

**CITY COUNCIL
COMMUNICATION:**

03-590

AGENDA:

DECEMBER 8, 2003

SUBJECT:

PRECONSTRUCTION
AGREEMENT –
DEANS LAKE
OUTFALL ALONG THE
UNION PACIFIC
RAILROAD TO DEANS
LAKE PHASE 1

TYPE:

RESOLUTION
ORDINANCE
RECEIVE/FILE

SUBMITTED BY:

JEB E. BREWER, P.E.
CITY ENGINEER

WILLIAM STOWE
PUBLIC WORKS
DIRECTOR

ITEM _____

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

SYNOPSIS —

The City of Des Moines and the Iowa Department of Transportation (IDOT) have negotiated a Preconstruction Agreement for the Deans Lake Outfall along the Union Pacific Railroad to Deans Lake Phase 1 in association with I-235 reconstruction. Approval of this agreement will allow construction of the project, estimated at \$2,157,227, to begin. IDOT will bid and perform contract administration, while the City of Des Moines will perform construction inspection, traffic control inspection, and construction administration services for this project. This storm sewer outlet was included in the Predesign Agreement between IDOT and the City that was approved on August 31, 2000 by Roll Call No. 00-3634.

FISCAL IMPACT —

IDOT will initially pay all costs associated with this project. However, this project is included under the I-235 master Predesign Agreement between the City and IDOT (Agreement No. 2001-P-028, dated October 9, 2000). Under said agreement, the City shall repay IDOT an estimated 40.2% of the storm sewer cost. As detailed below, the final City of Des Moines project share for this Preconstruction Agreement is 47.95%. This repayment will commence in FY 2007-08 and is budgeted in the Capital Improvement Program (CIP) under I-235 Storm and Sanitary Sewer Improvements, Fund CP038, Organization ENG990000, Project STR197, in Fiscal Year 2007-08.

RECOMMENDATION —

Approval.

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 City has completed the design of the storm sewer outlet Deans Lake Outfall along the Union Pacific Railroad to Deans Lake Phase 1, which includes the construction of storm sewer located along and near University Avenue from the Union Pacific Railroad right-of-way extending easterly to Ure Street thence northerly along the west side of Ure Street from University Avenue to the northernmost limits

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of Ure Street near I-235.

The Predesign Agreement stipulated a City of Des Moines cost share of 40.2% for estimated costs to include design, right-of-way, construction, and construction inspection. The 40.2% was based on estimates of tributary drainage areas and design flows for the base storm sewer system prior to a drainage study along the I-235 corridor. Upon completion of this corridor drainage study, the project cost share was revised to 42.26% City/57.74% IDOT. Upon completion of subsequent detailed storm sewer design along selected portions of the I-235 corridor, there was a net increase of tributary drainage area under City of Des Moines' responsibility, resulting in a further revised project cost share of 45.11% City/54.89% IDOT. Finally, the addition of incremental or "enhanced" storm sewer capacity, which is 100% City of Des Moines responsibility as stated in the Predesign Agreement No. 2001-P-028, was added into the cost share. With this increased enhanced capacity cost factored into the project cost share, the final percentages are 47.95% City/52.05% IDOT.

The Deans Lake Outfall along the Union Pacific Railroad to Deans Lake Phase 1 Agreement has been negotiated with IDOT to identify the responsibilities of IDOT and the City regarding the administration, funding, and implementation of the project construction, as well as future maintenance responsibility of City facilities such as storm and sanitary sewers. Construction will begin in the spring of 2004, and IDOT is responsible for notification of all future closures. IDOT must approve this document before work may begin.

