

**CITY COUNCIL  
COMMUNICATION:**

**03-123**

**AGENDA:**

MARCH 10, 2003

**SUBJECT:**

SUPPLEMENTAL  
AGREEMENT NO. 3  
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. 3 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) to perform construction phase services in connection with the I-235 Birds Run Outlet Storm Sewer Phase 1 and accompanying new combined sewer, in an amount not to exceed \$216,860 for actual costs incurred for direct labor, indirect costs, and other direct costs not including the fixed fee and a fixed fee of \$23,658.

**FISCAL IMPACT —**

Compensation to the consultant is not to exceed \$240,518. Funding for these services is included in the approved Capital Improvements Program (CIP) and Iowa Department of Transportation (IDOT) contribution as follows:

- \$31,268 - Sanitary Sewer Improvements, Page SSI-12, CSS – Ingersoll Run Overflow Modification Project, Index Code 373167, Account 543040, Fund EN104, Organization ENG990000, Project SAE122
- \$119,377 - 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)
- \$89,873 - 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 jointly responsible for, including sharing of funding responsibilities. The three projects are identified as Birds Run, Deans Lake, and Ingersoll Run

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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. Supplemental Agreement No. 2 to the Professional Services Agreement with Veenstra & Kimm, Inc. to perform design phase services involving enhanced storm improvements and sanitary and combined sewer overflow improvements for the I-235 Ingersoll Run Outlet is also on the March 10, 2002 agenda for City Council consideration by separate resolution.

This project is located along Park Street from the Des Moines River to 7<sup>th</sup> Street, and involves construction of a new enhanced outlet storm sewer for I-235 and Keo Way interchange area, storm runoff from areas within the city between I-235 and the River, and capacity for future combined sewer separation.

