

**CITY COUNCIL  
COMMUNICATION:**

**02-588**

**AGENDA:**

NOVEMBER 18, 2002

**SUBJECT:**

ANALYSIS OF DICO  
FACILITY – MARTIN  
LUTHER KING, JR.  
PARKWAY –  
SUPPLEMENTAL  
AGREEMENT NO. 1

**TYPE:**

**RESOLUTION**  
ORDINANCE  
RECEIVE/FILE

**SUBMITTED BY:**

JEB E. BREWER, P.E.  
CITY ENGINEER

**ITEM** \_\_\_\_\_

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

**SYNOPSIS —**

On September 10, 2001, by Roll Call No. 01-2676, City Council approved a consultant agreement for Operational Unit No. 1 modification evaluation at the Dico (Titan) Facility portion of the Martin Luther King, Jr. (MLK) Parkway project with Barker Lemar Engineering Consultants (S. Mike Barker, President, 1300 Cummins Road, Suite 201, Des Moines, Iowa, 50315). Supplemental Agreement No. 1 will provide for preparation of cost estimates for site restoration or development, support the property appraisal process, assist in preparation of documents for the U.S. Department of Environmental Protection Agency (EPA), and attend meetings related to MLK Parkway construction across the Dico portion of the Des Moines Trichloroethylene (TCE) Superfund site.

**FISCAL IMPACT —**

The environmental consulting firm of Barker Lemar Engineering Consultants has agreed to provide services covered by Supplemental Agreement No. 1 for a maximum fee of \$20,000. Funds for this supplemental agreement are provided for in the Capital Improvements Program (MLK Parkway East-West Segment) and shall be eligible for matching dollars under State Revitalize Iowa's Sound Economy (RISE) grant.

**RECOMMENDATION —**

**Approval of Supplemental Agreement No. 1 between the City of Des Moines and Barker Lemar Engineering Consultants.**

**BACKGROUND —**

On September 10, 2001, by Roll Call No. 01-2676, City Council approved a consultant agreement with Barker Lemar Engineering Consultants for the Operational Unit No. 1 modification evaluation at the Dico Facility in conjunction with the MLK Parkway project. Barker Lemar Engineering Consultants has completed this work, and a supplemental consultant agreement will be required to provide estimates, site status summary, associated meetings, and technical proposal assistance.

In the past, Dico has not been cooperative with the City of Des Moines staff concerning the existing environmental concerns associated with MLK Parkway construction across the Dico portion of the Des Moines TCE Superfund site. This prompted the City to hire Barker Lemar Engineering Consultants to provide analysis of the site necessary for design and property

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acquisition.

The Dico property was placed on the EPA National Priorities List (NPL) in September 1983. The EPA is the jurisdictional authority for the existing environmental concerns on the Dico property. In order to be in compliance, the City has to submit, discuss, and receive approval from the EPA before any modifications are made to the current operation of the NPL site.

The EPA is familiar with Barker Lemar Engineering Consultants' work associated with the Dico Superfund site, which is necessary for the prospective purchase agreement process. Also, if Dico had settled with the City concerning the property acquisition, the additional consultant services would not have been required. Therefore, Barker Lemar Engineering Consultants were selected for this additional work by the Engineering Department as the best qualified.

