

**CITY COUNCIL
COMMUNICATION:**

ITEM _____

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

99-420

SYNOPSIS -

AGENDA:

SEPTEMBER 27, 1999

SUBJECT:

SUPPLEMENTAL
AGREEMENT NO. 16
CONSULTANT
SERVICES-MARTIN
LUTHER KING, JR.
PARKWAY

TYPE:

RESOLUTION

ORDINANCE
RECEIVE/FILE

SUBMITTED BY:

FLOYD BENTZ, P.E.
CITY ENGINEER

Supplemental Agreement No. 16 with Earth Tech, Inc., provides for Design Phase Services on both the East/West Segment of the Martin Luther King, Jr. Parkway from SW 2nd Street to Fleur Drive, and the North/South Segment from Center Street to Fleur Drive. On November 17, 1997, by Roll Call No. 97-3694, the City Council approved Supplemental Agreement No. 15, with Rust Environmental and Infrastructure, Inc., now known as Earth Tech, Inc., for preparation of construction plans and contract documents for improvements on Martin Luther King, Jr. Parkway between SW 16th Street and SW 2nd Street and also for revised preliminary design on the Martin Luther King, Jr. Parkway from SW 16th Street to and including the intersection of Fleur Drive. Subsequent to approval of Supplemental Agreement No. 15, the City appointed a Martin Luther King, Jr. Parkway citizen committee to develop an architectural and landscape enhancement plan for the project.

Supplemental Agreement No. 16 includes final design for the expanded enhancements and other amenities not included in Supplemental Agreement No. 15, between SW 2nd Street and SW 16th Street. Supplemental Agreement No. 16 also includes final design of the roadway on Martin Luther King, Jr. Parkway from SW 16th Street to Fleur Drive including the Fleur Drive intersection, and includes the Type, Size, and Location (TSL) drawings for the Raccoon River Bridge. The Iowa Department of Transportation (IDOT) requires TSL drawings on all bridge structures prior to approval of final design on such structures. The TSL drawings need to be completed on the bridge structures based upon the revised preliminary design provided in Supplemental Agreement No. 15, and the enhancements developed by the Martin Luther King, Jr. Parkway citizens committee. This is provided by Supplemental Agreement No. 16 on the North/South Segment of Martin Luther King, Jr. Parkway to include final design and construction documents for the roadway and TSL drawings for

the bridgeway structures including the Grand Avenue Bridge, the bridge over the Raccoon River, and the intersection structure at Martin Luther King, Jr. Parkway and Fleur Drive.

Supplemental Agreements for both the East/West and North/South Segments of Martin Luther King, Jr. Parkway also provide for a number of services in addition to design services. These services include, but are not limited to, preparation of right-of-way plats and legal descriptions, archeological investigations and archeological construction monitoring, architectural enhancement planning, railroad coordination and permitting, coordination and participation in citizen committees and other local organization coordination, meetings with property owners during design, coordinate design, field management, budget management, grant and administration assistance, and other program management functions. Attached is a sheet labeled "Estimated Design Costs Summary" which breaks out the estimated construction costs, design costs, other services provided, and contingencies provided on both the East/West and North/South Segments of Martin Luther King, Jr. Parkway. This break-out also shows the estimated future design costs of the bridge structures which cannot be approved for final design until TSL drawings are submitted to IDOT and approved.

Supplemental Agreement No. 16 provides that several subconsultants will provide support services to Earth Tech, Inc. as a design team to provide enhanced qualifications, experience, and support services in their field of expertise. Attached is a list of proposed design subconsultants and a brief description of services that each will be providing.

FISCAL IMPACT -

Compensation to consultant for services covered by this agreement shall be actual costs plus a fixed fee amount. The estimated actual cost for the East/West Segment of Martin Luther King, Jr. Parkway is \$2,122,000 plus a fixed fee of \$207,000. The agreement also provides a contingency in the amount of \$161,000 to be utilized if authorized in writing by the City and IDOT.

