



Council Communication

Office of the City Manager

Date

October 12, 2009

Agenda Item No. 45
Roll Call No. 09-
Communication No. 09-725
Submitted by: **Jeb E. Brewer, P.E.**
City Engineer

AGENDA HEADING:

Hearing on Highland Hills Sanitary Sewer Televising: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids and designating lowest responsible bidder as Mid-America Pipe Services, LLC, Lynn Norman, Member, 101 MGM Ct., Moscow Mills, MO 63362, \$393,300.

SYNOPSIS:

This is a public hearing to allow for public input on the Highland Hills Sanitary Sewer Televising and take the necessary actions, as required by Iowa Code, to authorize a contract for construction of the proposed project. In the summer of 2008, there was extensive damage across Iowa from flooding and other severe weather. The Iowa Department of Economic Development (IDED) has awarded the City of Des Moines a grant under the Infrastructure Assistance program, as part of the Federal Disaster Relief program under the Jump Start Program for Housing Assistance, Small Business Assistance and Infrastructure Assistance. The lining of the Eastern Portion of the Highland Hills Sanitary Sewer System will be accomplished using two separate contracts. The first contract being presented is the cleaning and televising. The second contract to be funded from the grant will be the actual lining.

FISCAL IMPACT:

Amount: \$393,300 Construction Contract (\$442,200 City Engineer's Estimate)

Funding Source: Highland Hills Sewer Lining, SAE131, Being: \$393,300 in Housing and Urban Development (HUD) Disaster funds from the IDED for 100% of construction costs associated with the lining of the Eastern Portion of the Highland Hills Sanitary Sewer System, with a \$1,200,000 maximum in Federal Jumpstart Infrastructure Assistance funds.

ADDITIONAL INFORMATION:

In the summer of 2008, there was extensive damage across Iowa from flooding and other severe weather. As part of the Federal Disaster Relief program, the State of Iowa has funds available under the Jump Start Program for Housing Assistance, Small Business Assistance and Infrastructure Assistance. The first selection considered any project submitted by an authorized agency to the IDED by February 18, 2009. The Jump Start program had \$15.75 million in CBDG funds for Infrastructure Assistance to allocate State-wide.

On February 9, 2009, under Roll Call Number 09-230, the City Council authorized submittal of four project applications under the Infrastructure Assistance Program. The projects were identified as those

being the most competitive in the grant selection criteria. Important criteria considered were the direct relationship of the project to the 2008 disaster, threat to health, safety or welfare, benefit to low and moderate-income persons and burden associated to the same group if local revenue was used to accomplish the project and the ability to construct the projects quickly. The four project applications submitted were as follows:

1. \$2,000,000 for construction of a storm sewer-lining project in the Livingston area south of the Des Moines River. This project will install a cured-in-place liner in the existing storm sewer. The storm sewers were damaged in several locations within this area during the 2008 flooding and rain events. This project will reduce the incidence of damage due to future high river levels.
2. \$1,200,000 for construction of a sanitary sewer-lining project in the East Highland Hills area. This project will install a cured-in-place liner in existing sanitary sewers in areas where damage to the sanitary sewer occurred in the 2008 flood due to extremely high wet weather sewer flows. This project will prevent future sanitary sewer collapses and help protect the community health.
3. \$2,500,000 for the installation of emergency stand-by power generators in the five storm water pump stations in the Central Place and Birdland basins.
4. \$750,000 funding request for the final design of the Birdland and Central Place levees to be designed by the US Army Corps of Engineers.

The design and construction phase services for these proposed projects will be paid with sanitary and storm water utility fees.

Three of the four projects submitted were selected for funding, and the City of Des Moines has received contracts from the IDED for the following:

- Contract Number 08-DRI-005 in the amount of \$2,500,000 for Five Storm Water Pump Stations in the Birdland and Central Place Areas,
- Contract Number 08-DRI-006 in the amount of \$2,000,000 for Livingston Avenue Storm Sewer System Lining,
- Contract Number 08-DRI-007 in the amount of \$1,200,000 for Lining of the Sanitary Sewers in the Eastern Portion of the Highland Hills Sanitary Sewer Subsystem.

These three grants were approved by the City Council on May 18, 2009, under Roll Call No. 09-832.

The lining of the Eastern Portion of the Highland Hills Sanitary Sewer System will be accomplished using two separate contracts. The first contract being presented is the cleaning and televising of the sewers. The second contract to be funded from the grant will be the actual lining.

