



# Council Communication

Office of the City Manager

Date	April 24, 2008
------	----------------

Agenda Item No.	62
Roll Call No.	08-
Communication No.	08-170
Submitted by:	Jeb E. Brewer, P.E. City Engineer

## AGENDA HEADING:

Hearing on Ingersoll Run Storm Sewer – 34<sup>th</sup> Street to 35<sup>th</sup> Street: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsible bidder as Van Hauen & Associates, Inc., Mark Van Hauen, CEO/Vice President, 13185 Pineview Drive, Clive, IA, 50325, \$588,000.

## SYNOPSIS:

This is a public hearing to allow for public input on the Ingersoll Run Storm Sewer – 34<sup>th</sup> Street to 35<sup>th</sup> Street and to take the necessary actions as required by Iowa Code to authorize a contract for construction of the proposed project. This project provides for the construction of a 6' X 6' reinforced concrete box storm sewer across the Dahl's Foods Store property at 35<sup>th</sup> Street and Ingersoll Avenue. This store site is along the alignment of the proposed Ingersoll Run Storm Sewer that is a part of the Long Term Control Plan (LTCP) for the separation of the combined sewer system. The LTCP calls for the storm sewer to be constructed to the intersection of 32<sup>nd</sup> Street and Woodland Avenue by the end of 2009 and to 35<sup>th</sup> Street north of Ingersoll Avenue by the end of 2013. Staff has worked with Dahl's to coordinate construction of the sewer in three phases to minimize the disruption, coordinate with their parking lot construction, and maintain customer access to the new store.

At its February 25, 2008 meeting, the City Council asked several questions regarding the easements with Foods Inc. (Dahl's) and the costs associated with improvements to 34<sup>th</sup> Street north of Ingersoll to the Dahl's truck entrance which were required at the PUD hearing. Council requested that information regarding these questions be provided before the public hearing on the plans and specifications, presentation of bids, and award of contract on the Ingersoll Run Storm Sewer from 34<sup>th</sup> to 35<sup>th</sup>. Staff has provided additional information in this Council Communication. The City can save between \$377,000 and \$988,000 by accepting the low bid from Van Hauen & Associates, Inc. for the Alignment 1 work as discussed below and approving the mutual benefit temporary and permanent easements with Food Inc., whereby the City will design and construct the proposed 34<sup>th</sup> Street improvements north of Ingersoll Avenue at City cost as part of the Ingersoll Run Storm Sewer – 34<sup>th</sup> Street to 35<sup>th</sup> Street project.

## FISCAL IMPACT:

Amount: \$588,000 Construction Contract (\$748,641 City Engineer's Estimate)

Funding Source: 2007-2008 CIP, Page Sanitary-5, City-wide Sanitary Sewers, SAE054, various Funding, being: 50% in Sanitary Sewer Funds from SAE054, and 50% in Storm Water Utility Funds from STE057, Page Storm Water-5, City-Wide Storm Water Utility Projects

**ADDITIONAL INFORMATION:****Background**

The Ingersoll Avenue corridor and the surrounding neighborhood are within the portion of the City of Des Moines that is served by the combined sewer system. It is important to construct the necessary improvements to the storm and sanitary sewer systems in order to comply with the commitments made in the Long Term Control Plan (LTCP) submitted to the Iowa Department of Natural Resources (IDNR). The completed Ingersoll Run Storm Sewer will provide an outlet for future projects that will separate combined sewers as required in the Des Moines LTCP. The ultimate proposed Ingersoll Run Basin Master Plan will include projects to separate the whole system from M.L. King Jr. Parkway to 42<sup>nd</sup> Street between Ingersoll Avenue and I-235 in the future. This project will get the backbone of the storm sewer system to the low point of 35<sup>th</sup> Street, which will take a significant storm load off the combined sewer.

