1 environmental assessment of the project. Recommendations for a Phase 2 assessment will be evaluated and one would be considered extra work.
- e. The Consultant shall do all necessary geotechnical exploration to determine/verify the existing section and to provide recommendations for the proposed section and utility construction. Assume for this proposal the total number of subsurface explorations is one (1) per 400 ft.

3. Public Involvement

The Consultant should plan to arrange and conduct 5 in person public meetings with the general public in the vicinity of the project and 2 virtual noontime public meetings preceding an evening public meeting. These meetings should primarily occur during the 30% design phase. The RAISE grant application describes the project design attributes that are required but also includes a discussion on the other stakeholders that should be involved in smaller group discussions regarding their specific needs for the final constructed product and for construction staging. The Consultant should plan to develop a public information plan that complies with the intention of the RAISE grant application and the City's obligation to FHWA, including a sufficient number of meetings with stakeholders and the creation and maintenance of a standalone project website similar in style and content to MnDOT's Twin Ports Interchange project website. The project is a substantial investment in this neighborhood and the end result of many years of effort by the neighborhood. The Consultant should expect significant public interest in the project and the public involvement plan should reflect that.

- a. Stakeholder discussion will include, at a minimum these groups:
 - i. Main Street Lincoln Park/Ecolibrium 3
 - ii. Lincoln Park Business Group
 - iii. We Walk Duluth and Duluth Bike Coalitions
 - iv. Metropolitan Interstate Council
 - v. Duluth Transit Authority
 - vi. Duluth Seaway Port Authority
 - vii. WLSSD
 - viii. Citywide Fiber (City IT group)
 - ix. Duluth Signals and Lighting for street lights/signals and electric vehicle charging
 - x. City of Duluth Police Department for public safety and parking
 - xi. Duluth Utility Engineering
 - xii. Duluth Stormwater Utility staff
 - xiii. MnDOT for TPI coordination and road closures
 - xiv. NRRI

4. Project Meetings

The Consultant should plan to attend all public meetings and stakeholder discussions called for in their public information plan. The Consultant should prepare concept designs, typical sections, and illustrations as required to show design direction and solicit feedback on options from the general public. The Consultant should also plan to attend a State Aid Variance Committee meeting in St. Paul if necessary to acquire any variances that may be required for the project.

5. Preliminary Design

The Consultant shall perform preliminary design and layouts based upon the data and information collected. Preliminary layouts shall be produced for Engineering Staff review per the project meeting dates.

6. Plans and Specifications

- a. The Consultant shall prepare construction drawings as necessary to provide for the complete reconstruction including replacement of all utilities. Plans shall be at a scale of 1"=40' and shall include sufficient detail to clearly show the work. The utility replacements will include water, storm sewer, and sanitary sewer services along with the installation of new municipally owned fiber optic broadband infrastructure and the relocation of conflicting existing utilities. The Consultant shall design green infrastructure to be included in this busy urban corridor that includes two trout stream crossings in culverts. The stormwater design will also achieve proper drainage as portions of Superior Street currently have poor drainage that negatively impacts adjacent property owners. These drawings shall include all details, plans and specifications necessary for all work as required, to the satisfaction of the City and all other appropriate approval agencies.
- b. The RAISE grant application includes specific elements that must be included in the project to fulfill the City's obligations to FHWA. These include, but are not limited to, human scale lighting, green infrastructure elements, electric vehicle and/or electric bike charging infrastructure, bus rapid transit facilities, landscaping, oversize and overweight vehicle accommodations, and a complete streets approach. The Consultant shall include all elements discussed in the grant application and incorporate NACTO design principles in the final plans.
- c. The specification preparation shall also include appropriate sections for bidding, bonding, agreements, general and special provisions, and other appropriate contract provisions. These sections shall be developed in accordance with the City standards, which shall be made available to the Consultant. The Consultant shall prepare details and any specifications as may be required that are not currently included in the 2019 City Standard Specifications. More specifically, the vehicle charging, landscaping, fiber optic, construction materials for any innovative pavement designs, and complete streets infrastructure.
- d. The drawings shall include all necessary site maps, plans, elevations, sections, details, and notes as needed or necessary to adequately show, explain or describe all features of the project.
- e. State Aid plan review checklist, ROW certification, and hydraulics submittals will be required.
- f. Intersection evaluations will be required for each intersection within the project, including Carlton Street but not including West Michigan Street. At intersections that warrant more control than side street stop signs an intersection control evaluation (ICE) report will be required including an evaluation of a four-way stop, traffic signals, and a roundabout option.

- g. Design of traffic signals at intersection of Garfield Avenue and W Superior Street. Any other intersection control design apart from stop signs or traffic calming within the existing road footprint will be considered extra work.
- h. The contract drawing sequence shall follow the standard City of Duluth format. The drawings shall be prepared to meet all Minnesota State Aid Standards.
- i. Plans and all work shall be in accordance with the current version at the time of bid letting of the City of Duluth Guidelines for Engineering Requirements and the City Standard Specifications. The current edition of the Minnesota Department of Transportation “Standard Specifications for Construction” and the current edition of the “Materials Lab Supplemental Specifications for Construction” shall be used. Current edition means the edition on the date when plans are finalized by the City and MnDOT.
- j. A licensed Professional Engineer registered in the State of Minnesota with experience in Civil Engineering and preparation of federal aid and state aid funded plans and specifications must supervise all work.

7. Cost Estimate

Prior to the first public meeting, the Consultant shall prepare a preliminary cost estimate for internal use for budgeting purposes, including an estimate breakdown for each of the three segments. Following the completion of the 30%, 60%, 90% and final plans, cost estimates and quantity takeoffs shall be provided. The cost estimate quantities shall be broken down by each individual phase of the project.

8. Project Bidding

Upon completion of plans and specifications, the Consultant shall also assemble all required Federal, MnDOT and City of Duluth documents into a bid package that Purchasing will use to post online. The Consultant shall answer any questions brought up during bidding, prepare any addendums, and attend a pre-bid conference. This design phase shall be considered complete upon award of the project following bidding.

9. Construction Administration

Construction services are not included in this request.

PROJECT SCHEDULE

October 13, 2022	RFP Issued
November 9, 2022	Proposals Due
November 21, 2022	Selection of Consultant

December 5, 2022	Council Approval to Award Contract
December 9, 2022	Notice to proceed
January 6, 2023	Environmental letters required by the Project Memo sent with copies due to the City of Duluth
May 12, 2023	Traffic Study Complete and Design Alternative Selected
December 15, 2023	Draft Project Memo and Cat Ex Determination
January 12, 2024	30% Plan Review
May 31, 2024	60% Plan Review
August 23, 2024	90% Plan Review
November 1, 2024	Plans and Specifications submitted to Minnesota State Aid
November 22, 2024	Final Plans, Specifications, and SWPPP delivered to City with Final Cost Estimate
May 27, 2025	Advertise for bids
June 24, 2025	Receive bids
August 5, 2025	Start Construction
October 15, 2028	Construction Completion

QUALIFICATION PROPOSAL CONTENTS

The proposal shall be submitted in the following format broken into the 7 sections identified below. Proposals not following the specified format will not be reviewed. No additional sections or appendices are allowed. The delivered Qualifications Proposal (excluding front cover, cover letter, back cover and separate Cost Proposal) shall be limited to 20 pages. This would be 20 single-side 8.5" X 11" pages, 10 double-sided 8.5" X 11" pages or a mixture thereof. The separate cost proposal can be an 11" X 17" sheet. Proposals that exceed this limit will not be reviewed. Dividers and covers are not included in the page limitation). The proposal format shall be as follows:

1. Goals and Objectives

A restatement of the goals and objectives and the project tasks to demonstrate the responder's view and understanding of the project.

2. Experience

An outline of the responder's background and experience with similar projects. Project descriptions shall include a list key staff and their role. Within the experience, the consultant should demonstrate and provide proof of competency in the following areas:

- Street, road, pedestrian, and bike design, including in a constrained urban environment
- Multi-phased projects
- Downtown urban projects
- Minnesota State Aid design experience
- FHWA grant design experience
- Planning for effective public participation
- Design and inspection of large diameter HDPE watermain or sanitary forcemain projects
- Traffic Engineering knowledge and experience, either by the firm or a subconsultant

- Fiber optic design
 - Urban Green Infrastructure design in cold climates
3. Personnel
Identify personnel to conduct the project and detail their training and work experience. Identify how personnel proposed for this project were involved with the projects listed as experience. Identify a professional engineer registered in the State of Minnesota who will oversee the overall project. No change in personnel assigned to the project will be permitted without approval of the City.
 4. Knowledge of Duluth Requirements
Include a description of the firm's knowledge of City of Duluth street and utility standards.
 5. Work Plan
Include a detailed work plan identifying the work tasks to be accomplished and the budget hours to be expended on each task and subtask for both roadway and utility design. The work plan shall be in spreadsheet format and shall list each task and the number of hours for each staff person on that task. The work plan shall also identify the deliverables at key milestones in the project as well as any other services to be provided by the City. The City staff intends to be actively involved with the project and a minimum three (3) status meetings held at City Hall are to be contained in the work plan in addition to any data collection or input/review meetings. Do NOT include any costs in the work plan.
 6. Work Schedule
An anticipated work schedule shall also be provided. The work schedule shall identify all key milestone dates.
 7. References
A listing of names, addresses and telephone numbers of at least three (3) references for whom the respondent has performed similar street and utility construction services.

COST PROPOSAL CONTENTS

Provide, **in a separate sealed envelope**, one copy of the cost proposal, clearly marked on the outside "Cost Proposal" along with the responder's official business name and address. Terms of the proposal as stated must be valid for the project length of time.

The consultant must include a not to exceed total project cost, as well as subtotals for design services and bidding and any sub consultant fees. The cost proposal shall include all of the following:

- A cover/transmittal letter
- A breakdown of the hours by task for each employee. This shall be in the same format as the work plan in the Qualifications proposal with the addition of costs.
- Hourly rates for each specific employee proposed. (not general rates by category)

- Identification of anticipated direct expenses and rates for miscellaneous charges such as mileage and copies.
- Identification of any assumption made while developing this cost proposal.
- Identification of any cost information related to additional services or tasks. Include this in the cost proposal, but identify it as additional costs and do not make it part of the total project cost.
- The Consultant must have the cost proposal/cover letter/transmittal signed in ink by an authorized member of the firm.
- The Consultant **must not** include any cost information within the body of the RFP qualification proposal response.

The design phase shall be considered complete upon award of the construction project to a contractor.

SELECTION

The proposals will be reviewed by City Staff. The intent of the selection process is to review proposals and make an award based upon qualifications as described herein. A 100-point scale will be used to create the final evaluation recommendations. The factors and weighting on which proposals will be judged are:

	Item	Percent
1	Understanding of the project scope and work plan	40%
2	Qualifications/experience of the personnel and company working on the project	20%
3	Completeness of the proposal	10%
4	History (completeness and timeliness) of past work with the City of Duluth History completing past projects on budget	10%
5	Project costs/fees	20%

Proposals will be evaluated on a best value basis with 80% qualifications and 20% cost consideration. The review committee will not open the cost proposal until after the qualification points have been awarded.

SUBMITTAL DATE

Submit one paper copy of the technical proposal and one paper cost proposal (**cost proposal must be in a separate, sealed envelope**) along with one copy of the entire proposal (Technical and Cost submittals, along with all requested documents) on flash drive in Microsoft Office-compatible or pdf format in an envelope marked, RFP 22-99740 West Superior Street Reconstruction Project by the proposal deadline indicated on the first page of this RFP. The City reserves the right to reject or to deduct evaluation points for late submissions.

Proposals must be signed by an authorized official. If the official signs the Proposal Cover Sheet attached as Appendix A, this requirement will be met. Proposals must remain valid for 60 days or until a contract is fully executed.

CONTACT

All questions concerning the project shall be directed to:

Alex Popp, PE

apopp@duluthmn.gov

City of Duluth - Engineering Division

411 W. 1st Street, Room 204 City Hall

Duluth, MN 55802-1191

(218) 730-5087

MANDATORY DISCLOSURES.

By submitting a proposal, each Bidder understands, represents, and acknowledges that:

1. Their proposal has been developed by the Bidder independently and has been submitted without collusion with and without agreement, understanding, or planned common course of action with any other vendor or suppliers of materials, supplies, equipment, or services described in the Request for Proposals, designed to limit independent bidding or competition, and that the contents of the proposal have not been communicated by the Bidder or its employees or agents to any person not an employee or agent of the Bidder.
2. There is no conflict of interest. A conflict of interest exists if a Bidder has any interest that would actually conflict, or has the appearance of conflicting, in any manner or degree with the performance of work on the project. If there are potential conflicts, identify the municipalities, developers, and other public or private entities with whom your company is currently, or have been, employed and which may be affected.
3. It is not currently under suspension or debarment by the State of Minnesota, any other state or the federal government.
4. The company is either organized under Minnesota law or has a Certificate of Authority from the Minnesota Secretary of State to do business in Minnesota, in accordance with the requirements in M.S. 303.03.

LIMITATIONS

This Request for Proposal does not commit the City of Duluth to award a contract or pay costs incurred in the preparation of the proposal, or to procure a contract for services or supplies.

