



**CITY COUNCIL
COMMUNICATION:**

ITEM _____

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

00-463

SYNOPSIS -

AGENDA:

OCTOBER 2, 2000

On July 24, 2000, under Roll Call 00-3245 the City Council approved a contract with The Louis Berger Group, Inc. for archeological investigation of the M.L. King Jr. Parkway construction area. The Louis Berger Group, Inc., has been selected by City Staff, upon consultation with the State Historical Preservation Office (SHPO), to perform additional archeological investigation of the Court Avenue Entertainment Parking Lot as this project is adjacent to the M.L. King Jr. Parkway project. An Agreement for Professional Services with The Louis Berger Group, Inc., Derish Wolff, President, 120 Halsted Street, East Orange, NJ, 07018, has been negotiated for an hourly basis not to exceed \$143,049.26. This work shall be performed for a guaranteed maximum sum plus contingency.

SUBJECT:

COURT AVENUE
ENTERTAINMENT
PARKING LOT -
ARCHEOLOGICAL
INVESTIGATION

TYPE:

FISCAL IMPACT -

RESOLUTION
ORDINANCE
RECEIVE/FILE

Compensation to the consultant for services covered by this agreement shall be for actual salary costs times a factor of 2.6395, plus related expenses. Total maximum compensation under the terms of the agreement shall not exceed \$47,625.47. There is a separate contingency in the amount not to exceed \$95,424.26, which shall not be utilized except as authorized in writing by the City Manager. The contingency is being provided in the event a significant amount of archeological material is uncovered.

SUBMITTED BY:

FLOYD BENTZ, P.E.
CITY ENGINEER

Funds for this agreement (\$47,625.47 total maximum compensation) are to be provided for G.O. Bonds, Index Code 3654947 - Urban Renewal - Court Avenue Entertainment, Account 543080, Fund CP065, Organization CMO990000, Project/Grant URR049 Activity ID 04-2000-016. Additional funding for the contingency amount of \$95,424.26, if required, must be obtained from separate sources.

RECOMMENDATION -

Approval.

BACKGROUND -

The Court Avenue Entertainment Parking Lot lies directly north of the M.L. King, Jr. Parkway project. The M.L. King, Jr. Parkway project includes archeological investigation and data recovery in order to meet the requirements of the Memorandum of Agreement (MOA) between the City, the SHPO, the Iowa Department of Transportation, and the Federal Highway Administration.

A Data Recovery Plan for the M.L. King, Jr. Parkway project has been designed and approved by the SHPO in order to meet the requirements of Section 106 of the National Historical Preservation Act.

The Court Avenue Entertainment Parking Lot is under no State or Federal requirements to include an archeological investigation and data recovery plan into its construction sequence. SHPO advised the City that the opportunity of significant archeological finds in this area were too great to ignore. Therefore, on September 5, 2000, City Engineer Floyd Bentz authorized a Professional Services Agreement with the Louis Berger Group, Inc., for an initial archeological investigation of the Court Avenue Entertainment Parking Lot. The initial archeological investigation resulted in the discovery of prehistoric and historic artifacts in the south detention basin. Because of these finds, additional investigation is warranted requiring Council approval of a Professional Service Agreement for the archeological investigation.

This contract includes archeological investigation and data recovery services with the Louis Berger Group, Inc., for the remaining areas of the Court Avenue Entertainment Parking Lot. The extent of this proposal includes the investigation of areas designated to be disturbed by the installation of all electrical and communication cables. The method and extent of the investigation is a cooperative effort between the Louis Berger Group, Inc., the City and the SHPO.