The Dahl's Foods Store property at 35<sup>th</sup> Street and Ingersoll Avenue is along the alignment of the proposed Ingersoll Run Storm Sewer, which is a part of the LTCP for the separation of the combined sewer system. There is an existing combined sewer crossing the Dahl's site. The LTCP calls for the storm sewer to be constructed to the intersection of 32<sup>nd</sup> Street and Woodland Avenue by the end of 2009 and to 35<sup>th</sup> Street north of Ingersoll Avenue by the end of 2013. City of Des Moines staff has been in discussion with Dahl's representatives regarding the window of opportunity for construction and coordination of schedules for the City's proposed storm sewer and the proposed Dahl's new Ingersoll Avenue store, for which, on February 11, 2008, the City Council approved the PUD Conceptual Plan proposed by Foods Inc. (Dahl's) for property at 3425 Ingersoll Avenue.

The alignment for the new storm sewer will essentially parallel the existing combined sewer. Construction of the storm sewer at this alignment needs to be completed during the Dahl's construction in order to prevent major disruptions to Dahl's and extensive additional storm sewer construction costs. Staff is also working with Dahl's to obtain the necessary construction and permanent easements for the proposed storm sewer construction and existing sanitary sewer in accordance with the revised PUD Conceptual Plan approved by the Council on February 11, 2008. The new storm sewer will be constructed in phases and coordinated with the Dahl's store construction to minimize the disruption, coordinate with their parking lot construction, and maintain customer access to the new store.

The first phase of storm project from 34<sup>th</sup> Street and Woodland Avenue to just east of the existing retaining wall east of the current store must be constructed before Dahl's starts construction of their new store loading dock facility and truck parking. After Dahl's demolishes their existing store, anticipated being between January and April 2009, the second phase of the storm sewer project will begin with the construction of the storm sewer from the end of the first phase to approximately half way across the Dahl's parking lot. At that time, Dahl's contractor will construct the new parking lot over the new storm sewer. During this phase 2 construction, customers will have access to the west door of the new store across the west half of the existing parking lot. When Dahl's completes access to the east door of the new store, the storm sewer contractor will commence the third phase to complete construction of the storm sewer to 35<sup>th</sup> Street. At that time, Dahl's customers will have access to the east door of the new store.

**Additional Information requested by the City Council on February 25, 2008.**

At its February 25, 2008 meeting, the City Council asked several questions that they wanted answered before the public hearing on the plans and specifications, presentation of bids, and award of contract on the Ingersoll Run Storm Sewer from 34<sup>th</sup> to 35<sup>th</sup> being:

1. How will the cost for construction of 34<sup>th</sup> Street from Ingersoll to Dahl's truck entrance be shared?
2. Provide a complete description of the proposed easement and what is the cost to the City?
3. At the PUD hearing, there was an indication that there would be savings to the City by going across Dahl's parking lot. Numbers like \$500,000 were given. What is the estimate for that savings?

The answers to these questions are provided below.

### **Engineer's Estimate for improvements to 34<sup>th</sup> Street north of Ingersoll Avenue**

Estimates have been prepared by the consultant for the Ingersoll Run Storm Sewer – 34<sup>th</sup> Street to 35<sup>th</sup> Street project to remove the exiting 34<sup>th</sup> Street pavement and construct a 31-foot wide street with 8-inch thick Portland Cement Concrete from Ingersoll Avenue north through the intersection with Crescent Drive, and also construct new curbs and an asphalt overlay from Crescent Drive north to the pavement replaced for the proposed storm sewer construction.. The total estimated cost for this work is \$124,500 plus approximately \$12,000 for the consultants design and construction phase services for a total of \$136,500. This estimate includes \$10,600 to construct the new curbs and asphalt overlay on the section of 34<sup>th</sup> Street from Crescent Drive north to the proposed storm sewer construction, which is not required as part of the Dahl's driveway construction.; however, it will complete the street reconstruction from Ingersoll Avenue north to Woodland Avenue.. The City Engineer issued an addendum to the Ingersoll Run Storm Sewer – 34<sup>th</sup> Street to 35<sup>th</sup> Street project to include these proposed 34<sup>th</sup> Street improvements into the storm sewer project. Therefore, the storm sewer project must be increased by the 34<sup>th</sup> Street cost. The cost of this improvement is proposed to be offset by the savings in easement costs donated by Dahl's as discussed below.