The Proposal shall not in any way include any restrictions on the City of Duluth. The Consultant shall NOT provide proposed contract language.

If the City deems it necessary to revise any part of this RFP before the proposal response date, the City will post an addendum to its website <http://www.duluthmn.gov/purchasing/bids-request-for-proposals/>. Although an e-mail notification will be sent, it is the Bidder's responsibility to periodically check the website for any new information

The City of Duluth specifically reserves the right to accept or reject any or all proposals, to negotiate with any qualified source, to cancel in part or in its entirety the Request for Proposal, to waive any requirements, to investigate the qualifications of any proposal, to obtain new proposals, or proceed to have the service provided in any way as necessary to serve the best interests of the City of Duluth.

The selected consultant must sign the City of Duluth standard Professional Engineering Services Agreement (visit <https://www.duluthmn.gov/purchasing/forms/> to view the agreement). Any questions concerning this agreement should be asked PRIOR to proposal submittal. These questions should be directed to Purchasing at purchasing@duluthmn.gov. As an alternative to accepting professional design liability insurance in the form of "claims made" insurance, City shall have the right to require the selected design entity to provide such insurance on a "per project" basis in the amount of at least \$35 Million for a term of five (5) years following completion of construction at its discretion.

All materials submitted in response to this RFP will become property of the City and will become public record after the evaluation process is completed and an award decision made.

Prior to entering into an agreement with the city, the Consultant shall furnish proof that it has all legal requirements for transacting business in the State of Minnesota.

APPENDICES

Appendix A – Proposal Cover Sheet

Appendix B – Grant Application

Appendix C – Supplementary Provisions for State Funding

**APPENDIX A - PROPOSAL COVER SHEET
CITY OF DULUTH
RFP 22-99740
Engineering Services for West Superior Street (Carlton to W. Michigan)**

Bidder Information:	
Bidder Name	
Mailing Address	
Contact Person	
Contact Person's Phone Number	
Contact Person's E-Mail Address	
Federal ID Number	
Authorized Signature	
Name & Title of Authorized Signer	
Email of Authorized Signer	

**APPENDIX B – GRANT APPLICATION
CITY OF DULUTH
RFP 22-99740
Engineering Services for West Superior Street (Carlton to W. Michigan)**

Application for Federal Assistance SF-424		
* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s): <input type="text"/> * Other (Specify): <input type="text"/>
* 3. Date Received: <input type="text" value="04/14/2022"/>	4. Applicant Identifier: <input type="text"/>	
5a. Federal Entity Identifier: <input type="text" value="S3MZFK8JXGJ3"/>	5b. Federal Award Identifier: <input type="text" value="DOT OSDBU"/>	
State Use Only:		
6. Date Received by State: <input type="text"/>	7. State Application Identifier: <input type="text"/>	
8. APPLICANT INFORMATION:		
* a. Legal Name: <input type="text" value="City of Duluth, MN"/>		
* b. Employer/Taxpayer Identification Number (EIN/TIN): <input type="text" value="41-6005105"/>	* c. UEI: <input type="text" value="S3MZFK8JXGJ3"/>	
d. Address:		
* Street1: <input type="text" value="411 W First Street"/>	Street2: <input type="text" value="Room 160"/>	
* City: <input type="text" value="Duluth"/>	County/Parish: <input type="text" value="St. Louis"/>	
* State: <input type="text" value="MN: Minnesota"/>	Province: <input type="text"/>	
* Country: <input type="text" value="USA: UNITED STATES"/>	* Zip / Postal Code: <input type="text" value="55802-1103"/>	
e. Organizational Unit:		
Department Name: <input type="text" value="Planning & Economic Developmen"/>	Division Name: <input type="text" value="Planning"/>	
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: <input type="text" value="Mr."/>	* First Name: <input type="text" value="James"/>	
Middle Name: <input type="text" value="Christopher"/>	* Last Name: <input type="text" value="Gittemeier"/>	
Suffix: <input type="text"/>	Title: <input type="text" value="Senior Transportation Planner"/>	
Organizational Affiliation: <input type="text" value="Planning"/>		
* Telephone Number: <input type="text" value="218-730-5338"/>	Fax Number: <input type="text"/>	
* Email: <input type="text" value="jgittemeier@duluthmn.gov"/>		

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

69A345 Office of the Under Secretary for Policy

11. Catalog of Federal Domestic Assistance Number:

CFDA Title:

*** 12. Funding Opportunity Number:**

DTOS59-22-RA-RAISE

* Title:

FY 2022 National Infrastructure Investments

13. Competition Identification Number:

RAISE2-FY22

Title:

FY22 RAISE Grants

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

West Superior Street Active Transportation Corridor Project

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="24,999,160.00"/>
* b. Applicant	<input type="text" value="6,249,790.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="7,173,700.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="38,422,650.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

a. This application was made available to the State under the Executive Order 12372 Process for review on

b. Program is subject to E.O. 12372 but has not been selected by the State for review.

c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

Yes No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative: * Date Signed:



W Superior St

53

W Michigan St

35

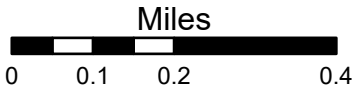
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535

Project Number:
Source: ESRI, City of Duluth
Author: Zach Borich
Projection: NAD 1983 HARN Adj
MN St. Louis (US Feet)
Print Date: 06/14/2021



The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.



RECONSTRUCTION OF WEST SUPERIOR ST

Michigan Street to Carlton Street

Duluth, MN



ATTACHMENTS FORM

Instructions: On this form, you will attach the various files that make up your grant application. Please consult with the appropriate Agency Guidelines for more information about each needed file. Please remember that any files you attach must be in the document format and named as specified in the Guidelines.

Important: Please attach your files in the proper sequence. See the appropriate Agency Guidelines for details.

1) Please attach Attachment 1	1235-Copy of 2022raiseinfofor	Add Attachment	Delete Attachment	View Attachment
2) Please attach Attachment 2	1236-2022 RAISE Grant W Super	Add Attachment	Delete Attachment	View Attachment
3) Please attach Attachment 3	1237-LOCATION.pdf	Add Attachment	Delete Attachment	View Attachment
4) Please attach Attachment 4	1238-Attachment #4 DTA Blue G	Add Attachment	Delete Attachment	View Attachment
5) Please attach Attachment 5	1239-Attachment #5 US Bike Ro	Add Attachment	Delete Attachment	View Attachment
6) Please attach Attachment 6	1240-Attachment #6 Cross City	Add Attachment	Delete Attachment	View Attachment
7) Please attach Attachment 7	1241-22-0259R.pdf	Add Attachment	Delete Attachment	View Attachment
8) Please attach Attachment 8	1242-Benefit Cost Analysis LN	Add Attachment	Delete Attachment	View Attachment
9) Please attach Attachment 9	1243-W Superior St RAISE gran	Add Attachment	Delete Attachment	View Attachment
10) Please attach Attachment 10	1244-BUDGET.pdf	Add Attachment	Delete Attachment	View Attachment
11) Please attach Attachment 11	1245-Schedule.pdf	Add Attachment	Delete Attachment	View Attachment
12) Please attach Attachment 12		Add Attachment	Delete Attachment	View Attachment
13) Please attach Attachment 13		Add Attachment	Delete Attachment	View Attachment
14) Please attach Attachment 14		Add Attachment	Delete Attachment	View Attachment
15) Please attach Attachment 15		Add Attachment	Delete Attachment	View Attachment

The following attachment is not included in this view since it is not a read-only PDF file.

The agency will receive all application forms and attachments without any data loss.

AttachmentForm_1_2-ATT1-1235-Copy of 2022raiseinfoform1.xlsx

BUDGET INFORMATION - Construction Programs

NOTE: Certain Federal assistance programs require additional computations to arrive at the Federal share of project costs eligible for participation. If such is the case, you will be notified.

COST CLASSIFICATION	a. Total Cost	b. Costs Not Allowable for Participation	c. Total Allowable Costs (Columns a-b)
1. Administrative and legal expenses	\$ 10,000	\$ 10,000	\$ 0
2. Land, structures, rights-of-way, appraisals , etc.	\$ 50,000	\$ 50,000	\$ 0
3. Relocation expenses and payments	\$ 0	\$ 0	\$ 0
4. Architectural and engineering fees	\$ 3,707,000	\$ 3,707,000	\$ 0
5. Other architectural and engineering fees	\$ 0	\$ 0	\$ 0
6. Project inspection fees	\$ 2,471,000	\$ 2,471,000	\$ 0
7. Site work	\$ 0	\$ 0	\$ 0
8. Demolition and removal	\$ 0	\$ 0	\$ 0
9. Construction	\$ 24,710,000	\$ 0	\$ 24,710,000
10. Equipment	\$ 0	\$ 0	\$ 0
11. Miscellaneous	\$ 2,463,000	\$ 0	\$ 2,463,000
12. SUBTOTAL (sum of lines 1-11)	\$ 33,411,000	\$ 6,238,000	\$ 27,173,000
13. Contingencies	\$ 5,011,650	\$ 935,700	\$ 4,075,950
14. SUBTOTAL	\$ 38,422,650	\$ 7,173,700	\$ 31,248,950
15. Project (program) income	\$ 0	\$ 0	\$ 0
16. TOTAL PROJECT COSTS (subtract #15 from #14)	\$ 38,422,650	\$ 7,173,700	\$ 31,248,950
FEDERAL FUNDING			
17. Federal assistance requested, calculate as follows: (Consult Federal agency for Federal percentage share.) Enter the resulting Federal share.	Enter eligible costs from line 16c Multiply X .80 %		\$ 24,999,160

Project Schedule
Reconstruction of W Superior St, Michigan-Carlton St, Duluth, MN
Lincoln Park Active Transportation Corridor
Pavement, Utilities, Street Lighting, ADA and Bike Improvements

Phase 1: Application

August 12, 2022	Notice of award
November, 2022	City requests Federal Aid Project No.

Phase 2: Community Design & Environmental Review

April, 2023	Public Informational/Kick-Off Meeting
May, 2023	Traffic Study Complete/Design Alternative Selected
December, 2023	Draft Design Memo and Environmental Review Complete
December, 2023	Design Memo Approved by MnDOT (Cat Ex determination)

Phase 3: Authorization & Contracting

March, 2025	Final Plans Submitted to MnDOT and FHWA for authorization
December, 2025	Authorization Approved and Letting date set
January, 2026	Bid Opening
February, 2026	Council awards contract

Phase 4: Project Construction

May, 2026	Construction Begins (year 1 of 3 years)
November, 2028	Project Complete Final payment to Contractor

Phase 5: Project Close Out

May 2029	Close Out/Final Payment Request to FHWA
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**Project Schedule – City of Duluth
Lincoln Park Active Transportation Corridor
RAISE Grant Application to Reconstruct W. Superior St, Michigan – Carlton)**

*November 2022 – December 2023, Phase 2 Community Design & Environmental Review Process
Design Process Components*

Community Design Process:

- Supported by a multi-disciplinary architectural-engineering consulting team under contract to the City of Duluth
- Project Management Team (meets approx. monthly)
- Streetscape Advisory Committee (meetings determined w/design consultant)
- Business & Building Owners (meetings determined w/design consultant)
- Public Informational Meetings (Prior to key decision points)
- Advisory Briefings & Guidance:
 - Main Street Lincoln Park/Ecolibrium 3
 - Lincoln Park Business Group
 - Duluth Commission on Disabilities, Indigenous Commission, and Parking Commission
 - Metropolitan Interstate Council (Bike and Pedestrian Advisory Committee, Harbor Technical Advisory Committee, Technical Advisory Committee, and Policy Board)
 - Duluth Transit Authority Board

Design Treatments to be Addressed:

- Building stoop and doorway issues
- Private sector spaces set back from right of way
- Sidewalk layout, design and treatments; ADA compliance
- Furniture; planters, benches, trash bins, etc.
- Seating, outdoor dining, etc.
- Lighting; bases, poles and banners
- Power access; pedestrian spaces and vehicle charging
- Green infrastructure elements; bio-infiltration areas
- Landscaping; street trees and other plantings
- Public Art
- Wayfinding
- Neighborhood gateways/entry points
- Plaza concepts for key locations
- Intersection and mid-block bump out treatments
- Parking; pay stations, bike racks
- Snow storage and removal

*Based on Superior Street Downtown Reconstruction Project

NARRATIVE
Lincoln Park Active Transportation Corridor
West Superior Street Reconstruction, Michigan St to Carlton St, Duluth, MN
City of Duluth, Minnesota
April 14, 2022

<u>Table of Contents</u>	<u>Page</u>
I. Project Description	1
II. Project Location	10
III. Grant Funds, Sources and Uses of All Project Funding	10
IV. Merit Criteria	11
V. Project Readiness: Environmental Risk Review	19
VI. Benefit Cost Analysis	21