Compensation for the North/South Segment of Martin Luther King, Jr. Parkway for services covered by this agreement shall be actual cost plus a fixed fee amount. The estimated actual

cost is \$2,191,000 plus a fixed fee of \$227,000. The agreement also provides a contingency in the amount of \$175,000 to be utilized if authorized in writing by the City and IDOT. Total maximum compensation in terms with this agreement shall be \$2,490,000 on the East/West Segment and \$2,593,000 on the North/South Segment for a total maximum compensation of \$5,083,000.

The funds for Supplemental Agreement are available as \$2,490,000 East/West Segment - 80 percent Federal Highway Administration Surface Transportation Program (STP) funds (\$1,992,000) and 20 percent local Tax Increment Financing (TIF) funds (\$498,000), Capital Improvement Program (CIP) Index Code 383943 - Martin Luther King, Jr. Parkway - East/West Segment - Account 521020 - Fund CP038 - Organization ENG990000 - Project/Grant STR039; and \$2,593,000 North/South Segment - 80 percent Federal Highway Administration TEA-21 Demonstration funds (\$2,074,400); and 20 percent Local funding (\$518,600), CIP Index Code 483347 - Martin Luther King, Jr. Parkway - North/South Segment - Account 521020 - Fund CP038 - Organization ENG990000 - Project/Grant STR133. The North/South Segment of the Martin Luther King, Jr. Parkway project, CIP Index Code 483347 for Fiscal Year 1999/2000 does not contain any local funds required for the 20 percent match for the federal funds, therefore it is necessary to transfer the following:

\$200,000-G.O. Bonds transfer from CIP Index Code 482844 - County Line Road - Account 521020 - Fund CP038 - Organization ENG990000 - Project STR128. (Project deferred). \$90,000-G.O. Bonds transfer from CIP Index Code 483941 - Railroad Street Crossing Repairs - Account 521020 - Fund CP038 - Organization ENG990000 - Project/Grant STR139, (Surplus Funds Available 1999/2000). \$43,600 General Obligation (GO) Bonds transfer from CIP Index Code 481846 - Corridor Studies and Acquisitions - Southeast and Southwest Diagonals - Account 521020 - Fund CP038 - Organization ENG990000 - Project/Grant STR118 (Surplus funds available 1999/2000 - no acquisitions planned). \$150,000-Tax Increment Supported Debt transfer from CIP Index Code 482141 - Keosauqua Way Traffic Flow Modifications - Seventh Street to Second Avenue - Account 521020 - Fund CP038 - Organization ENG990000 - Project/Grant STR121. (Project on hold pending Downtown Traffic Study.) \$35,000 (20 percent local of \$175,000 contract

contingency) will require separate Council authorization if it is authorized to use.

RECOMMENDATION -

Approval.

BACKGROUND -

On June 23, 1997, by Roll Call No. 97-2236, the City Council approved a revised preliminary design on the Martin Luther King, Jr. Parkway. This design was a result of an intensive, value Engineering process from an oversight of the Martin Luther King, Jr. Parkway Citizen Task Force. On November 17, 1997, by Roll Call No. 97-3694, the City Council approved Supplemental Agreement No. 15, with Rust Environmental and Infrastructure, Inc., for preparation of construction plans and contract documents for improvements on Martin Luther King, Jr. Parkway between SW 16th Street and SW 2nd Street, and to revise a preliminary design on Martin Luther King, Jr. Parkway between Fleur Drive and SW 16th Street, including the Fleur Drive intersection to conform to the new revised design changes developed by the Citizen Task Force.

Also subsequent to those approvals, the City Council appointed a Martin Luther King, Jr. Parkway Citizen Committee to develop a landscape and architectural enhancement plan for the Martin Luther King, Jr. Parkway project. Design approval plans on the North/South Segment of Martin Luther King, Jr. Parkway, and the East/West Segment from SW 16th Street to Fleur Drive, including the Fleur Drive intersection have been completed by the consultant and submitted to IDOT for approval. The City is now ready to proceed with construction plans and contract documents on the roadway improvements and to proceed with TSL drawings on the bridge structures.

Supplemental Agreement No. 16 has been submitted to IDOT for their review and pre-audit evaluation. On August 24, 1999, IDOT provided a pre-audit evaluation of proposed Supplemental Agreement No. 16; subsequently, Supplemental Agreement No. 16 has been revised based upon the suggestions and modifications and the IDOT review and pre-audit report.

Attachments

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