

 <p style="text-align: center;"><b>Council</b> <b>Communication</b> Office of the City Manager</p>	<b>Date</b>	November 24, 2008
	<b>Agenda Item No.</b> 47 <b>Roll Call No.</b> <u>08-</u> <b>Communication No.</b> <u>08-704</u> <b>Submitted by:</b> <b>Jeb E. Brewer, P.E.</b> <span style="padding-left: 100px;"><b>City Engineer</b></span>	

**AGENDA HEADING:**

Hearing on M.L. King Jr. Parkway Levee Restoration: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating lowest responsible bidder as Elder Corporation, Jared R. Elder II, President, \$175,246.25.

**SYNOPSIS:**

This is a public hearing to allow for public input on the M.L. King Jr. Parkway Levee Restoration and take the necessary actions as required by Iowa Code to authorize a contract for construction of the proposed project. During the flood of 2008, the levee along ML King Jr. Parkway was raised approximately 1.5 feet to prevent the predicted flood crest from overtopping the levee. The additional clay material was placed on top of the recreation trail on top of the levee. In order to protect the properties from future flooding events, the clay material will be removed and stockpiled on site, the recreation trail will be removed, and the clay material will be replaced. A project to be constructed next spring will realign the recreation trail from the top of the levee to a location along the roadway.

**FISCAL IMPACT:**

Amount: \$175,246.25 Construction Contract (\$373,980 City Engineer's Estimate)

Funding Source: 2008-2009 CIP, Page Storm Sewer-10, Flood Protection System Improvements, FLD008, Storm Water Utility Funds, Being: Storm Water Utility Funds with a minor portion of this project anticipated to be funded with FEMA funds.

**ADDITIONAL INFORMATION:**

On October 27, 2008, under Roll Call No. 08-1875, the City Council received and filed plans, specifications, form of contract documents, and City Engineer's estimate for the construction of the M.L. King Jr. Parkway Levee Restoration. 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 M.L. King Jr. Parkway Levee Restoration, Activity ID 04-2009-003. The improvement includes restoration of the levee following the 2008 Floods with work to include excavation of temporary clay material, removal of bike trail, and construction of a gatewell, culvert, select fill, levee reconstruction and restoration, and other incidental items; all in accordance with the contract documents including Plan File Nos. 492-075/116 along the east side of M.L. King Jr. Parkway between Madison Avenue and Euclid Avenue.

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

Elder Corporation, Des Moines, IA  
C. A. C., Inc., Urbandale, IA  
Vanderpool Construction, Inc., Indianola, IA  
Corell Contractor, Inc., West Des Moines, IA  
Sheets Excavating, Ltd., Montezuma, IA  
Keller Excavating, Inc., Boone, IA  
Halbrook Excavating, Inc., Ankeny, 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 12, 2008.

The City Engineer has determined that the lowest responsive, responsible bid for the construction of said improvement was submitted by Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA, 50327 in the amount of \$175,246.25, 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: October 27, 2008

Roll Call Number: 08-1875

Action: Ordering construction of M.L. King Jr. Parkway Levee Restoration – Receiving of bids, (11-12-08), and Setting date of hearing, (11-24-08). (Construction Estimate - \$373,980). Council Communication No. 08-645) Moved by Hensley 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).