I. Project Description

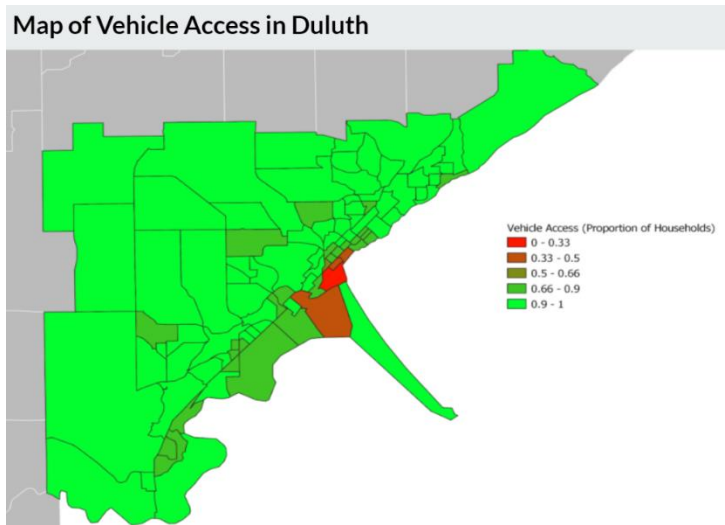
A. Project Overview

The Lincoln Park Active Transportation Corridor (*LNPk ATC*) project is a transformational re-design of a former urban highway to a multimodal mobility hub for people of all ages, abilities and incomes. The project will be a full reconstruction of the roadway and utilities of this 1.65-mile segment of West Superior Street from Carlton Avenue to Michigan Street in the Lincoln Park Craft District. This project runs through an environmental justice neighborhood with pervasive poverty and health disparities. This street is the foundation of Lincoln Park’s economy, serves as vital public space for residents and tourists, and with the planned re-design will further foster business activity and provide a safe place for people to get around, whether on foot, bicycle, car, or transit. W Superior Street contributes to the vitality of the Lincoln Park Craft District through its multi-faceted role and this project will take into account travel service changes, modal shifts, and technological advancements. The Lincoln Park neighborhood of Duluth, MN, and more specifically St. Louis County Census Tract 156 (*LNPk 156*), serves as a major transportation hub for the United States as host of the Port of Duluth, I-35/535, TH 53, the Twin Ports Interchange, and major rail infrastructure. The *LNPk ATC* project demonstrates integrated transportation options to support community residents, visitors, and commerce as a sustainable enhancement to the massive adjacent heavy highway reconstruction projects [Twin Ports Interchange (current), TH 53 (anticipated 2025), I-535/Blatnik Bridge (anticipated 2028)].

The concept of Blue Zones®, where people live the longest and healthiest lives, has been popularized through the media and best-selling books. On the opposite end of the spectrum are communities that struggle to obtain health equity because of negative social determinants of health (SDOH). In Duluth, MN, one of these “gray zones” is in the Lincoln Park neighborhood where at-birth life expectancy in Census Tract 156 is only 69 years, placing it in the lowest half percent in Minnesota (USALEEP- US Neighborhood Life Expectancy Project- (www.cdc.gov/nchs/nvss/usaleep/usaleep.html)).



LNPk ATC will complete a community-driven design process and reconstruct the two-mile-long Lincoln Park section of West Superior Street to include an ADA-compliant pedestrian realm, a two-way protected bikeway, integrated bus rapid transit (BRT) system route, energy efficient street lighting, Electric Vehicle (EV) charging stations, green infrastructure, above-ground streetscape with new sidewalks, bicycle, e-scooter, and micro-mobility accommodations, transit stations, street trees and plantings. The complete reconstruction will include replacing all underground utilities (water, sewer, stormwater) and adding fiber optics for a broadband corridor that expands connectivity for small businesses and manufacturers, as well as low-income residents who currently experience a digital divide. The project will further build environment strategies developed in partnership with the LNPk 156-Centers for Disease Control Social Determinants of Health plan, advance the creation of a Green Main Street under a Department of Energy Local Energy Action Plan assistance grant from the National Renewable Energy Lab, and serve as the originating node for a cold-climate autonomous vehicle pilot that will connect the low-income neighborhood to Duluth’s main economic and tourism center.



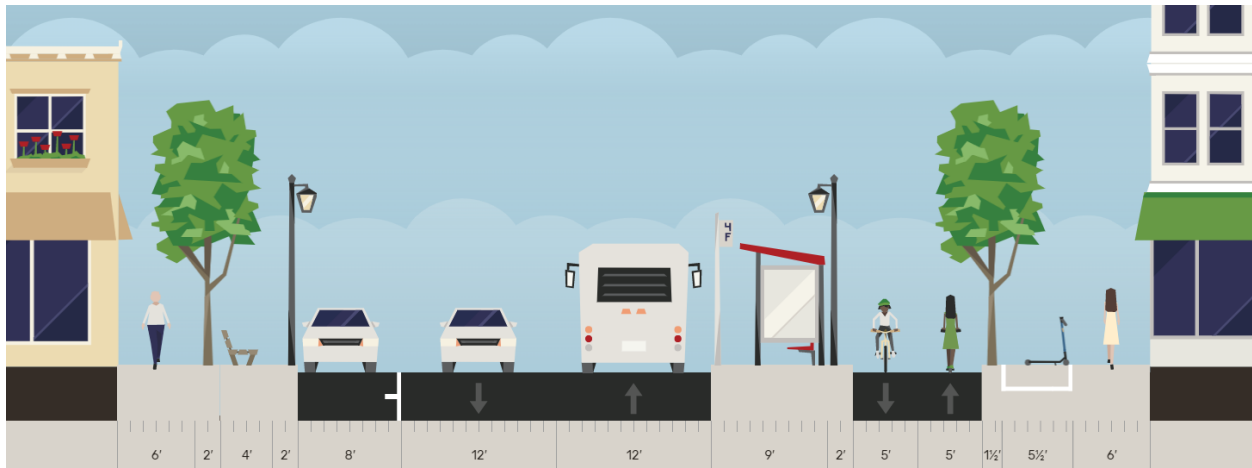


Figure 1 W Superior Street Multimodal Concept - 80-foot right-of-way (Streetmix)

With 40% of households (American Community Survey, 2015-2019) lacking access to a vehicle, and a 24.5% disability rate (ACS), investing in active transportation and accessible options supports a historically marginalized community overburdened by transportation and freight infrastructure. The *LNPk ATC* also offers environmental and economic benefits that model next generation infrastructure development. The City of Duluth is proposing to launch the design process in Fall 2022 in preparation for a construction start in 2026.

B. Transportation Challenges and Solutions

The project area is located at the confluence of the regional and metropolitan transportation network that borders and/or divides it, including I-35, I-535, Trunk Highway 53, the Seaway Port Authority of Duluth on St. Louis Bay, and the BN and CN rail lines and rail yard that serve it. The proximity of the Lincoln Park population to heavy highway and rail traffic, port loading/unloading, and related transportation activities has contributed to the adverse health effects identified above. The area has a history of air quality nonattainment for particulates related to the transshipment of iron ore, grain, coal, limestone, and other bulk cargoes nearby and is in the top 10% for diesel pm 2.5 in Minnesota (EJ Screen).

The Minnesota Department of Transportation is currently reconstructing the I-35/I-535/TH 53 interchange, which is the central motor vehicle highway node of the Duluth-Superior Metropolitan Area. Labeled the Twin Ports Interchange or TPI, it is locally referred to as The Can of Worms. TPI construction is currently impacting Lincoln Park with detour traffic, noise, dust/exhaust emissions, and equipment/materials storage, and will continue for two more years until summer 2024. Replacement of the elevated TH 53 bridges in Lincoln Park, was deferred from the initial TPI project, is scheduled to follow TPI construction in 2025, however this may be accelerated with federal and state infrastructure funding. This creates a disproportionate burden on the population, especially given that 40% do not have access to a personal vehicle for transportation use, and for those that do, opportunities for affordable on- and off-street parking are negatively affected by construction. Local businesses are similarly

disadvantaged with the disruption following significant impacts from COVID-19 shutdowns and restrictions.

The Street – W. Superior Street is a segment of former US Highway 61, prior to I-35 completion, and served as a principal arterial for over 100 years in its current location, and has weathered major changes in function. (See Attachment 3). A one-way couplet on either side of W Superior St was formerly comprised of W Michigan St and W First St to spread the traffic load through the Lincoln Park business district. Most of the through traffic shifted to I-35 following its construction in the 1970s, allowing W Superior St to be downgraded in function to a Major Collector.

In recent years the City converted W Michigan and W First Streets to two-way operations to better serve adjacent land use. Average Daily Traffic volumes on W Superior St in the project area (prior to TPI construction) range from 3,600 to 5,500; with the low at the western end between Carlton and 27th Ave W, and the high between 24th and 27th Ave W. As noted by the letter of support provided by Duluth’s Seaway Port Authority, W Superior St is essential as a route for Oversize and Overweight loads to/from the nearby Port that cannot access other highway routes. Predominant among these loads are major wind turbine and blade shipments from the Port to midcontinent wind farms. There are three different roadway cross sections within the 2-mile project area of W Superior St.

- 4-lane undivided with parallel on-street parking from Michigan to 19th Ave W.
- 2-lane undivided with head-in angle parking on-street from 19th to 22nd Ave W.
- 3-lane undivided with parallel on-street parking from 22nd Ave W to Carlton St.

The roadway has retained remnants of its former highway past. Except for a 2-lane middle section in the heart of the Lincoln Park Craft District, which includes pedestrian bump outs at intersections and mid-block locations that are significantly more pedestrian-friendly than the other two sections, W Superior Street retains design characteristics of its former 4-lane highway past. In the past decade, the roadway has received a road-diet and now has a 2 and 3-lane configuration. This project offers an opportunity to engage the community in designing a street with a more consistent cross section over the 1.65-mile project area that will support and enhance the unique identity of the Lincoln Park Craft District, serve as a micro-mobility hub, as well as an arterial bus rapid transit corridor while providing more transportation accessibility and affordability for all users regardless of age, ability, or income.

Public Transit – The project area is in a major transit corridor for the Duluth Transit Authority (DTA), with over 200 bus trips daily serving approximately 2,400 passengers/day. The Lincoln Park Neighborhood is a key node of the transit system, with direct connections to key destinations of the Duluth-Superior urban area, including connections to the western half of the City of Duluth, the City of Proctor the Miller Hill primary commercial area, the City of Superior, WI and the eastern half of the City of Duluth and provides a key transit connection to a hill corridor that is difficult for many and impossible for some for pedestrians and cyclists without motorized assistance. All of the transit routes heading to the western half of Duluth and to Superior, WI run along the W Superior Street corridor. Because of its central location and high level of transit service, travel times via DTA are convenient. The DTA has just completed a Comprehensive Operational Analysis (branded as the Better Bus Blueprint) that is recommending one of two “Go Lines”, more commonly known as arterial bus rapid transit, and

will be located along half of the W Superior Street corridor. This Go Line will have three major bus stops that will have bus rapid transit features including real time message board, pre-boarding payment options on platforms and shelters. In addition to the Blue Go Line, five local transit lines will run along portion of the planned reconstructed segment of W Superior Street. Implementation of the Better Bus Blueprint and the network redesign begins this Summer 2022. The Blue Go Line will be fully installed in connection with the reconstruction of the street. The Blue Go Line will increase frequency of service between four major regional destinations: Spirit Valley on the west, Downtown Duluth in the center, Miller Mall up the hill, and the UMD campus on the east. Given that Lincoln Park is located between Downtown and Spirit Valley, it would result in a bus every 10-minutes in weekday peak periods, improved service quality with reduced travel time to all major destinations, and a longer and more consistent span of service hours on both weekdays and weekends. With limited vehicle access by Lincoln Park households, the planned transit service improvements will offer significant mobility benefits to a population that already depends heavily on transit. The reconstruction of W Superior St offers an opportunity to incorporate the infrastructure needed for Arterial Bus Rapid Transit including improved bus stops, platforms, shelters and amenities to better serve existing and future transit patrons. (See Attachment #4 DTA “Blue Go Line” route).

Cross City Trail – The Cross City Trail (CCT) is a partially completed, paved, separated, shared use pathway for active transportation use. The Cross City Trail has been a long planned city trail that serves a regional and statewide role. It fills a state-wide gap between the Willard Munger State Trail and the City of Duluth’s waterfront trail, the Lakewalk. The Lakewalk connects to the North Shore Scenic Drive and the Gitchi-Gami State Trail running along the North Shore of Lake Superior. The State of Minnesota’s plan is for these four trails, the Munger, Cross City, Lakewalk and Gitchi-Gami, to serve as U.S. Bike Route 41, and will connect the northern border of Minnesota, through Duluth, to the Minneapolis-St. Paul Metropolitan Area (See Attachment #5).

Within the City of Duluth transportation network, the Cross City Trail is the backbone of the active transportation network, and fills a relatively flat, key commuter route nearly the entire length of the City of Duluth, including directly into Lincoln Park and along W Superior Street (See Attachment #6). In 2021, TPI construction by MnDOT displaced a completed segment of CCT through Lincoln Park, which was largely located between Lower Michigan Street and I-35 with some sections under the elevated US Hwy 53 freeway bridges. Lower Michigan Street has been temporary converted into the south-bound lanes of I-35 and the Highway 53 bridges have been demolished and new construction of these structures is currently underway with schedule completion in 2024. The trail then continues along the south side of W Superior St to west of Carlton St. As a construction mitigation, the City of Duluth and MnDOT constructed a temporary detour route along W Superior St, through the heart of the Lincoln Park business district, with the support of the community. This temporary trail is the first protected, separated multi-use trail facility in the City of Duluth. This detour gives the City of Duluth a test run on separated bike lane design through a business district before deciding on a more permanent design.