### **Estimated Fair Market Value of the Proposed Easements**

The Engineering Department has estimated the area needed for the proposed temporary and permanent easements across the Dahl's property and the fair market value as follows:

- Permanent Easement for proposed Storm Sewer: This proposed easement is 30-feet wide and centered over the proposed storm sewer resulting in an area of 15,940 square feet valued at \$55,790.
- Permanent Easement for existing Combined Sewer: This proposed easement is 30-feet wide and centered over the existing combined sewer resulting in an area of 14,150 square feet valued at \$49,525.
- Temporary Easement for proposed construction: This proposed easement is approximately 25-feet wide on each side of the proposed storm sewer resulting in an area of 24,250 square feet valued at \$26,219.

The easement estimates were based on a land value estimate of \$7.00 per square foot from property sales in the area. The Polk County Assessor's land value for the Foods, Inc. (Dahl's) property is \$6.56 per square foot. The total estimated easement cost for access across the Dahl's property at 3425 Ingersoll Avenue for the existing combined sewer and the proposed storm sewer construction is \$131,534. Even if the proposed storm sewer is not constructed across the Dahl's property, the City will still need to negotiate a permanent easement for the existing sanitary sewer.

Since the estimated value of the needed temporary and permanent easements (\$131,534) is approximately equal to the estimated cost for the proposed 34<sup>th</sup> Street improvements north of Ingersoll Avenue (\$136,500), staff began negotiations with Foods, Inc. to acquire the necessary temporary and permanent easements based on mutual benefit with the City to design and construct the proposed 34<sup>th</sup> Street improvements north of Ingersoll Avenue at City cost as part of the Ingersoll Run Storm Sewer – 34<sup>th</sup> Street to 35<sup>th</sup> Street project.

### **Bid prices for 34<sup>th</sup> Street improvements north of Ingersoll Avenue**

The original estimate presented to the City Council on February 25, 2008 for the Ingersoll Run Storm Sewer – 34<sup>th</sup> Street to 35<sup>th</sup> Street project was \$748,641. However, as stated above, the City Engineer issued an addendum to include the 34<sup>th</sup> Street improvements north of Ingersoll estimated at \$124,566 into the contract, which makes the revised Engineer's estimate \$873,207.

On March 11, 2008, the City received bids on the Ingersoll Run Storm Sewer – 34<sup>th</sup> Street to 35<sup>th</sup> Street project. The low bid was received from Van Hauen & Associates in the amount of \$588,000, which was almost 33% below the Engineer's estimate of \$873,207. Engineering Department Staff have calculated the cost for the 34<sup>th</sup> Street improvements north of Ingersoll based on the actual bid prices to be \$118,815, plus approximately \$12,000 for the consultants design and construction phase services for a total of \$130,815. This \$130,815 is approximately equal to the estimated value of the needed temporary and permanent easements (\$131,534) as shown above. Therefore, staff is continuing to negotiate with Foods, Inc. to acquire the necessary temporary and permanent easements based on mutual benefit with the City to design and construct the proposed 34<sup>th</sup> Street improvements north of Ingersoll Avenue at City cost as part of the Ingersoll Run Storm Sewer – 34<sup>th</sup> Street to 35<sup>th</sup> Street project. After the permanent and temporary easements have been executed by Foods, Inc, they will be presented to the Mayor for acceptance and signature on behalf of the City of Des Moines in accordance with the roll call.

### **Alternate Construction Alignments**

Staff evaluated three alternate alignments for the proposed storm sewer to be constructed generally from the intersection of 34<sup>th</sup> Street and Woodland Avenue to the low-point on 35<sup>th</sup> Street north of Ingersoll Avenue being:

