

**CITY COUNCIL
COMMUNICATION:**

03-591

AGENDA:

DECEMBER 8, 2003

SUBJECT:

SUPPLEMENTAL
AGREEMENT NO. 1
TO THE I-235 DEANS
LAKE OUTLET
STORM SEWER
AGREEMENT

TYPE:

**RESOLUTION
ORDINANCE
RECEIVE/FILE**

SUBMITTED BY:

William G. Stowe
Public Works Director

Jeb E. Brewer, P.E.
City Engineer

ITEM _____

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

SYNOPSIS —

Approving Supplemental Agreement No. 1 to the Agreement for I-235 Deans Lake 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 Deans Lake Outlet Storm Sewer Phase 1, in an amount not to exceed \$128,167.00 for actual costs incurred for direct labor, indirect costs, and other direct costs not including the fixed fee and a fixed fee of \$13,218.00.

FISCAL IMPACT —

Compensation to the consultant is not to exceed \$141,385.00. Funding for these services is included in the approved Capital Improvements Program and Iowa Department of Transportation (IDOT) contribution as follows:

- \$67,794.00 - 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);
- \$73,591.00 - Iowa Department of Transportation

RECOMMENDATION —

Approval.

BACKGROUND —

On August 31, 2000, by Roll Call 00-3634, the City Council approved a Pre-design Agreement (Agreement No. 2001-P-028) with IDOT for Interstate 235 (I-235) from the west city limits to the north city limits. The Pre-design Agreement with IDOT identified three storm sewer outlet projects for which the City and IDOT are jointly responsible, 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 01-2846, the City Council approved a Professional Services Agreement with Veenstra & Kimm, Inc. for design and right-of-way acquisition services for the I-235 Deans Lake Outlet Storm Sewer.

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The final composite cost share for the Deans Lake Phase 1 Outlet Storm Sewer project is 47.95% for the City of Des Moines, and 52.05% for IDOT. The Pre-design Agreement stipulates 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 construction cost estimate for the storm sewer portion of the I-235 Deans Lake Outlet Storm Sewer (to be let in February 17, 2004) is \$2,157,227. The City of Des Moines share is \$1,034,387 (47.95%), and the IDOT share is \$1,122,840 (52.05%). These final composite cost share percentages were applied to the consultant services fee of \$141,385.00 to arrive at the funding split for the subject agreement.

Supplemental Agreement 1 to Deans Lake Outlet Storm Sewer is to provide construction phase services for this project. IDOT must execute this agreement before work may begin.