Utilities - The poor condition of the underground utilities on W. Superior Street impacts the surface condition. That has manifested in low, broken curb sections, flooding during and after

storm events, puddled/slippery/slushy sidewalk sections and building entries, inadequate substructure for new street lighting, spotty broadband and/or wi-fi coverage, and poor sidewalk and pavement conditions due to utility failures and piecemeal changes over time.

Public utility work orders were aggregated by city staff for W Superior St from Michigan to Carlton Streets over the past five-plus years. They include gas, water, sewer and storm water work such as:

- Storm sewer debris removal, thawing, catch basin issues, manholes, sinkholes
- Water main leaks, hydrants, valves, frozen lines, connect/disconnect
- Gas hits, leaks, service calls, connect/disconnect
- Sewer leaks, overflows

The number of work orders for each of the last five-plus years follows: 2016 – 14; 2017 – 12; 2018 – 26; 2019 – 24; 2020 – 13; and 2021 – 20. Aside from the pandemic year of 2020, the frequency of utility calls has grown, more than doubling from 2017 to 2018, and increasing further in 2021 to date. This can be attributed both to the poor state of the infrastructure and the increased demand for service associated with redevelopment. More specific information by type of utility is provided below.

Stormwater - The roadway is flat through the Lincoln Park business district rather than “crowned” as needed to drain properly. Previous pavement overlays and pedestrian bump out installations changed the surface flow of runoff and greatly reduced gutter capacity. There are many roof drain connections that add to overwhelmed storm sewers during rain events. And there are additional business owners who would like to tie in roof drains and improve site drainage to eliminate hazardous sidewalk conditions due to puddling and/or flow across the sidewalk. US Bank and Ursa Minor Brewing Company, located respectively at 2000 and 2415 W. Superior Street, offer examples of the problems faced by building owners:

- US Bank is located adjacent to a bus stop where a pedestrian bump out prevents drainage from turning the corner to 20th Ave W. Water ponds and overtops the door threshold that is only a couple of inches above the top of curb.
- The nearest catch basin to Ursa Minor is 210’ away. The street floods and backs up into their outdoor patio area and into the building, affecting their ability to seat and serve customers, increasing sanitation concerns, and creating hazardous conditions in freezing weather. The property owner reports having to operate a sump pump continuously to prevent flooding and tasking staff with squeegeeing standing water from customer areas. The site is a former brownfield.

The drainage system in the project area needs a complete redesign. An evaluation of green infrastructure elements will be conducted to seek solutions to alleviate flooding while offering much needed landscaping and green stormwater elements, including bioretention and biofiltration planters and swales, incorporating stormwater facilities at transit stops, along curb extensions and planting of street trees. The current infrastructure does not adequately address small rain events. As climate impacts are felt throughout this neighborhood, the situation worsens. The Lincoln Park ATC project area was the center of the State of Minnesota’s declared “most-impacted, most-distressed area with unmet recovery needs” for the National Disaster Resilience Competition after a 500-year rain event in 2012.

Water & Gas - The 16” water main under the street dates to 1886. While it provides generous capacity, it needs complete replacement along with upgraded service lines to support

sprinkler systems required by new and redeveloped mixed-use and residential buildings, and to replace old lead service lines. Natural gas is provided by the City of Duluth, and it is a necessary service for space and water heating in existing buildings, especially in our cold climate (Department of Energy Climate Zone 7). Reconstruction of the street offers an opportunity to replace old, corroded supply lines with new ones that are less prone to leak or break.

Sewer – The City has a program of lining old sewer lines like those under W Superior St in order to eliminate leakage, reduce stormwater infiltration, and extend functionality. However, their eventual replacement will be necessary, and a reconstruction of the street offers that opportunity.

Street Lighting – Business owners in Lincoln Park have repeatedly voiced frustration over insufficient street lighting. As the district is increasingly serving customers into the evening hours, safety and security are growing in importance, and dark streets and parking lots deter business and increase property crime. The existing pedestrian-scale street lights are very old with foundations that are not sufficient to support a lighting retrofit without a subsurface rebuild. As a result, City maintenance has had an ongoing challenge of re-wiring and re-painting (or simply removing) them to maintain their limited functionality. The proposed project will allow the addition of desired amenities to the streetscape that are important to support its revitalization, including new and more efficient street lighting, parking pay stations, power access for electric vehicle charging stations, micro-mobility hubs, pedestrian convenience/safety and broadband infrastructure.

Broadband – Internet access is virtually a requirement for participating in the modern global economy, and broadband Internet has become an increasingly important factor in the economic health and sustainability of a region. Spotty broadband and wi-fi coverage has been a longstanding problem in Lincoln Park because of its aged infrastructure and its topography, located as it is in a low-lying area near the harbor and adjacent to a high rock outcrop at 15th Ave W that interrupts line-of-sight signals. This has handicapped business development and educational programming for students in Lincoln Park. Reconstruction of the street offers an opportunity to install a fiber optic network in the two-mile length of the project that would serve the business district and allow later expansion for the surrounding neighborhood.

C. History

One can stand at Bayfront Park in Duluth looking to the east and see that transportation projects done well can be transformational. When I-35 was reaching its construction terminus, a decade-long pause occurred that resulted in a complete redesign of the northern section. Instead of having I-35 engulf Duluth's Lake Superior waterfront, tunnels were installed that resulted in the development of amenities like the Rose Garden, Gichi-Ode'Akiing (Lake Place Park), Duluth's Lakewalk (now a part of the Cross City Trail), and the clean-up and revitalization of Canal Park. In many ways, the interstate construction project was the catalyst for Duluth's identity. Over 2.5 million people visit Canal Park a year, representing the only tourist attraction outside of the Twin Cities metro area to make it into Minnesota's top 10.



Canal Park prior to I-35 completion (left).

Canal Park and Lakewalk with 2.5 million visitors a year (right).



Unfortunately, if you stand at Bayfront Park and look to the west, you can also see how a transportation project can be transformational in a negative way. Following completion of the I-35 freeway in the 1970s, Lincoln Park was bypassed by much of the vehicle traffic that was important to its earlier commercial success. I-35 and the Twin Ports Interchange through Lincoln Park divided the neighborhood from the St. Louis River and our nation's largest fresh water estuary. The construction on poor soils required bridges, resulting in 1.6% of highway bridge surface in Minnesota.

Completion of the interstate aligned with early rustbelt economic collapse as new development, especially big box department stores and furniture stores, pulled customers to suburban locales, especially on Miller Hill. This began a long period of disinvestment with empty storefronts, loss of neighborhood-based jobs, and blight. However, in the last eight years, Lincoln Park's central location in the Duluth-Superior region, and its convenient access to major transportation routes has been rediscovered by entrepreneurs and residents who are investing in a community resurgence.

Lincoln Park residents and business owners seem more willing to try new things, to innovate, take risks, and work together in collective action to improve conditions. The City of Duluth has worked with neighborhood representatives, organizations, and commercial enterprises to create an Innovation and Resilience Zone. This approach recognizes not only the importance of local investment and leadership, but an equity approach that requires deeper commitment of resources to historically marginalized communities.

Through public/private/nonprofit partnerships, Lincoln Park has been the first neighborhood to fully embrace Complete Streets approaches and has worked with the City, and MNDOT to accomplish a test detour route for the Cross City Trail through the heart of the

Lincoln Park business district. Although there is significant revitalization energy and collaboration in the Lincoln Park business district, as exemplified by their receipt of Main Street America's inaugural *Main Street Forward Award* for Covid-19 response, actions that address neighborhood disparities are needed. The *LNPk ATC* is such an action because it will create economic revitalization while providing key transportation connections for residents to jobs, food, healthcare, and education. Without *LNPk ATC* the poor condition of W Superior Street and extreme placement of heavy highway in the neighborhood will continue to be a detriment to health and revitalization.

D. Statement of Work

Project History – Along with the City of Duluth, community partners Ecolibrium3, the Lincoln Park Business Group, Duluth LISC, UMD, DTA, St. Louis County Public Health, the Duluth-Superior Metropolitan Interstate Council, the Duluth MPO, have lead, supported and guided a number of neighborhood related projects that have included some aspect either directly or indirectly to this corridor. These studies and projects provide a solid framework and community engagement on which to base this reconstruction project. The City of Duluth has managed large scale reconstruction projects that have been both complicated and controversial to completion.

Furthermore, as indicated above in Transportation Challenges and Solutions, significant construction work is currently underway by MnDOT to reconstruct TPI, which is placing construction-related burdens on the Lincoln Park Neighborhood. Before beginning construction of W Superior Street, the TPI construction work will have to be complete.

Community Design & Environmental Review – Assuming the City of Duluth is selected for a project award in August 2022, and a Federal Aid Project Number is issued, the design process and environmental review will be initiated by the City in November 2022. A high level of community engagement will be incorporated to ensure that design elements are embraced by the neighborhood. The City will select a multi-discipline landscape architectural-engineering consultant team through a competitive process to support the work and to prepare the required deliverables. The intended forums to engage the community include a Streetscape Advisory Committee, Business and Building Owners, advisory briefings of Lincoln Park's business and community organizations, city Boards and Commissions, the Metropolitan Interstate Council and its committees, the Duluth Transit Authority Board, and outreach events for the general public. A bulleted summary of the Community Design Element of the Phase 2 study process is provided as a supplement to the Project Schedule (see Attachment 5). The suggested community design process and design treatments to be addressed are identified in part based on the city of Duluth's successful re-design and reconstruction of E Superior St in Downtown Duluth, which was completed in 2021.

A traffic study will be completed to evaluate existing and alternative street cross sections and intersection traffic controls leading to the selection of a preferred design alternative. The selected design alternative will then be the subject of a Draft Design Memo and Environmental Review to be completed and submitted to MnDOT for approval in December 2023. A Categorical Exclusion is expected to be issued under CFR Part 771.117 (a) and (c) (2),(3), (7), (8), (15), (21), and (22).

Authorization and Contracting – Following MnDOT approval of the Design Memo and Environmental Review, the city will prepare Final Plans and submit them to MnDOT and FHWA by March 2025 for authorization. Allowing nine months to obtain authorization approval, a bid letting date for construction will be set in December 2025, with bids opened in January 2026, and a construction contract award by the Duluth City Council in February 2026.

Project Construction – A three-year construction period for the two-mile long project is expected to begin in May 2026, wrapping up in November 2028 with final payment to the construction contractor.

Project Close Out – A final payment request to FHWA is planned for May 2029.

II. Project Location

Lincoln Park is located at the geographic center of the City of Duluth in Census Tract 156, which is designated an Area of Persistent Poverty. The 2010 population of Census Tract 156 was 3,034 with 1,424 households and a median household income of \$19,825, less than half of that for the city (\$41,116) and only one-third as large as that of the state (\$58,476). Among those living in poverty are 61% of those under age 18, 44% of those with less than a high school diploma, and 39% of the tract population. The unemployment rate in 2010 was four times greater than the city as a whole, and 50% of African Americans and 39% of Native Americans were unemployed. At-birth life expectancy is in the lowest .5% in the State of Minnesota, and 11.2-20+ years lower than the city-wide average (69.0 compared to 84.7) depending on race.

Rental units comprise 70% of the housing stock in the mixed-use district of the project compared to 57% in the greater Lincoln Park neighborhood, up the hillside, which is comprised of mostly single-family units. The project area is in transition from industrial/manufacturing land use to neighborhood- and destination-commercial use, with a growing number of new businesses and craft industries.

Lincoln Park is Duluth's High Priority Food Area due to its demographics and lack of access to grocery stores. In addition to meeting the USDA food desert criteria, convenience stores in the neighborhood score poorly on healthy food access, residents lack walkable/bikeable connectors to distant groceries, experience high poverty, and lack vehicle access. *LNPK ATC* will provide important connectors as additional food access work is conducted in the neighborhood.

III. Grant Funds, Sources and Uses of Project Funds

In 2021 the City of Duluth completed a major \$23.9 million reconstruction project on E Superior St in Downtown Duluth that required two years to design and three years to construct. The project was complex due to the need to replace all the underground infrastructure including upgrading a shared steam heating system to hot water, major electric vaults adjacent to the Minnesota Power headquarters building, and changing the streetscape from building front to building front –as is proposed for the Lincoln Park project.

That recent project experience provided a valuable baseline for estimating the necessary project budget of \$38,422,650 for reconstructing the two-mile section of W Superior St in

Lincoln Park. As shown in the Budget Information (Attachment 6) form, the amount of federal assistance requested through the RAISE program is \$24,999,160, which comprises 65% of the total project cost. The City of Duluth has committed to provide the remaining 35% share, amounting to \$13,423,490. See Resolution (Attachment 7). Given that utility infrastructure (water/sewer, gas, storm sewer) is involved, along with designated State Aid mileage, the City has financial options for its project share that include bonding.

