

Meeting Agendas/Info

CITY COUNCIL COMMUNICATION:

ITEM _____

01-197

OFFICE OF THE CITY MANAGER CITY OF DES MOINES, IOWA

AGENDA:

APRIL 23, 2001

SUBJECT:

SUPPLEMENTAL
AGREEMENT NO. 4-
ARCHAEOLOGICAL
DATA RECOVERY
EXCAVATION-
MARTIN LUTHER
KING, JR. PARKWAY
FROM SW 2ND TO SW
7TH

SYNOPSIS -

Supplemental Agreement No. 4 with Louis Berger & Associates, Inc. (Thomas Leck, President, 120 Halsted Street, East Orange, New Jersey 07018) will provide for the Archeological Data Recovery Excavation of the storm sewer, water main, and pavement portion of Martin Luther King, Jr. Parkway from SW 2nd Street to SW 7th Street. The excavation plan shall consist of test unit excavation of all known archeological features, a systematic machine excavation of all sensitive areas being disturbed by the construction operations but not being examined as one of the test units, and the excavation of any additional archeological features discovered during the machine excavation.

TYPE:

RESOLUTION
ORDINANCE
RECEIVE/FILE

FISCAL IMPACT -

Compensation to the consultant shall be for actual time on the project at the rates stipulated in the agreement not to exceed \$296,000.

SUBMITTED BY:

FLOYD BENTZ, P.E.
CITY ENGINEER

Funding for this supplemental agreement is provided for in the approved 2001-2002 Capital Improvements Budget, Martin Luther King, Jr. Parkway - East/West Segment, Index Code 38343, Account 543060, Fund CP038, Organization ENG990000, Project/Grant STR039. State Revitalize Iowa's Sound Economy (RISE) grant funds and local Tax Increment Financing (TIF) funds will be utilized for this supplemental agreement.

RECOMMENDATION -

Approval of Supplemental Agreement No. 4 with Louis Berger & Associates, Inc.

BACKGROUND -

The archeological investigations have identified potentially significant historic and prehistoric archeological deposits within the proposed construction area of Martin Luther King, Jr. Parkway paving from SW 2nd Street to SW 5th Street. Because of these discovered artifacts, the Federal Highway Administration (FHWA) on September 1, 2000, shut down all construction on this project from SW 2nd Street to SW 5th Street until all affected Native American Indian Tribes could be contacted and determine their potential involvement in the data recovery process. After contacting nine Native American Tribes, only the Iowa Tribe of Oklahoma requested direct involvement in the data recovery process. Two representatives of the Iowa Tribe of Oklahoma came to Des Moines on November 28, 2000, and visited the site, reviewed the data recovery plan, and gave the City their verbal concurrence on the entire process before leaving Des Moines.

In an attempt to keep this project moving forward, the Engineering Department, working with the Iowa State Historic Preservation Office (SHPO) and FHWA, outlined a data recovery plan in the vicinity of the joint utility duct bank. This work was successfully completed late fall 2000.

This supplemental agreement includes the data recovery plan for the remainder of the proposed construction area of Martin Luther King, Jr. Parkway paving from SW 2nd Street to SW 5th Street. This supplemental agreement will meet the requirements of Section 106 of the National Historical Preservation Act.

The initial proposal received from Louis Berger & Associates, Inc. for the archeological data recovery work proposed on this agenda was originally estimated at \$589,541.03. Because of the extremely high cost of this proposal, Earth Tech, the engineering design consultant in charge of the design of the Martin Luther King, Jr. Parkway, looked at ways of lowering this archeological data recovery cost.

The Portland Cement Concrete (PCC) pavement section proposed for the Martin Luther King, Jr. Parkway project was changed to be less invasive into the archeological sensitive area. The new pavement section was presented to the Iowa Department of Transportation (IDOT) and finally approved after minor modifications. Because of the implementation of the new pavement section, Louis Berger & Associates, Inc. was able to cut approximately \$294,000 off their initial archeological data recovery proposal.

Because of Earth Tech's initiative to change the pavement section, it not only will substantially reduce the cost of the archeological work, but will also substantially reduce the risk of encountering and disturbing archeological sensitive areas and possibly human remains. This idea to reduce disturbing any possible human remains is very important to the Native Americans.

The total amount budgeted for the archeological investigation and data recovery services in conjunction with the Martin Luther King, Jr. Parkway project is \$1,000,000. The total amount authorized to date is \$980,802.32.

This is the last Martin Luther King, Jr. Parkway project within the area designated as being an archeological sensitive area.

On May 18, 1998, by Roll Call No. 98-1633, the City Council approved a Professional Services Agreement for archeological data recovery services on SW 5th Street paving and storm sewer from Tuttle Street to Elm Street in conjunction with the Martin Luther King, Jr. Parkway project.

On May 24, 1999, by Roll Call No. 99-1635, the City Council approved a Professional Services Agreement for archeological investigation and data recovery services on 6th Avenue and SW 7th Street paving from Mulberry Street to Murphy Street in conjunction with the Martin Luther King, Jr. Parkway project.

On July 24, 2000, by Roll Call No. 00-3245, the City Council approved a Professional Services Agreement for archeological investigation in conjunction with the Martin Luther King, Jr. Parkway project from SW 2nd Street to SW 7th Street.

On November 20, 2000, by Roll Call No. 00-4326, the City Council approved a Professional Services Agreement for archeological data recovery services of the Utility Duct Bank portion of the Martin Luther King, Jr. Parkway project from SW 2nd Street to SW 7th Street.

Louis Berger & Associates Inc., is the consultant that provided archeological investigation and data recovery services for the past four Martin Luther King, Jr. Parkway archeological projects. Therefore, they are the best qualified to provide for the data recovery services for the paving phase of Martin Luther King, Jr. Parkway project from SW 2nd Street to SW 7th Street.
