

**CITY COUNCIL
COMMUNICATION:**

03-121

AGENDA:

MARCH 10, 2003

SUBJECT:

SUPPLEMENTAL
AGREEMENT NO. 2
TO THE I-235 BIRDS
RUN OUTLET STORM
SEWER AGREEMENT

TYPE:

RESOLUTION
ORDINANCE
RECEIVE/FILE

SUBMITTED BY:

JEB E. BREWER, P.E.
CITY ENGINEER

WILLIAM G. STOWE
PUBLIC WORKS
DIRECTOR

ITEM _____

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

SYNOPSIS —

Approving Supplemental Agreement No. 2 to the Agreement for Interstate 235 (I-235) Birds Run Outlet Storm Sewer with Veenstra & Kimm, Inc. (H.R. Veenstra Jr., President, 3000 Westown Parkway, West Des Moines, IA 50266-1322). This Supplemental Agreement is to perform design phase services involving enhanced storm improvements and sanitary and combined sewer overflow improvements for the I-235 Ingersoll Run Outlet along High Street from Martin Luther King, Jr. (MLK) Parkway to 32nd Street, in an amount not to exceed \$433,671 for actual costs incurred for direct labor, indirect costs, and other direct costs not including the fixed fee and a fixed fee of \$44,059.

FISCAL IMPACT —

Compensation to the consultant is not to exceed \$477,730. Funding for these services is included in the approved Capital Improvements Program (CIP) and Iowa Department of Transportation (IDOT) contribution as follows:

- \$156,776 - Sanitary Sewer Improvements, Page SSI-12, CSS – Ingersoll Run Overflow Modification Project, Index Code 373167, Account 543040, Fund EN104, Organization ENG990000, Project SAE122
- \$185,190 - Street Improvements, Page SI-30, I-235 Storm and Sanitary Sewer Improvements, Index Code 484949, Account 543030, Fund CPO38, Organization ENG990000, Project STR197 (loan to be paid back in 2008, 2009, and 2010)
- \$135,764 - IDOT

RECOMMENDATION —

IDOT has approved the agreement regarding IDOT funding, and City Council approval of the agreement is required since City funding is also involved.

BACKGROUND —

On August 31, 2000, by Roll Call No. 00-3634, the City Council approved a Predesign Agreement (Agreement No. 2001-P-028) with IDOT for I-235 from the west city limits to the north city limits. The Predesign Agreement with IDOT identified three storm sewer outlet projects that the City and IDOT are

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jointly responsible for, including sharing of funding responsibilities. The three projects are identified as Birds Run, Deans Lake, and Ingersoll Run Outlet storm sewers.

On September 24, 2001, by Roll Call No. 01-2847, the City Council approved a Professional Services Agreement with Veenstra & Kimm, Inc. for design and right-of-way acquisition services for the I-235 Birds Run Outlet Storm Sewer. On October 7, 2002, by Roll Call No. 02-2390, the City Council approved Amendment No. 1 to the Professional Services Agreement with Veenstra & Kimm, Inc. for design of the Birds Run Combined Sewer Improvements. The original selection and supplemental agreements comply with IDOT consultant selection process. City Council approval along with IDOT is required since City funding is involved.

This project is located along High Street from MLK Parkway to 32nd Street and Woodland Avenue. The City desires to incorporate with the Ingersoll Run Outlet Storm Sewer consideration of certain improvements to its sanitary and combined sewer systems in the subject area. These improvements involve modification of a combined sewer overflow at High and 22nd Streets, and the possible construction of a separate sanitary sewer along the corridor of the Ingersoll Run Outlet Storm Sewer to provide for potential future sewer improvements and sewer separation. These improvements are necessary as part of a program to meet Iowa Department of Natural Resources (IDNR) requirements for Combined Sewer Overflow abatement through implementation of a long-term control plan, and to reduce localized sanitary sewer backups.

The City is currently a participant in the Wastewater Reclamation Authority (WRA) Facility Plan Update. The WRA Facility Plan Update includes development of a long-term strategic approach for the City to address its combined sewer system, including the combined sewer overflows. The preliminary findings of the WRA Facility Plan Update have indicated the Ingersoll Run Combined Sewer Overflow needs to be modified to bring this overflow into compliance with the requirements of IDNR. The long-range plan will require additional enhancements to this overflow. By approval of Supplemental Agreement No. 2, these enhancements will be designed into the subject project. These enhancements are not required for the IDOT storm capacity portion of the Ingersoll Run Outlet Storm Sewer.

The I-235 Ingersoll Run Outlet Storm Sewer and accompanying combined and sanitary sewer project will help to address the chronic flooding problems in the Ingersoll Run Subsystem. Storm water runoff from the 31st Street I-235 Interchange currently drains, along with a considerable area of City runoff and sanitary sewer flows, to a combined sewer between Ingersoll Avenue and High Street. The outlet storm sewer to be constructed in the Ingersoll Run area will remove the runoff from the 31st Street I-235 Interchange area from this combined sewer, thus providing some relief to the flooding problems. Due to the City taking the opportunity to fund enhanced runoff capacity in the I-235 Ingersoll Run Outlet Storm Sewer, the backbone of the conveyance needed to separate combined sewers tributary to the

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existing combined systems in the future will be in place immediately after construction. Future combined sewer separation projects driven by implementation of the long-term control plan will provide additional flooding relief within the Ingersoll Run Subsystem.

Based on the similarity of the combined sewer issues in the Ingersoll Run and Birds Run sewersheds, the proposed design phase services for the Ingersoll Run Outlet Storm Sewer and accompanying combined and sanitary sewer elements are being supplemented to the Birds Run Outlet Storm Sewer Consultant Services Agreement.

Veenstra & Kimm, Inc. was selected for the I-235 Outlet Storm Sewer (Birds Run) design project after evaluation of submittals from nine consulting firms. The submittals were rated independently by five staff members. IDOT approved the selection of Veenstra & Kimm, Inc., and executed the original Professional Services Agreement. IDOT reviewed, approved, and executed Amendment No. 1 to the Professional Services Agreement. Additionally, Supplemental Agreement 2 has passed Pre-Audit requirements of IDOT.