It is the City of Duluth's plan to utilize 100% local funds for Project Phases I -3, including completion of: 1. Application, 2. Community Design & Environmental Review, and 3. Authorization & Contracting. After the City's successful completion of those three phases of project work, the City would seek to utilize the approved federal RAISE program funds to complete Phase 4 Construction during the May 2026 to November 2028 schedule window, with Phase 5 Project Close Out in May 2029.

IV. Merit Criteria

- A. Safety
- B. Environmental Sustainability
- C. Quality of Life
- D. Mobility and Community Connectivity
- E. Economic Competitiveness
- F. State of Good Repair
- G. Partnership and Collaboration
- H. Innovation

A. Safety - Safety for all users is of paramount importance for the *LNPk ATC* project. City staff assembled a 5-Year roadway crash history for the period, 2016-2020:

- There were 51 crashes over 5 years for an average of 10.2/year, of which 3 involved pedestrians and/or bicyclists
- Most crashes were property damage only, 4 resulted in injuries (all the ped-bike +1), and none involved fatalities
- The crash type mostly involved backing maneuvers, rear-end, and sideswipe
- Causal factors were inattentive/distracted driving, failure to yield, illegal turns, too fast for conditions, operator impairment

There are two existing traffic signals in the 2-mile project area, located on W Superior St at Garfield/Piedmont Ave and at 27th Ave W. Most other intersections are 2-way or 4-way stop control. An Intersection Controls Evaluation (ICE) will be prepared consistent with the MnDOT project development process: including crash history, forecast traffic conditions, pedestrian-bicycle accommodations and integration. Warrants for traffic controls will be evaluated and changes recommended where appropriate including consideration of roundabouts.

There are existing turn lanes on W Superior St at 19th and 22nd Ave W that appear unnecessary given today's traffic volumes, and they will be candidates for removal to reduce the number of conflict points, shorten pedestrian crossing distance, reduce impervious surface, and create safer pedestrian conditions. The proposed design elements will emphasize the

integration of all types of users into the street environment, so that people of all ages and abilities, on-foot, bicycle and/or other wheeled device can move safely and comfortably through the corridor. Eliminating injury crashes is our goal.

The proposed street section develops a two-way protected bike lane separate from the pedestrian and vehicle realm. This permanent enhancement is important as the *LNPk ATC* will include micro-mobility hubs, giving greater access to low-income households for transportation options that do not involve private vehicles. The section also permits bus rapid transit stops adjacent to the vehicle lanes to reduce potential conflicts between bike traffic and individuals awaiting transit. Finally, the proposed section will allow for safe stopping and loading of shared vehicles/autonomous vehicles.

B. Environmental Sustainability – Duluth’s Comprehensive Plan Principles emphasize greater use of non-motorized transportation and public transit, use of existing utilities, and promotion of redevelopment and infill rather than outward suburban expansion. There are five new multi-family apartment buildings in the project area – one completed at Garfield Square adjacent to the I-35 overpass, and four within the 1900 to 2100 blocks of W. Superior Street that when completed will add 350 housing units within this walkable urban environment. A sixth development will be on the 1900 block of W. 1st Street and is proposed to add another 100 housing unit. The new residents will provide more customers for local businesses, enliven its streets, and patronize the DTA for mobility needs. The City has removed parking minimums in this district and are encouraging dense development focused on transit, active transportation, and shared-mobility modes.

Green infrastructure is also supported by the Comprehensive Plan, and will be investigated as part of stormwater and streetscape amenity improvements. The project area is adjacent to the St. Louis River which has been a designated Area of Concern, and includes two designated trout streams, Miller and Coffee Creeks that cross the project area underground. Sustainable streetscape amenities in the project will include stormwater mitigation and plantings that will build on related work underway by MnDOT’s TPI project, which is improving storm drainage and stream conditions across the I-35 corridor and to the outlet on St. Louis Bay.

The inclusion of vehicle charging infrastructure in a new streetscape, amenities for transit patrons, and more active parking management will be needed to further support economic development, discourage single occupant vehicle commuting, and attract more residents to the neighborhood. There may also be a sustainability benefit in recycling iron ore production waste materials in roadway pavements, reduced carbon concrete, and in the integration of biochar as described below under Innovation.



The *LNPk ATC* is a key area to facilitate national energy transition strategies. It will complement work that is already occurring to define and implement a Resilience Zone in the Lincoln Park neighborhood where beneficial electrification, resilient power, renewable deployment, and energy efficiency upgrades are being undertaken and completed in the commercial and residential sectors. The *LNPk ATC* project area on the eastern end begins at the region’s first community solar garden, created to serve the neighborhood. The

Lincoln Park Solar Garden provides 100% benefit to low-income households, and 25% of the energy generation benefits the Minnesota Assistance Council for Veterans’ - Duluth Veterans Place development with transitional housing for homeless veterans and permanently affordable housing for those that have served in the armed forces. The remaining solar generation seeds an Emergency Energy Fund to assist households facing utility disconnects.

Even more impactful is the importance of W Superior St for large scale wind energy equipment transport. In 2019, the Duluth Port transported a record 306,000 freight tons of wind turbine parts. These oversize, overweight loads use the *LNPk ATC* due to the restrictions associated with other highway routes. During the 2020 pandemic year, it was the transportation of these wind energy parts that helped save a shipping season impacted by the international disruption. In 2020, over 525,000 freight tons of renewable energy parts were transported through the Clure Public Marine Terminal and all went through Lincoln Park on the way to their destinations. Due to design restrictions, the wind turbine parts and blades have used W. Superior Street.



The City of Duluth, with Lincoln Park and the port as a focus, have been selected to participate in the Department of Energy’s Local Energy Action Plan technical assistance process because of the high level of environmental justice concern in Lincoln Park including high diesel 2.5, high energy burdens, low life expectancy (lowest 2% nationally), and low incomes. This will provide consulting services from the National Renewable Energy Lab over the next 12-18 months with a goal of increasing renewable energy generation along the W Superior St corridor, and facilitation reduced GHG emissions related to transportation by increasing transit use and frequency through demonstration of a BRT, implementation of micro-mobility hubs,

expanded shared vehicle use (ride share/hour car/autonomous), and creating a complete EV charging corridor that includes the density of charging needed for the increased housing and full transition to EVs.

C. Quality of Life - Residents in the project census tract (St. Louis County 156), are in the lowest half percent of life expectancy for all Minnesotans. The City of Duluth and project partners are currently engaged in a CDC sponsored Social Determinants of Health Accelerator Planning process for this hyper-local area. Four of the five planning work groups have highlighted the need for rebuild of W. Superior Street to address systemic barriers that impact the quality, and in fact, the quantity of residents' lives. Prioritization from the four working groups include:

- **Built Environment:** Prioritizing accessibility improvements, transit infrastructure, EV charging, and increased safety for pedestrians and bicycles. Goal is to increase accessibility and reduce vehicle based emissions for improved ambient air quality.
- **Community-Clinic Linkages:** Prioritizing transit and bike/ped connections from Superior Street to the LNPk Resilience Hub adjacent to the project. This will provide the first healthcare option in the neighborhood through tele-health rooms and mobile clinics.
- **Food Access:** Prioritizing multi-modal access to a small-footprint grocery being developed on the 2000 block of W Superior St. Lincoln Park is Duluth's highest priority food area that currently only has access to 7 of the 27 USDA food basket items (convenience/gas station shopping).
- **Social Connectedness:** Over 41.6% of residents report no sense of belonging or social connection according to the Bridge to Health Survey (community health assessment), in addition, 55.9% report internet service that is inadequate due to poor connections and/or lack of affordability. Social isolation has been found to be significantly worse for health than obesity. This project will improve social connectedness by increasing accessibility to a pocket park, the Lincoln Park Resilience Hub with specific programming for elders, youth, and families, socially-based businesses including the Duluth Children's Museum and restaurants/bars, and safe active transportation to larger amenities like the Lake Walk and Bayfront Park that are limited due to low vehicle access. In addition, the rebuilt corridor will serve as a demonstration project for advancing fiber optic broadband connections throughout the neighborhood.

The goal of the project is to establish an active transportation corridor along W. Superior Street that will serve the Lincoln Park business district and neighborhood, and link it seamlessly with Downtown Duluth and Canal Park to the east, and with Spirit Valley and other Duluth neighborhoods to the west. Duluth is increasingly known as a desirable destination for outdoor recreation. By safely accommodating people of all ages and abilities along W. Superior Street, Lincoln Park can attract and serve a growing share of tourists, families with children (which are already present), and other populations, including those with disabilities. The DTA has reported high frequency use of its wheelchair lifts at bus stops in Lincoln Park, especially near the Midtown Manor apartment complex located at W 2nd St and 21st Ave W, two blocks away from W. Superior Street. This makes compliance with ADA standards a critical consideration for the

project area. Lastly, public rights of way comprise a large share of the land area in Lincoln Park. W. Superior Street offers a significant opportunity to enhance Lincoln Park’s unique sense of place, encourage the public to walk, linger and socialize, provide more eyes on the street to reduce crime, and increase community pride and ownership.

D. Mobility and Community Connectivity – This segment of W Superior Street is a vital arterial corridor for the residents, workers and visitors of a re-emerging Lincoln Park hub. While the street no longer serves as the arterial for motor vehicles and freight, it does serve as an arterial for transit users, pedestrians, cyclists, as a primary corridor for economic activity and wealth building opportunities, a trunk-line corridor for high-speed internet, fiber optic cable, and as a place for community gathering. This corridor is the central spine connecting the two halves of Duluth the East and West sides of the City and the primary gateway to Superior, WI. The reconstruction of the Twin Ports Interchange in Lincoln Park is improving freight and high speed motor vehicle traffic, including connections to the Port, regional and national transportation network connections, the W. Superior Street project provides that at the local and metropolitan level. This multimodal, active transportation project will increase accessibility for people of all ages, abilities and incomes, and particular those in the most under-served and over-burdened community in the Duluth-Superior area and will stimulate further investment and innovation. Specific mobility and connectivity enhancements include:

- Renewed infrastructure to facilitate the implementation of the DTA Better Bus Blueprint that will connect residents at a 10-minute frequency to regional medical, large-scale grocery, and schools
- Infrastructure optimized to support continuation of a Craft District Connector (anticipated autonomous vehicle pilot in 2024-2025) that will connect residents to Canal Park for jobs and recreation, and connect the 2.5 million visitors per year into the revitalizing Lincoln Park Craft District with an EV platform accessible to two-wheelchair users at a time (6 people + 2 wheelchairs or 10 people, no wheelchairs).
- Improved permanent design (to replace temporary detour) of the Cross City Trail
- Facilitation of micro-mobility hubs and designated areas for shared mobility options

E. Economic Competitiveness - After decades of decline, exacerbated by the Post World War II construction of major highway projects in Lincoln Park, including the interchange of I-35, I-535 and US Highway 53 directly adjacent to the business district, had a long-term negative economic impact on the neighborhood overall and the business district along W. Superior Street specifically. Despite this history, the neighborhood has been on an 8-year path toward significant revitalization. Led by LNPk ATC partner Ecolibrium3, Lincoln Park has moved from an emergent district with mainly empty or underutilized storefronts to a mature district where most storefronts are occupied and housing development has occurred on upper levels. Six mid-scale housing projects are also being completed that represent a mixture of affordable, workforce, and market rate housing. In 2021 Main Street Lincoln Park won a *Program Award* from the National Main Street Organization (1 of 6 awardees out of 900+ programs nationally). This award recognized the program’s successes in branding the community as “LNPk” and as a craft district, in building collaboration and cooperation among businesses and residents,

advertising and promotion, dealing with public service challenges, overcoming negative public perceptions, and leadership on community COVID-19 response. These changes have clearly helped to attract and encourage business investment in the district while establishing a positive image of Lincoln Park as a vibrant and resurgent community with opportunities for creative growth. Given the poor state of repair of the W Superior St infrastructure, it will be increasingly difficult to support the basic needs of new businesses and residents. Public investment will be vital to sustain and expand private investment initiatives in Lincoln Park properties.

The project area and investments in I-35, US Highway 53, I-535, and the Blatnik Bridge (future) have secured the Great Lakes ports of Duluth and Superior as important economic centers for our nation. Investment in this project down-scales economic development to benefit the light and heavy manufacturing around the port and a traditional main street that is finally revitalizing after decades of decline precipitated by interstate construction. This project advances economic opportunity by:

- Addressing resilience concerns and expenses to businesses that are experiencing flooding due to current conditions.
- Increasing access to fiber optic broadband for the business district and adjacent housing
- Creating multimodal access to the LNPk Resilience Hub and Black entrepreneurial development activities.
- Reducing utility outages and increasing access to sufficient water for sprinklers in small manufacturing facilities.
- Increasing lighting to allow for safer nighttime operations of restaurants and bars.
- Better connection for tourists into the Lincoln Park Craft District.