1. Alignment 1 being south on 34<sup>th</sup> Street and diagonally west across Dahl's property to 35<sup>th</sup> Street. This is the project for which bids were received on March 11, 2008; however, for consistency, the estimated cost of \$748,641 will be used to calculate the estimated savings when compared to the estimates for the other alignments. This option would require construction diagonally across the Dahl's parking area south of the new store and would generally follow the natural low drainage way from 35<sup>th</sup> to 34<sup>th</sup>. Staff has worked with Dahl's to coordinate construction of the sewer in three phases to minimize the disruption, coordinate with their parking lot construction, and maintain customer access to the new store. This option is recommended.
2. Alternate 2 being west on Woodland Avenue to 35<sup>th</sup> Street and then south to the low point. This alignment is approximately 115 feet longer than Alternate 1 and would require construction through the relatively narrow corridor along Woodland Avenue. The storm sewer construction would be very deep, require complete full width removal and replacement of Woodland Avenue, and would be greatly effected by construction of the Dahl's store; therefore two estimates have been prepared being:
  - a. Construction before Dahl's new store is constructed. If the storm sewer is built before the new Dahl's store, the City could construct the sewer with normal open-cut construction;

however, because of the width of the trench, an easement would be required from Dahl’s and part of the parking lot along Woodland would need to be removed and replaced. The estimate for Alternate 2 with open-cut is \$916,044, which is \$167,403 more than the \$748,641 estimate for Alternate 1.

- b. Construction after Dahl’s new store is constructed. If the storm sewer is built after the new Dahl’s store, there are significant technical concerns relative to the ability to construct the storm sewer adjacent to the building in close proximity to the south right-of-way line of Woodland Avenue. If these concerns can be addressed, the construction would require an estimated \$200,000 in steel sheeting to be driven and left in place to protect the store footings. In addition, because of the very small construction zone, dirt excavated to construct the storm sewer would need to be trucked out, stockpiled, and then trucked back in after the sewer is built, with this additional handling estimated at \$150,000. The estimate for Alternate 2 with steel sheeting is \$1,266,000, which is \$517,359 more than the \$748,641 estimate for Alternate 1.
- 3. Alternate 3 being south on 34<sup>th</sup> Street to Ingersoll Avenue, west to 35<sup>th</sup> Street, and then north to the low-point. This alignment is approximately 580 feet longer than Alternate 1 and would require removal and replacement of 34<sup>th</sup> Street from Woodland to Ingersoll, removal and replacement of at least the two westbound lanes of Ingersoll, and removal and replacement on 35<sup>th</sup> Street (approximately 3,000 square yards of pavement removal and replacement total). This sewer construction would also be deep on 34<sup>th</sup> Street and Ingersoll Avenue, and would be disruptive to traffic and utilities. In addition, if this route is constructed after completion of the new Dahl’s Store, it would require removal of 34<sup>th</sup> Street, which is the truck access to the store, and also removal of the drive entrance to Ingersoll, which is one of the two entrances to the store and the closest access to the gas station. This option would be very disruptive to Dahl’s. The estimate for Alternate 3 is \$1,527,000, which is \$778,143 more than the \$748,641 estimate for Alternate 1.

**Summary**

The estimated costs of the various alignments are tabulated below for various options being:

- Estimated construction cost only.
- Estimated construction costs plus easement costs. For Alignment 1 the estimated cost for the 34<sup>th</sup> Street Improvements (\$136,500) was used instead of the estimated easement cost of \$131,534. Alignments 2 and 3 do not require acquisition for the storm sewer easements: however, the \$49,525 permanent easement for the existing sanitary sewer is still required.
- Actual bid prices.

Based on these estimated costs, the lowest cost alternate is Alignment 1, which is the recommended project to acquire easements from Dahl’s and construct the proposed storm sewer across the Dahl’s property in three phases to minimize the disruption, coordinate with their parking lot construction, and maintain customer access to the new Dahl’s store.

Description	Estimated Construction Cost	Additional Cost over Alignment 1	Estimated Easement Cost	Easement plus Construction cost estimate	Additional Cost over Alignment 1 \$885,141 estimate	Additional Cost based on low bid of \$588,000
Alignment 1 (Project bid)	748,641	0	136,500	885,141	0	0
Alignment 2 (Before store)	916,044	167,397	49,525	965,569	80,428	377,569
Alignment 2 (After store)	1,266,000	517,359	49,525	1,315,525	430,384	727,525
Alignment 3	1,527,000	778,359	49,525	1,576,525	691,384	988,525

The City can save between \$377,000 and \$988,000 by accepting the low bid from Van Hauen & Associates, Inc. for the Alignment 1 work and approving the mutual benefit temporary and permanent easements with Food Inc. whereby the City will design and construct the proposed 34<sup>th</sup> Street improvements north of Ingersoll Avenue at City cost as part of the Ingersoll Run Storm Sewer – 34<sup>th</sup> Street to 35<sup>th</sup> Street project.

