



Council Communication

Office of the City Manager

Date

December 21, 2009

Agenda Item No. 49
Roll Call No. 09-
Communication No. 09-880
Submitted by: Jeb E. Brewer, P.E.
City Engineer

AGENDA HEADING:

Hearing on Court Avenue & Water Street Gatewell and River Outlet: Resolution approving plans, specifications, form of contract documents, engineer's estimate, and receive and file bids.

SYNOPSIS:

This is a public hearing to allow for public input on the Court Avenue & Water Street Gatewell and River Outlet and take the necessary actions as required by Iowa Code to authorize a contract for construction of the proposed project. This project is the first phase of the Court Avenue & Water Street Sewer Separation project, which will construct a separate storm sewer system and storm water pump station to serve this area. This area of downtown is currently served by a combined (storm and sanitary) sewer system, resulting in localized flooding during heavy rain events, especially during high river levels. The Court Avenue & Water Street Gatewell and River Outlet will construct the required gatewell at the levee and the outlet to the river. Future projects will construct the pump station and the storm sewer system to convey storm water to the new outlet to the river.

FISCAL IMPACT:

Amount: \$390,387 Construction Contract (\$537,790 City Engineer's Estimate)

Funding Source: 2009-2010 CIP, Page Storm-6, Court Avenue/Water Street Sewer Separation, STE081, Being: \$390,387 in HUD Disaster funds from the Iowa Department of Economic Development for 100% of construction costs associated with the Court Avenue - Water Street Sewer Separation project with a \$4,000,000 maximum in Federal Jumpstart Infrastructure Assistance funds

ADDITIONAL INFORMATION:

On November 4, 2009, the IDIED notified the City of Des Moines that IDIED has awarded the City the following Community Development Block Grants:

- Contract Number 08-DRI-032 in the amount not to exceed \$4,000,000 for the Court Avenue - Water Street Sewer Separation Project.
- Contract Number 08-DRI-033 in the amount not to exceed \$5,000,000 for the Lower Union Sewer Separation Project.
- Contract Number 08-DRI-034 in the amount not to exceed \$1,200,000 for the 33rd Street Sewer Separation Project.
- Contract Number 08-DRI-035 in the amount not to exceed \$5,000,000 for the Jackson Basin Pump Station Project.

Before IDEED will send these Contracts for execution by the City, IDEED has required the City to execute and return IDEED's Notice of Award letter for each contract, whereby the City accepts the award described, acknowledges that receipt of the Award is contingent upon satisfaction of all conditions of the Community Development Block Grant (CDBG) program and execution of the Contract, and agrees to be bound by the program and Contract requirements.

On November 16, 2009, under Roll Call Number 09-2071, the City Council approved and authorized the Mayor to execute these CDBG disaster recovery infrastructure Notice of Award and Grant Contracts with IDEED. The IDEED Contracts should be prepared by IDEED and sent to the City for execution in the next several weeks. IDEED has notified City Staff that the City can proceed with administrative work on this project prior to the actual signature of the IDEED Contracts. Administrative work included authorization for bids, receipt of bids and the public hearing; however, the City cannot enter into contract for the construction work until after the contract is executed with IDEED. The construction work included in this project is included under IDEED Contract Number 08-DRI-032 for the Court Avenue - Water Street Sewer Separation Project.

On November 23, 2009, under Roll Call No. 09-2083, the City Council received and filed plans, specifications, form of contract documents, and City Engineer's estimate for the construction of the Court Avenue & Water Street Gatewell and River Outlet. 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 Court Avenue & Water Street Gatewell and River Outlet, 08-2010-006. The improvement includes construction of a storm water pump station gatewell and outlet structure, 72" diameter storm sewer, and sheet pile construction and miscellaneous associated work including cleanup and other incidental items; in accordance with the contract documents, including Plans File Nos. 509-008/014, south of Court Avenue and east of Water Street along the west Des Moines River Levee in downtown Des Moines, Iowa.

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

Herberger Construction Co., Inc., Indianola, IA
Cramer and Associates, Inc., Grimes, IA
Jensen Construction Co., Des Moines, IA
H & W Contracting LLC, Sioux Falls, SD
Van Hauen & Associates, Inc., Grimes, 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 December 15, 2009.

The City Engineer recommends that the City Council defer further action to designate the lowest responsive, responsible bid for the construction of said improvement and award the contract until the IDEED Community Development Block Grant Contract Number 08-DRI-032 has been executed by IDEED and the required environmental clearances have been received.

PREVIOUS COUNCIL ACTION(S):

Date: November 23, 2009

Roll Call Number: 09-2083

Action: Ordering construction of Court Avenue & Water Street Gatewell and River Outlet: Receiving of bids, (12-15-09), and Setting date of hearing, (12-21-09). (Construction Estimate - \$537,790). (Council Communication No. 09-823) Moved by Coleman to adopt. Motion Carried 7-0.

Date: November 16, 2009

Roll Call Number: 09-2071

Action: Approving and authorizing the execution of CDBG Disaster Recovery Infrastructure Notice of Award and Grant Contracts with the Iowa Department of Economic Development for 4 projects: (Council Communication No. 09-801) Moved by Hensley to adopt. Motion Carried 4-3.

Date: October 27, 2008

Roll Call Number: 08-1874

Action: Approving Professional Services Agreement with Veenstra & Kimm, Inc. for design and construction phase services for the Court Avenue-Water Street Sewer Separation Project, not to exceed \$595,712. (Council Communication No. 08-646) Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Designation of the lowest responsive, responsible bid for the construction of said improvement and award the contract. Partial payments to the contractor and final acceptance of work.

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