F. State of Good Repair - Damage claims due to street flooding and utility breaks are an unfortunate and unnecessary cost of doing business and/or living in the district. For the city, the costs of operating and maintaining old facilities are an unnecessary burden. And, without the reconstruction, it is not possible to realize the efficiencies of 21st Century technology (LED lighting with dimming ability) or to provide for the changing needs of a revitalizing community (power access for electric vehicle charging and other uses, and universal broadband access). The redesign and new construction of W. Superior Street will improve the state of good repair in the following ways:

- Reduce existing flooding issues experienced by businesses during normal rain events.
- Increase resilience to extreme rain events (this area was considered Minnesota's most-impacted, most-distressed area with unmet recovery needs for the 2015 National Disaster Resilience Competition, but no improvements have occurred to date).
- Provide consistent flow for the protected bikeway (currently going up and over bump outs) to provide for safer winter maintenance and improved user experience.
- Replace 136-year old utility infrastructure to reduce breakage and improve efficiency.
- Allow for the rework of underground infrastructure to support lighting, broadband, and EV infrastructure (current lighting infrastructure cannot be retrofitted due to subsurface infrastructure, this has resulted in multiple missing fixtures, and a significant amount of the corridor without any human-scale lighting).

G. Partnership and Collaboration – The City of Duluth has and will continue to collaborate with neighborhood residents, property owners, groups and organizations, including key partners Community Action Duluth, St. Louis County Public Health, UMD, Duluth LISC, Ecolibrium3, Main Street Lincoln Park, the Lincoln Park Business Group, the Port Authority, the Duluth Transit Authority, the Duluth-Superior Metropolitan Interstate Council, MnDOT, and others as this reconstruction project develops. Project coordination will also occur as other simultaneous projects are happening and/or will begin to be developed. The Lincoln Park community has been advocating and implementing projects, plans, and programs with community partners for over a decade now and this work will continue from holding open street events on key streets, to working on the food access issues and testing and evaluating possible solutions to guiding community leaders, business and property owners on effective strategies to successfully redevelop the commercial heart of Lincoln Park.

“THE LINCOLN PARK NEIGHBORHOOD BEARS THE BURDEN OF RAIL, SHIPPING, AND HEAVY HIGHWAY INFRASTRUCTURE THAT HAS DIVIDED THE NEIGHBORHOOD OVERTIME. PRESIDENT BIDEN VISITED OUR COMMUNITY TO TALK ABOUT THE INFRASTRUCTURE PACKAGE AND IMPROVEMENTS OF OVER \$2.5 BILLION THAT WILL BE OCCURRING HERE. TO ADDRESS OUR HEALTH AND QUALITY OF LIFE, WE MUST HAVE HUMAN-SCALE INVESTMENT THAT PRIORITIZES OUR JUSTICE40 NEEDS. THE CITY REQUEST OF 1% TO ADVANCE A SUSTAINABLE AND EQUITABLE FUTURE FOR OUR NEIGHBORHOOD DEMONSTRATES GOOD PARTNERSHIP.”

JODI SLICK, CEO ECOLIBRIUM3- LEAD COMMUNITY-BASED DEVELOPMENT ORGANIZATION FOR LINCOLN PARK

This project will model a co-creative process as over two dozen stakeholder groups will participate in planning and design activities. These groups have already informed the development of this application through the CDC SDOH Accelerator Process and pledge to advance a Local Energy Action Plan with DOE technical assistance. Group members include Black and Indigenous led organizations, disability rights, the Age Friendly Duluth collaborative, community health provider and two hospital systems, environmental advocates, and business groups.

H. Innovation – The W Superior St construction phase will very likely overlap with MnDOT’s demolition and replacement of the elevated TH 53 bridges in Lincoln Park, scheduled to begin in 2025. This will require close coordination and cooperation between the City of Duluth, MnDOT, and the Lincoln Park community in order to maintain access and circulation in the project area. One innovation that will be replicated for this project occurred during the Downtown Superior Street reconstruction project which included a contractual provision with the successful construction contractor that mandated frequent direct communications between the contractor and adjacent businesses to anticipate upcoming access changes and closures. On a block-by-block basis, business liaisons were identified and regular meetings were held to update schedules, brief affected parties, and answer questions. A similar arrangement will be vital for the W Superior St project in cooperation with Ecolibrium3 and its Main Street Lincoln Park program, which was instrumental in accomplishing the temporary CCT relocation to the W. Superior Street in 2021 with business community support. A letter of support and commitment from Ecolibrium3 is included in Attachment 9.

It will also be important for the City and the Lincoln Park community to be very engaged with the DTA, not only to maintain transit service during the construction period, but also to maximize the benefits of implementation of their Better Bus Blueprint. The City has selected the LNKP Resilience Hub, just up the hill from W. Superior Street as the location for a cold weather warming center and increased public services including healthcare provision. The site acknowledges the excellent transit access of the location, which is vital for a population that requires free transit service. This project will also advance access to cultural groups including the American Indian Community Housing Organization's coffee shop and art space, the Indigenous-led Duluth Art Institute, the Black Leadership Hub (located in the LNKP Resilience Hub), and the Duluth Children's Museum developing STEM-lab to reduce neighborhood educational disparities.

The most significant innovations of this project include:

- Development of a Healthy Streets model that incorporates building front to building front design to maximize accessibility, health, safety, and sustainability.
- Deep integration of neighborhood voice in project design to ensure project centers on equity.
- Establishment of BRT demonstration in a small city to meet basic needs of a low-income community.
- Technological and infrastructure improvements that address demographic and climate concerns in 2050 (50% increase in 65+ and City commitment to reach net zero).

The City of Duluth previously collaborated with the Natural Resources Research Institute (NRRI) at the University of Minnesota – Duluth (UMD) to experiment with the use of recycled by-products of iron ore/taconite production in asphalt paving. The prior work indicated the possibility of a longer service life, though at a marginally higher cost, and a sustainability benefit given that the material source is otherwise wasted. Further collaboration with NRRI will occur for the W Superior St project, although the type of pavements to be used will be determined through the design and engineering process. Wherever asphalt is selected for installation, this would be an option. Additional innovations that can be demonstrated on the project in partnership with NRRI and UMD are the potential use of biochar in green infrastructure installations and demonstration of use of a lower carbon concrete mixture being developed at UMD for sidewalks and curbing.

As described above, the temporary detour for the Cross City Trail through the heart of the Lincoln Park business district will give the community a strong basis to evaluate its effect on the function of their streetscape and on the bottom lines of their businesses. If it has favorable effects and is further embraced, it is possible to anticipate advertising promotion of CCT's proximity to the front doors of Lincoln Park businesses to attract business from tourists as well as local active transportation users. Integration of green infrastructure elements will also bring new ideas to the city and tree trenches/bio-filtration areas will be examined to add both street flooding prevention, reducing of the urban heat island, and visual amenities.

This project will take into account the advances in technology which are transforming transportation. Internet access, information technology, and new transportation service models are facilitating the emergence of new modes of travel and innovative use of traditional modes. Technology is enabling alternative transportation options, such as autonomous movement of

goods and people, to become a more likely possibility. These advances in how people and goods move through the system provide new opportunities and challenges for improved transportation safety, access, and mobility. Technology is also changing the interface between users and the transportation system. Wireless connectivity has made the sharing of information across modes of travel more timely, accurate, and user friendly. Traveler information encompasses a wide variety of media, modes, and types of information. Traveler information has evolved at a rapid rate over the past decade, a trend that is expected to continue toward increasingly real-time with multiple information access options. In addition, the broadband upgrades will further enhance telecommunications as a travel mode and the access to goods and services, mobility, sustainability, and equity.

Connected and autonomous vehicle technology, particularly when it comes to transit vehicles is actively being pursued for this corridor to improve accessibility, mobility and overall connections between Lincoln Park and the Downtown job center and Canal Park tourism hub. CAV vehicles will add to the mix of modes to move around this segment of Duluth improving transportation resilience, particularly for an underserved and overburdened population. The PLUM Catalyst LLC is a DBE consulting firm is participating as a community stakeholder working with USDOT technical assistance providers as part of the LNPk ATK RAISE Project and has been working with May Mobility, the City of Duluth, the Duluth Transit Authority, the Metropolitan Interstate Council, and Ecolibrium3 to define an autonomous vehicle pilot project called the *Craft District Connector*. The core principles of this potential project include the use of EVs, integration into a multimodal main street, advancing equity, economic development, and the ability for the project to advance *middle mile* mobility options in a low-income neighborhood. This project will occur in the Lincoln Park neighborhood and the neighborhood impacts achieved will benefit from its inclusion in the larger transportation LNPk ATC RAISE effort.

V. Project Readiness - Environmental Risk Review

A. Project Schedule - The project schedule (see Attachment 5) identifies five phases including:

1. *Application* – February - April 2022
2. *Community Design & Environmental Review* – September 2022 through December 2023
3. *Authorization & Contracting* – March 2025 through February 2026
4. *Project Construction* – May 2026 through November 2028
5. *Project Close Out* – November 2028 through May 2029

B. Required Approvals – The milestones and necessary approvals are identified below by project phase:

1. *Application* - Based on the USDOT Notice of Award on August 12, 2022 the City will request a Federal Aid Project Number from FHWA in December 2022.
2. *Community Design & Environmental Review* – In January 2023 the City will issue a Request for Proposals to initiate selection of a consulting design team, and in March 2023 the City Council will approve a contract with the selected consultant team. A series of public engagement events will initiate the community design process in April 2023, and in May 2023 the task to prepare the Draft Design Memo and Environmental Review will begin, ending in

December 2024 with approval by MnDOT. A Categorical Exclusion is expected to be issued under CFR Part 771.117 (a) and (c) (2),(3), (7), (8), (15), (21), and (22). Those provisions cover the reconstruction of existing built street environments within existing public rights of way, to incorporate installation of pedestrian and bike facilities, utility work, landscaping, signs and pavement markings, transit shelters, and other streetscape elements. In December 2024 the City of Duluth will apply to the Duluth-Superior Metropolitan Interstate Council (DSMIC) to include the project in the MPO's Transportation Improvement Program. Expected MIC project approval for TIP listing will occur in February 2025, with scheduled TIP approval by the MIC Policy Board in June 2025, and listing in the State Transportation Improvement Program to follow later in 2025. Letters of support by MnDOT and the MIC are in Attachment 9.

3. *Authorization & Contracting* – Preparation of Final Plans will start in December 2023, ending in March 2025 with submittal to MnDOT and FHWA for approval. Assuming MnDOT/FHWA approval is obtained by December 2025, the City would issue invitations to bid for project construction in December 2025, select the winning bid in January 2026, and the City Council will approve the construction contract in February 2026.

4/5. *Project Construction & Close Out* – Construction will start in May 2026, continuing for three years through November 2028. A request for approval of final payment to FHWA is scheduled for May 2029.

C. Environmental Permits and Reviews – As indicated in section B.2) above, the City of Duluth expects to complete the NEPA environmental review process in December 2023 with the issuance of a Categorical Exclusion by MnDOT. The project will be completed within existing public rights of way. *No additional right of way acquisition will be required.*

D. Assessment of Project Risks and Mitigation Strategies - *LNP*K ATC is a hybrid project with both a planning period and construction within the mandated RAISE timeframe of committed funds and completed construction. One of the major risks relates to the ability of the City of Duluth to manage and complete this type of project. In 2021 the City of Duluth completed a major \$23.9 million reconstruction project on E Superior Street in the downtown area that required two years to design and three years to construct. The project was complex due to the need to replace all of the underground infrastructure, including upgrading a shared steam heating system to hot water, major electric vaults adjacent to the Minnesota Power building, and changing the streetscape from building front to building front – as is proposed for the Lincoln Park project. The Downtown E Superior St project demonstrates the city of Duluth's ability to deliver complex urban street projects, and also provides a template and lessons learned for advancing a successful reconstruction project on W Superior St in Lincoln Park.

VI. Benefit Cost Analysis

The expected *LNKP ATC* project benefits and costs were compared over a 20-year evaluation period using a 7% discount rate, except for the Mortality Rate Health Benefit, which a 3% discount rate was used. The resulting Benefit Cost Ratio (BCR) was 1.01.

A. Project Costs = \$24,999,160

The project includes full reconstruction of the 1.65-mile segment of W. Superior Street in the Lincoln Park Craft District of the City of Duluth, Minnesota.

B. Project Benefits = \$25,371,517

The Project is expected to significantly improve the safety, air quality, multimodal accessibility and connectivity, quality of life and health of the Lincoln Park neighborhood. The benefit time horizon for this proposed reconstruction project is 20 years. Implementation of the Project components have been schedule to be completed by 2029, which for this BCA analysis is the first year of reaping the benefits from 2029 through 2049. The basis for and value of these benefits are discussed in greater detail in the following sections. Please note, that the benefit factors and calculations were based on the US DOT 2022 “Benefit Cost Analysis Guidance for Discretionary Grant Programs” guide. Elements of the *LNPK ATC* project that will produce a quantitative benefit include:

1. Safety Benefit = \$1,898,251

Safety benefits were calculated based crash history over the past 5-year period, which were four crashes with injuries, severity unknown. Note, that there were no fatalities in this 5-year period. In addition, but not included in the BCA, is the anticipated a reduction in crashes involving property damage. An Intersection Control Evaluation will be conducted a traffic signal and stop sign controlled intersections to determine if a roundabout is appropriate. If so, a reduction of injury crashes by 75% may be achieved (according to IIHS study). Design elements that produce a dedicated separated bikeway and improved sidewalks and pedestrian infrastructure will increase safety as well.