### **Recommended Action on bids received March 11, 2008**

On February 25, 2008, under Roll Call No. 08-284, the City Council received and filed plans, specifications, form of contract documents, and City Engineer's estimate for the construction of the Ingersoll Run Storm Sewer – 34<sup>th</sup> Street to 35<sup>th</sup> Street. Before the City Council can enter into a contract, a public hearing must be held to approve the proposed plans, specifications, and form of contract documents and engineer's estimate for the construction of the Ingersoll Run Storm Sewer – 34<sup>th</sup> Street to 35<sup>th</sup> Street, 08-2007-006. The improvement includes construction of 6' x 6' reinforced concrete box culvert, 12" and 15" storm sewer, storm manholes, storm intakes, special structure, 8" PCC pavement, 7" and 8" PCC driveways, 4" and 6" PCC sidewalk, 6" water main relocation, and miscellaneous associated work including cleanup; in accordance with the contract documents, including Plan File Nos. 479-139/149, and located from 34<sup>th</sup> Street to 35<sup>th</sup> Street, between Ingersoll Avenue and Woodland Avenue, Des Moines, Iowa.

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

Van Hauen & Associates, Inc., Clive, IA  
The Underground Company, Ltd., Carlisle, IA  
Priority Excavating LLC, Waukee, IA  
Corell Contractor, Inc., West Des Moines, IA  
Reilly Construction Co., Inc., Ossian, IA  
H & W Contracting LLC, Sioux Falls, SD  
Eco-Tech Construction, LLC, Grimes, IA, Bid read under advisement

The bids were received and opened at a public meeting presided over by the City Engineer in the City Council Chambers, 2<sup>nd</sup> Floor, City Hall, 400 Robert D Ray Drive, Des Moines, Iowa at 11:00 a.m. on March 11, 2008.

The City Engineer has determined that the lowest responsive, responsible bid for the construction of said improvement was submitted by Van Hauen & Associates, Inc. in the amount of \$588,000, and said bid should be accepted. The Finance Director has determined that funds are available for said improvement as stated above.

### **PREVIOUS COUNCIL ACTION(S):**

Date: February 25, 2008

Roll Call Number: 08-284

Action: Ordering construction of the following: [Ingersoll](#) Run Storm Sewer – 34<sup>th</sup> Street to 35<sup>th</sup> Street -

Receiving of bids, (3-11-08), and Setting date of hearing, (3-24-08). (Construction Estimate \$748,641) ([Council Communication No. 08-086](#)) Moved by Hensley to adopt. Motion Carried 7-0.

Date: February 11, 2008

Roll Call Number: [08-247](#)

Action: [On](#) the PUD Conceptual Plan proposed by Foods Inc. (Dahl's) for property at 3425 Ingersoll Avenue, (continued from 1-28-08). ([Council Communication No. 08-073](#)) Moved by Hensley to adopt, including a change to item 9 – the City may consider...will be changed to the City shall consider... Also, the City will monitor the traffic on 34<sup>th</sup> Street for possible cul-de-sac or barrier. Motion Carried 6-1. Nays: Cownie.

Date: February 11, 2008

Roll Call Number: [08-248](#)

Action: (A) [Second](#) consideration of rezoning ordinance. Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 6-1. Nays: Cownie.

Date: February 11, 2008

Roll Call Number: [08-249](#)

Action: (B) Final consideration of rezoning ordinance. Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #[14,744](#). Motion Carried 6-1. Nays: Cownie.

Date: March 20, 2006

Roll Call Number: [06-498](#)

Action: [Approving](#) professional services agreement with Veenstra & Kimm, Inc. in conjunction with The Ingersoll Run Basin Master Plan Study, not to exceed \$199,600. ([Council Communication No. 06-144](#)) Moved by Brooks to adopt. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Partial payments to the contractor and final acceptance of work.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the second floor of City Hall, 400 Robert D Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to [cityclerk@dmgov.org](mailto:cityclerk@dmgov.org).