On September 14, 2009, under Roll Call No. 09-1615, the City Council received and filed plans, specifications, form of contract documents and City Engineer's estimate for the construction of the Highland Hills Sanitary Sewer Televising. Before the City Council can enter into a contract, it must hold a public hearing and approve the proposed plans, specifications, form of contract documents and engineer's estimate for the construction of the Highland Hills Sanitary Sewer Televising, 07-2010-001. The improvement includes cleaning and televising of approximately 25,000 lineal feet of 8" through 18" sanitary sewer; all in accordance with the contract documents, including Plan File Nos. 508-82/85 at an area bounded by S.W. 9th Street, Army Post Road, S.W. 14th Street and County Line Road, Des Moines,

Iowa.

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

Mid-America Pipe Services, LLC, Moscow Mills, MO, Bid read under advisement
Hydro-Klean, Inc., Des Moines, IA
Van Hauen & Associates, Inc., Grimes, IA, Bid read under advisement
Visu-Sewer Clean & Seal, Inc., Pewaukee, WI
Infrastructure Technologies Inc., Rogers, MN, Bid read under advisement
Ace Pipe Cleaning, Inc., Kansas City, MO
American Hydro Services Inc., Franksville, WI, Bid not read

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 September 29, 2009, and the bid received from Mid-America Pipe Services, LLC, was read under advisement because Mid-America Pipe Services, LLC did not submit Proposal Attachment: Part F – Additional Requirements, Item 4 – Certifications Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions and Lobbying, with its bid. Said Proposal Attachment Part F, Item 4 is a certification that the company has not been debarred, suspended or declared ineligible from participation by any Federal department; and that no Federal funds have been used to lobby. This certification is required as part of the regulations for the Federal Jumpstart Infrastructure Assistance funds from the Department of HUD Disaster funds, as administered by the IDIED, which is being used for this project. After further investigation, Engineering staff determined that the certificate is required from the company before the contract is awarded, but it is not necessarily required by the regulations to be submitted as part of the proposal. Staff contacted Ms. Lynn Norman, Mid-America Pipe Services, LLC, who was sure that the document was included with their bid; however, Ms Norman has e-mailed another copy of the certificate for staff review. Ms. Norman is sending an original signature certification document. The Engineering Department will include said missing pages in the contract documents. After further review, the Engineering and Legal Departments have determined that this was a minor irregularity that could be waived by the City Council.

The City Engineer has determined that the lowest responsive, responsible bid for the construction of said improvement was submitted by Mid-America Pipe Services, LLC, in the amount of \$393,300, 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: September 14, 2009

Roll Call Number: 09-1615

Action: Ordering construction of Highland Hills Sanitary Sewer Televising: Receiving of bids, (9-29-09), and Setting date of hearing, (10-12-09). (Construction Estimate - \$442,200). (Council Communication No. 09-657) Moved by Vlassis to adopt. Motion Carried 7-0.

Date: May 18, 2009

Roll Call Number: 09-832

Action: Approving execution of three (3) CDBG Disaster Recovery Infrastructure Grants with the Iowa Department of Economic Development. (Council Communication No. 09-338)

) Moved by Kiernan to adopt. Motion Carried 6-1. Absent: Cownie.

Date: February 9, 2009

Roll Call Number: 09-230

Action: Submission of four (4) CDBG Disaster Recovery Infrastructure Applications to the Iowa Department of Economic Development. (Council Communication No. 09-063) Moved by Kiernan to adopt. Motion Carried 6-1. Absent: Cownie.

Date: October 13, 2008

Roll Call Number: 08-1810

Action: Approving Jumpstart Small Business Assistance Program Grant Agreement. Sponsor: Mahaffey. (Council Communication No. 08-627) Moved by Mahaffey to approve. Motion Carried 6-1. Absent: Cownie.

Date: September 30, 2008

Roll Call Number: 08-1711

Action: Approving Jumpstart Housing Assistance Program Grant Agreement and Application for Jumpstart Small Business Assistance and CDBG Supplemental Funds to assist with recovery efforts due to flooding. Sponsor: Mahaffey. (Council Communication No. 08-589) Moved by Mahaffey to refer to the City Manager to review energy efficiency and elevation of the homes and businesses. Motion Carried 6-1.

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.