2. CO2 Emission, Damage Cost = \$11,444,967

The AADT on W Superior Street is 5,000 motor vehicles. With the State of Minnesota goal for 20% of motor vehicles to be electric and the overall goal of a fully electric motor vehicle pool statewide by 2050, the calculations were made to reach these goals during the 20-year timeframe considered for this project, 2029 to 2049. The following sources were used to as guide the EV assumptions: the CO2 metric used was provided by the EPA as follows, EV share and Minnesota EV goals:

- 8.89×10^{-3} metric tons CO₂/gallon gasoline \times 11,520 VMT car/truck average \times 1/22.2 miles per gallon car/truck average \times 1 CO₂, CH₄, and N₂O/0.994 CO₂ = 4.640 metric tons CO₂E/vehicle /year.

<https://www.epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references>.

- Share of model year 2020 sales by vehicle type Source: https://www.fhwa.dot.gov/policy/otps/TPS_2020_Trends_Report.pdf
- The State of Minnesota – EV goals are noted in this document: <https://www.dot.state.mn.us/sustainability/docs/mn-ev-vision.pdf>

3. Transit Improvement Benefit = \$5,864,662

This transit benefit calculated the bus rapid transit facility improvement, ridership increases, and transit stop amenities. The ridership number was focused on only those transit trips starting and ending in the Lincoln Park Craft District, based boardings (200/day) data provided in the DTA’s Transit Development Plan.

- This BCA assumed a 10% increase in transit ridership, which is reasonable increase based on existing high level of service in Lincoln Park, with the increase based more so on the improved travel times with the implementation of the DTA’s Better Bus Blueprint, including the completion of the planned for the “Blue Go Line”. This line will be an arterial bus rapid transit line and not necessarily a full BRT with dedicated bus lane.
- The following study references 29%-35% ridership increases for new BRT lines.
articl<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5627619/#:~:text=Ridership%20increased%20by%2035%25%20along,to%20consistent%20existing%20BRT%20service>.
- Additional transit benefits included the three planned bus rapid transit stop and the facility amenities attribute types, including Electronic Real-Time Information Displays, Platform/Stop Seating Availability, Platform/Stop Weather Protection

Step-Free Access to Vehicle, Ticket Machines and Timetables.

4. Pedestrian and Bicycle Facility Improvement Benefit = \$2,687,330

This benefit is based on existing usage numbers provided by counts conducted by the Duluth-Superior Metropolitan Interstate Council (MPO) following the National Bicycle and Pedestrian Documentation Project methodology. An anticipated a 10% increase in pedestrian traffic and a 20% increase in cyclist traffic was made basing neighborhood redevelopment projects planned, a higher quality dedicated bikeway facility planned to be constructed, the Cross City Trail connections completed, as well as information from the National Institute for Transportation and Communities. A benefit was calculated for having pedestrian and bicycle facilities as well as an additional benefit was calculated for the planned dedicated cycle lane and the additional 7-feet of sidewalk width to

ensure there is a minimum of 12-foot sidewalks for pedestrians along both sides of the entire W. Superior Street corridor in the Lincoln Park Craft District.

5. Quality of Life Benefit = \$1,974,524
This calculated benefit was focused on the planting of street trees along both sides of the entire stretch of the 1.65-mile W. Superior Street corridor. Using a common practice of planting street trees approximately every 50 feet, calculates to approximately 350 new street trees to be planted. There is currently about 40 mostly newly (less than 5 years old) planted trees existing along the corridor presently. Sources used to determine \$500 benefit per tree:
https://www.fs.fed.us/psw/publications/mcpherson/psw_2005_mcpherson003.pdf

6. Health Benefit, Mortality Reduction = \$1,501,780
Included in the March 2025 BCA submission will be an examination of benefits related to health. The LNPk ATC will produce impacts on the Social Determinants of Health experienced by residents including greater access to healthy food, increased safe exercise/active travel options, and reduced exposure to environmental hazards. An example of potential benefits that will be included in the analysis is the ability through this project to change out lead service lines as part of the utility upgrades. The Minnesota Department of Health has indicated a return of \$10 for each \$1 spent on lead water line replacements. Project partners have begun a Social Determinants of Health planning process with one of the stakeholder groups specifically focused on the built environment. This group will be supported through a data analytics hub.

Although not quantitatively part of a BCA, economic impact items also produce co-benefits to the affected Lincoln Park population including:

- *Job Access* - The LNPk ATC will serve as an important connector between economic nodes including downtown Duluth, the Duluth Port, Canal Park, and Lincoln Park for residents that lack vehicle access.

- *Economic Development* - LNPk ATC is an essential project to continue the advancement of the Lincoln Park business and craft district. Lincoln Park has recently received official Main Street designation and during the planning process will be able to provide information on base case and improvements as they impact the number of businesses, employment, retail sales, and visitor spending. New or improved transportation infrastructure that enhances the connections between communities, people, and businesses can reshape the economic geography of a region. The economic theory of agglomeration suggests that firms and households can enjoy positive benefit spillovers from the spatial concentration of economic activity. These benefits may stem from more effective exchange of information and ideas, access to larger and more specialized labor pools, availability of a wider array of firms and

services, or more efficient use of common resources and facilities, such as transport and communication networks or hospitals and schools. USDOT recognizes the potential for agglomeration benefits resulting from transportation projects that impact the size of the labor market and/or future concentration of economic activity at a location. However, the scale, type, and overall potential for such benefits is highly context- and project-specific, and while the Department is conducting research in this area, it has not yet developed guidance on how such impacts should be quantified. Thus, at this time, USDOT recommends that applicants describe any agglomeration-24 21 related benefits that might be expected to accrue from the project in qualitative terms, while carefully laying out the expected linkages between the project and those potential outcomes. Applicants should note that certain infrastructure improvements are likely to result in more dispersed land use and employment patterns, which can result in negative agglomeration economies.

- *Reductions in Light Pollution* - In addition, lighting changes to high efficiency solutions will reduce energy costs and associated carbon footprint.
- *Resiliency and Environmental Services* – This project will have resiliency benefits through decreased flooding impacts on local businesses that currently experience issues due to the current state of W Superior Street. In addition, green infrastructure components will have a valuation for environmental services.
- *Infrastructure Savings* - The redevelopment of this roadway will produce decreased maintenance costs and increase useable life and capital value.
- *Travel Time Benefits* - Modifications to the roadway that impact the travel of vehicles, transit, pedestrians, and bikes through the project area. There are several intersections that are strong candidates for the design of roundabouts. The Insurance Institute for Highway Safety (IIHS) has documented a reduction of vehicle delay by 89%, and a reduction in the frequency of vehicles stopping by 56% where stops signs or traffic signals were replaced by roundabouts. As this roadway also serves as an overweight/oversize designated route for the Port of Duluth, freight impacts will be included.
- *Construction* - The construction project will create employment opportunities and with the City of Duluth’s focus on project labor agreements and advancing diversity in the trades, it is anticipated that Lincoln Park residents may directly benefit from the opportunities presented by the multi-year project construction.
- *Reduced Business Expenses* - The project will impact mobility on freight and business costs not only for overweight/oversized loads from the port, but for the small businesses, manufacturers, and trades proximal to the project.
- *Increased Property Values* – based on numbers received from Main Street Lincoln Park, since 2017, there have been 126 property sales, with a total of \$61 million in private

investment. Private property improvement investments in the Lincoln Park Craft District have ranged from \$383,000 in 2017 to \$1,429,500 in 2020 and new development and redevelopment projects continue to accelerate in this business district and the now emerging housing component of this district. Lincoln Park along with property and business owners have been making improvements to the public realm as well. From an economic development point of view in a historical disinvested neighborhood (and Opportunity Zone) this is exceedingly important. Currently, property owners and interested small businesses face a value gap in the redevelopment of properties. Specifically, the investment needed to bring buildings into appropriate economic use is higher than appraised value resulting in difficulties securing project financing. This stunts continued revitalization of the neighborhood and can be mitigated through public investment.

Letters of Support: Attachment #9

- Duluth-Superior Metropolitan Interstate Council
- Duluth Seaway Port Authority
- Lincoln Park Business Group
- Aerostitch – Aero Design & MFG. Co., Inc.
- Duluth Folk School and Dove Café
- Ursa Minor Brewing
- Main Street Lincoln Park/Ecolibrium3
- Plum Catalyst

Weblinks to supplemental information:

- a. Main Street Lincoln Park/Ecolibrium3 – www.ecolibrium3.org/main-street/
- b. City of Duluth, Lincoln Park Small Area Plan – <https://duluthmn.gov/media/5726/lincoln-park-small-area-plan.pdf>
- c. DS MIC, Truck Route Study – <https://dsmic.org/study/truck-route/>
- d. LISC, Lincoln Park – <https://www.lisc.org/duluth/where-we-work/lincoln-park/>
- e. MnDOT, TPI Project – www.dot.state.mn.us/d1/projects/twin-ports-interchange/index.html



W Superior St

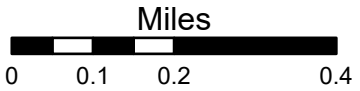
53

W Michigan St

35

35

535



Project Number:
Source: ESRI, City of Duluth
Author: Zach Borich
Projection: NAD 1983 HARN Adj
MN St. Louis (US Feet)
Print Date: 06/14/2021

The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

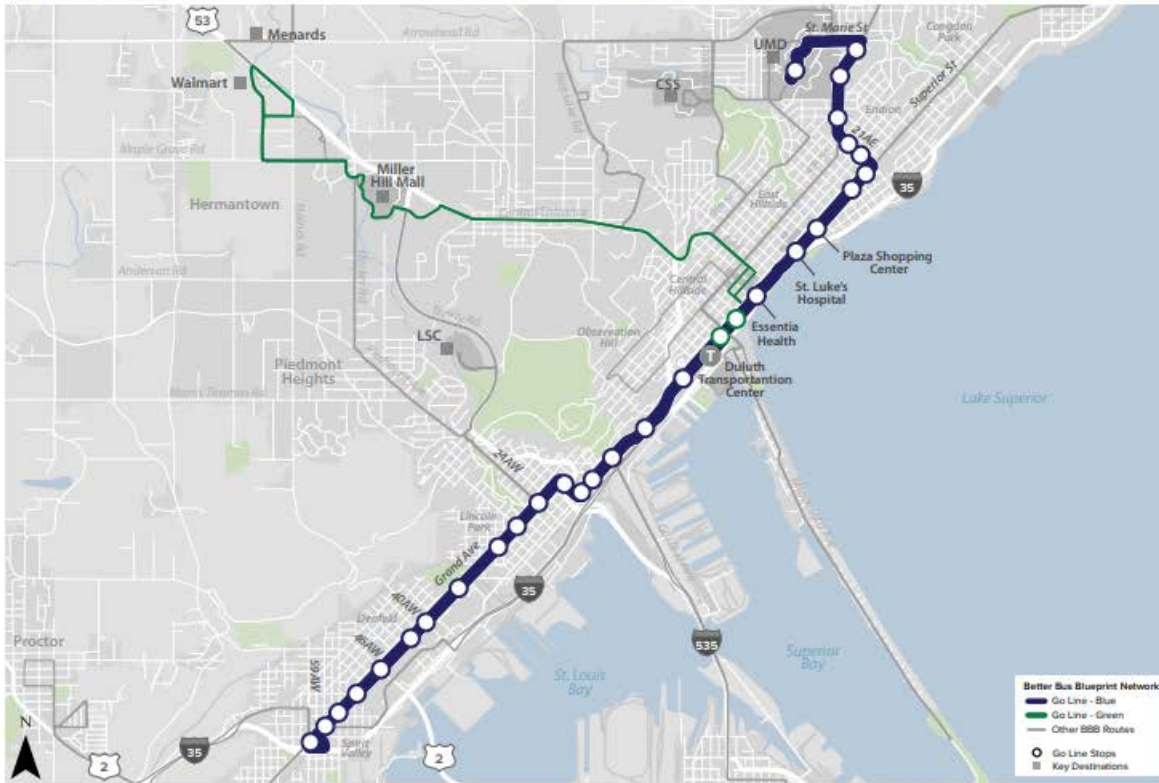
RECONSTRUCTION OF WEST SUPERIOR ST

Michigan Street to Carlton Street

Duluth, MN



GO LINE Blue Line Spirit Valley-DTC-UMD



Frequency

(Peak/Off-Peak)

