



Council Communication

Office of the City Manager

Date

December 3, 2007

Agenda Item No. 42
Roll Call No. 07-
Communication No. 07-721
Submitted by: Jeb E. Brewer, P.E.
City Engineer

AGENDA HEADING:

Hearing on American Discovery Trail Wetlands Mitigation: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsible bidder as C.A.C., Inc., Chris Christensen, Owner, \$126,370.

SYNOPSIS:

Recommend to hold a public hearing to allow for public input on the American Discovery Trail Wetlands Mitigation and to take the necessary actions as required by Iowa Code to authorize a contract for construction of the proposed project. The construction of Segment 3 of the American Discovery Trail along the east side of Walnut Creek between North Valley Drive and the Bill Riley Trail will impact existing wetlands. This project provides for the construction of replacement wetlands at a site in the Chichaqua Bottoms Greenbelt, in order to comply with Section 404 of the Clean Water Act.

FISCAL IMPACT:

Amount: \$126,370 Construction Contract (\$215,000 City Engineer's Estimate)

Funding Source: 2007-2008 CIP, Page Park Improvements-22, Recreation Trails, PKS045, G. O. Bonds.

ADDITIONAL INFORMATION:

The 0.9-mile alignment of Segment 3 of the Walnut Creek Connection of the American Discovery Trail (ADT) will be a ten-foot wide asphalt recreational trail along the east side of Walnut Creek that will connect other segments of the ADT between North Valley Drive and the Bill Riley Trail in Ashworth Park.

Section 404 of the Clean Water Act requires the City of Des Moines to mitigate the loss of wetlands as defined under Executive Order 11990 – Protection of Wetlands. Existing wetlands will be impacted by the construction of the American Discovery Trail – Segment 3 Project. City staff has identified suitable wetlands mitigation site near the Chichaqua Bottoms Greenbelt located in northeast Polk County. The site is owned by the Iowa Natural Heritage Foundation (INHF) and currently consists of approximately 113 acres located south of NE 118th Avenue and east of NE 82nd Street. The City has acquired a permanent conservation easement over approximately 22 acres of the property for wetland mitigation requirements for Segment 3 and potential future phases of this project. Polk County will incorporate the wetlands mitigation site into their adjacent Chichaqua Bottoms Greenbelt property for future maintenance and wetlands mitigation compliance with the United States Army Corps of Engineers.

On November 5, 2007, by Roll Call No. 07-2110, the City Council received and filed plans, specifications, form of contract documents, and City Engineer's estimate for the construction of the American Discovery Trail Wetlands Mitigation. Before the City Council can enter into a contract, it must hold a public hearing and approve the proposed plans, specifications, and form of contract documents and engineer's estimate for the construction of the American Discovery Trail Wetlands Mitigation, 11-2008-002. The improvement includes a twenty-one acre wetland construction project which includes earthwork, seeding, shrubs, trees and other related items in the vicinity of NE 118th Avenue and the Skunk River near Elkhart, Iowa in the northeast corner of Polk County., all in accordance with the contract documents including Plan File Nos. 478-077/088,

Sealed bids for the improvement were submitted by the following bidders:

C.A.C., Inc., Urbandale, IA
Corell Contractor, Inc., West Des Moines, IA
Peterson Contractors Inc., Reinbeck, IA
Applied Ecological Services, Brodhead, WI
Synergy Contracting LLC, Ankeny, IA
Spring Lake Construction, Polk City, IA

The bids were received and opened at a public meeting presided over by the City Engineer in the City Council Chambers, 2nd Floor, City Hall, 400 Robert D Ray Drive, Des Moines, Iowa at 11:00 a.m. on November 20, 2007.

The City Engineer has determined that the lowest responsive, responsible bid for the construction of the improvement was submitted by C.A.C., Inc., Chris Christensen, Owner, 3090 104th Street, Urbandale, IA, 50322 in the amount of \$126,370, and staff recommends that the bid be accepted. The Finance Director has determined that funds are available for said improvement as stated above.

PREVIOUS COUNCIL ACTION(S):

Date: November 5, 2007

Roll Call Number: 07-2110

Action: Ordering construction of the following: [American](#) Discovery Trail Wetlands Mitigation – Receiving of bids, (11-20-07), and Setting date of hearing, (12-3-07). (Construction Estimate - \$215,000). ([Council Communication No. 07-667](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**

Date: October 22, 2007

Roll Call Number: [07-2084](#)

Action: [Intergovernmental](#) 28E Agreement with Polk County Conservation Board for Wetlands Mitigation for the American Discovery Trail, Walnut Creek Connection. ([Council Communication No. 07-633](#)) Moved by Vlassis to adopt. Motion Carried 7-0.

Date: June 18, 2007

Roll Call Number: [07-1152](#)

Action: [Establishing](#) Fair Market Value for a permanent easement for wetlands mitigation located in Northeast Polk County from Iowa Natural Heritage Foundation for American Discovery Trail - Phase 3, in the amount of \$72,600. ([Council Communication No. 07-374](#)) Moved by Coleman to adopt. Motion Carried 6-1.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Partial payments to the contractor and final acceptance of work.