WEEKDAYS
15/15

SATURDAY
20/60

SUNDAY
20/60

Key Destinations

University of Minnesota - Duluth

Plaza Shopping Center

St. Luke's Hospital

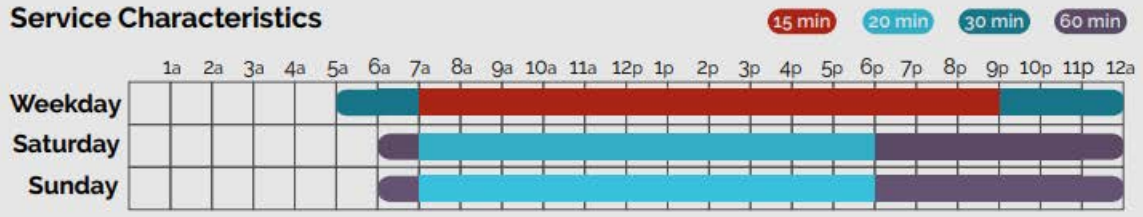
Essentia Health

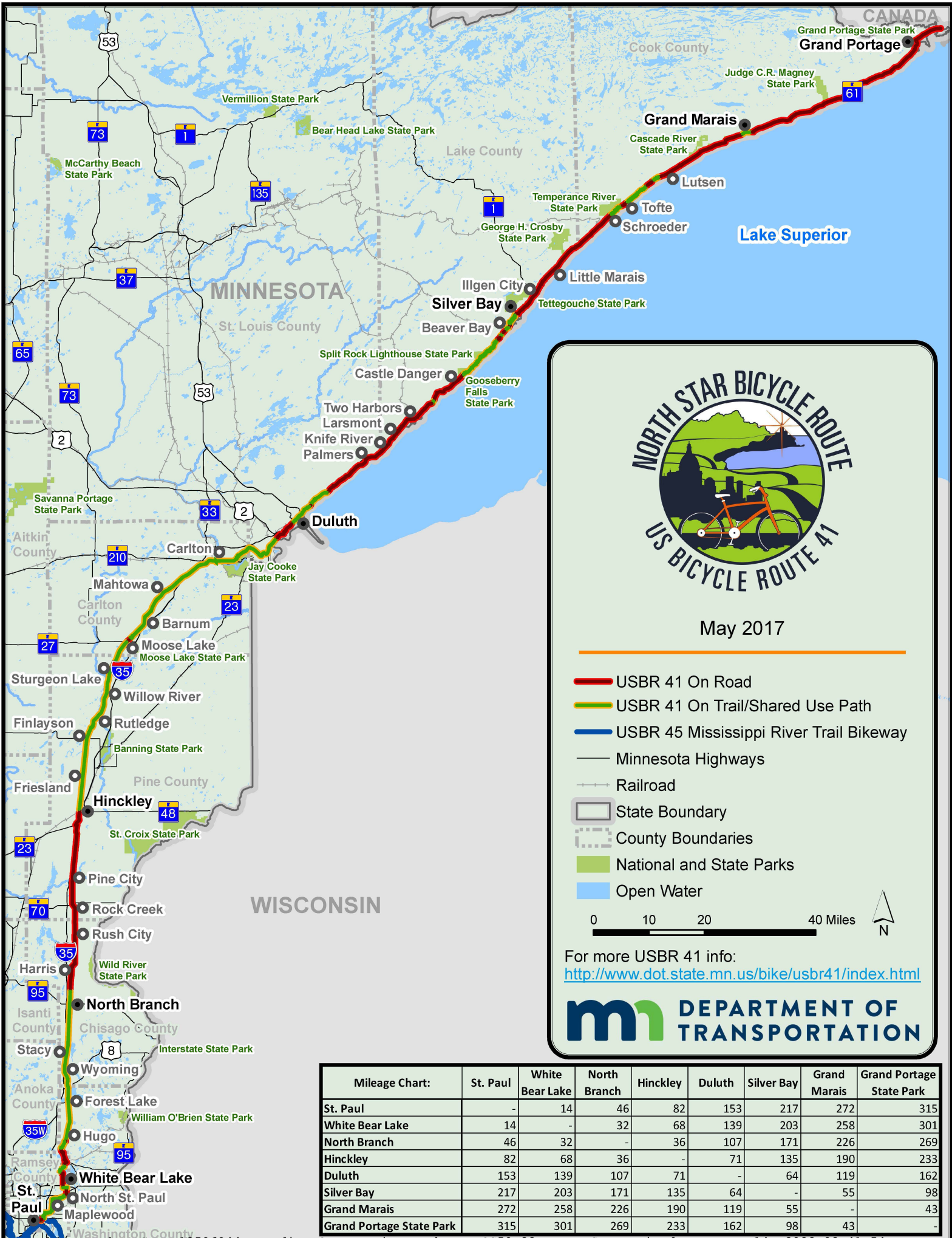
Duluth Transportation Center

Lincoln Park

Spirit Valley

Service Characteristics





May 2017

- USBR 41 On Road
- USBR 41 On Trail/Shared Use Path
- USBR 45 Mississippi River Trail Bikeway
- Minnesota Highways
- Railroad
- ▭ State Boundary
- ▭ County Boundaries
- ▭ National and State Parks
- ▭ Open Water

0 10 20 40 Miles



For more USBR 41 info:

<http://www.dot.state.mn.us/bike/usbr41/index.html>



Mileage Chart:	St. Paul	White Bear Lake	North Branch	Hinckley	Duluth	Silver Bay	Grand Marais	Grand Portage State Park
St. Paul	-	14	46	82	153	217	272	315
White Bear Lake	14	-	32	68	139	203	258	301
North Branch	46	32	-	36	107	171	226	269
Hinckley	82	68	36	-	71	135	190	233
Duluth	153	139	107	71	-	64	119	162
Silver Bay	217	203	171	135	64	-	55	98
Grand Marais	272	258	226	190	119	55	-	43
Grand Portage State Park	315	301	269	233	162	98	43	-

Cross City Trail (Duluth, MN) Mini-Master Plan – Lincoln Park Segment

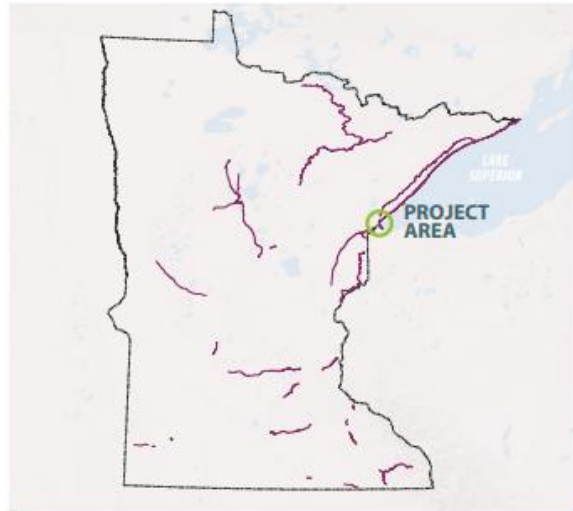


Figure 1.2: Context within the MN State Trail System



Figure 1.3: Regional Context



Figure 4.2: Cross City Trail - Segment I: The Lincoln Park Section - Lakewalk to Carlton Street - Already Constructed



City of Duluth

411 West First Street
Duluth, Minnesota
55802

Certified Copy

Resolution: 22-0259R

File Number: 22-0259R

RESOLUTION AUTHORIZING APPLICATION FOR AND, UPON APPROVAL, ACCEPTANCE OF A GRANT FROM THE UNITED STATES DEPARTMENT OF TRANSPORTATION'S REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY (RAISE) PROGRAM FOR THE RECONSTRUCTION OF WEST SUPERIOR STREET IN THE LINCOLN PARK NEIGHBORHOOD BETWEEN WEST MICHIGAN AND CARLTON STREETS.

CITY PROPOSAL:

RESOLVED, that the city of Duluth ("City") apply to the RAISE Program for the Reconstruction of West Superior Street in the Lincoln Park Neighborhood between Michigan and Carlton Streets as contained in the grant program application to be submitted by April 14, 2022 and that the mayor and clerk are hereby authorized to apply to the United States Department of Transportation for the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) program in the amount of \$25,000,000 for the funding of this project;

FURTHER RESOLVED, that the City has the legal authority to apply for financial assistance, and the institutional, managerial and financial capability to ensure adequate project administration;

FURTHER RESOLVED, that the City hereby commits to provide no less than 100 percent of the project cost contribution in excess of any grant provided by the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) program;

FURTHER RESOLVED, that the City has not violated any federal, state, or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest, or other unlawful or corrupt practices;

FURTHER RESOLVED, that upon approval of its application by the Secretary of Transportation of the United States of America, the mayor and clerk may enter into a grant agreement with the U.S. Department of Transportation for the above referenced project and local match, and any project costs above the grant award will be paid from the appropriate funding source. The City certifies that it will comply with all applicable laws and regulations;

FURTHER RESOLVED, that the mayor and clerk are authorized to execute such documents as are necessary to implement the project on behalf of the city.

This Resolution was adopted unanimously.

I, Ian B. Johnson, City Clerk of the City of Duluth, Minnesota, do hereby certify that I have compared the foregoing passed by the city council on 3/28/2022, with the original approved and that the same is a true and correct transcript therefrom.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said city of Duluth.

Ian B Johnson

04/11/2022
Date Certified

The following attachment is not included in this view since it is not a read-only PDF file.

The agency will receive all application forms and attachments without any data loss.

AttachmentForm_1_2-ATT8-1242-Benefit Cost Analysis LNPk ATC.xlsx

The following attachment is not included in this view since it is not a read-only PDF file.

The agency will receive all application forms and attachments without any data loss.

AttachmentForm_1_2-ATT9-1243-W Superior St RAISE grant LOS.pdf

**APPENDIX C – SUPPLEMENTARY PROVISIONS
CITY OF DULUTH
RFP 22-99740**

Engineering Services for West Superior Street (Carlton to W. Michigan)

1. Disbursements

- a. No money under this Contract shall be disbursed by the City to any Contractor unless the Contractor is in compliance with the Federal Agency requirements with regard to accounting and fiscal matters to the extent they are applicable.
- b. Unearned payments under this Contract may be suspended or terminated upon the Contractor's refusal to accept any additional conditions that may be imposed by the Federal Agency at any time; or if the grant, if applicable, to the City under which this Contract is made is suspended or terminated.

2. Breach of Contract.

The City may, subject to the Force Majeure provisions below and in addition to its other rights under the Contract, declare the Contractor in breach of the Contract by written notice thereof to the Contractor, and terminate the Contract in whole or in part, in accordance with Section 4, Termination, for reasons including but not limited to any of the following:

- a. Failure to begin the Work within the time specified in the Contract;
- b. Failure to perform the Work with sufficient labor, equipment, or material to insure the completion of the specified Work in accordance with the Contract terms;
- c. Unsatisfactory performance of the Work;
- d. Failure or refusal to remove material, or remove and replace any Work rejected as defective or unsatisfactory;
- e. Discontinuance of the Work without approval;
- f. Failure to resume the Work, which has been discontinued, within a reasonable time after notice to do so;
- g. Insolvency or bankruptcy;
- h. Failure to protect, to repair, or to make good any damage or injury to property;
- i. Breach of any provision of the Contract;
- j. Misrepresentations made in the Contractor's bid/proposal; or
- k. Failure to comply with applicable industry standards, customs, and practice.

3. Termination

If the Contractor is in breach of the Contract, the City, by written notice to the Contractor, may terminate the Contractor's right to proceed with the Work. Upon such termination, the City may take over the Work and prosecute the same to completion, by contract or otherwise, and the Contractor and its sureties shall be liable to the City for any additional cost incurred by the City in its completion of the Work and they shall also be liable to the City for liquidated damages for any delay in the completion of the Work as provided below. If the Contractor's right to proceed is terminated, the City may take possession of and utilize in completing the Work such materials, tools, equipment, and plant as may be on the site of the Work and necessary therefore.

City shall have the right to terminate this contract immediately without other cause in the event that all or a portion of the funds that the City intends to use to fund its obligations under the contract have their source with the State or Federal government or any agency thereof and said source reduces or eliminates their obligation to provide some or all of the funds previously committed by it to fund City's payment obligations under the Contract. The City agrees that

termination hereunder will not relieve the City of its obligation to pay Contractor for Work satisfactorily performed and reasonable costs incurred prior to the effective date.

Notwithstanding anything herein to the contrary, the City may terminate this Contract at any time upon written notice given by the City (for any reason, including the convenience of the City) to the Contractor at least thirty (30) days prior to the effective date of the termination of this Contract. The City agrees that termination hereunder will not relieve the City of its obligation to pay Contractor for Work satisfactorily performed and reasonable costs incurred prior to the effective date of the termination provided that Contractor has not committed a breach of this Contract. Nothing contained in this section shall prevent either party from pursuing or collecting any damages to which it may be entitled by law.

4. Force Majeure.

The right of the Contractor to proceed shall not be terminated nor shall the Contractor be charged with liquidated damages for any delays in the completion of the Work due to any acts of the Government, including controls or restrictions upon or requisitioning of materials, equipment, tools, or labor by reason of war, National Defense, or any other national emergency; any acts of the City; causes not reasonably foreseeable by the parties to this Contract at the time of the execution of the Contract which are beyond the control and without the fault or negligence of the Contractor, including, but not restricted to, acts of God or of the public enemy, acts of another Contractor in their performance of some other contract with the City, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and weather of unusual severity such as hurricanes, tornadoes, cyclones, and other extreme weather conditions; nor to any delay of any Subcontractor occasioned by any of the causes specified above. The Contractor shall promptly notify the City in writing within ten (10) days of the delay. Upon receipt of such notification, the City shall ascertain the facts and the cause of the delay. If, upon the basis of facts and the terms of the Contract, the delay is properly excusable, the City shall extend the time for completing the Work for a period of time commensurate with the period of excusable delay