



Council Communication

Office of the City Manager

Date

January 11, 2010

Agenda Item No. 27
Roll Call No. 10-
Communication No. 10-012
Submitted by: Jeb E. Brewer, P.E.
City Engineer

AGENDA HEADING:

Approving and authorizing the execution of Amendment No. 2 to the United States Department of Agriculture Natural Resources Conservation Service Project Agreement for the Emergency Watershed Protection Program for 1706 Pennsylvania Avenue Slope Stabilization.

SYNOPSIS:

Recommend approval of Amendment No. 2 to the agreement between the City of Des Moines and the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) for the Emergency Watershed Protection (EWP) Program for 1706 Pennsylvania Avenue Slope Stabilization, extending the completion date from December 31, 2009 to June 30, 2010. The City's role is to act as the governmental sponsor, as required by the EWP. The EWP will fund 75% of the project cost, with the 25% local share paid per agreement by the property owners.

FISCAL IMPACT:

Amount: \$170,000 total estimated project cost

Funding Source: \$127,500 being 75% of estimated project cost (maximum \$127,500) in Federal USDA-NRCS EWP Funds; additional 25% local match paid per agreement with property owners.

ADDITIONAL INFORMATION:

The USDA-NRCS operates the EWP program with the stated purpose of undertaking "emergency measures for soil erosion prevention to safeguard lives and property from floods, drought, and the products of erosion on any watershed whenever fire, flood, or any other natural occurrence is causing or has caused a sudden impairment of the watershed."

During and subsequent to the heavy rains and flooding in June 2008, severe soil erosion and landslides occurred near 1706 Pennsylvania Avenue. On May 4, 2009 by Roll Call No. 09-748, the City entered into an agreement with the USDA-NRCS EWP for assistance at 1706 Pennsylvania Avenue. The City's role in the EWP program is to act as the governmental sponsor for prevention and repair projects with the EWP funding 75% of the project cost and the 25% local share being paid by the property owners.

On October 26, 2009, under Roll Call No. 09-1906, the City Council awarded the construction contract for the 1706 Pennsylvania Avenue Slope Stabilization to Proshot Concrete, Inc., Donald J. Barns, Secretary/Treasurer, 4158 Musgrove Drive, Florence, Alabama, 35630, in the amount of \$179,664.00. The construction of this project is substantially complete except for restoration, which will be completed

in 2010. The City submitted a written request for an extension of project completion date to the NRCS. The NRCS has now provided a contract amendment to reflect these changes. This action is to approve and incorporate the amendment into the contract documents.

PREVIOUS COUNCIL ACTION(S):

Date: October 26, 2009

Roll Call Number: 09-1906

Action: Approving designation of lowest responsive, responsible bidder as Proshot Concrete, Inc., Timothy McDougle, President, \$179,664, and approval of contract and bond, and permission to sublet on 1706 Pennsylvania Avenue Soil Stabilization. Moved by Vlassis to adopt. Motion Carried 7-0.

Date: June 22, 2009

Roll Call Number: 09-1067

Action: Approving and authorizing Amendment No. 1 to the United States Department of Agriculture Natural Resources Conservation Service Project Agreement for the Emergency Watershed Protection Program for 1706 Pennsylvania Avenue Slope Stabilization. (Council Communication No. 09-428). Moved by Vlassis to adopt. Motion Carried 7-0.

Date: May 4, 2009

Roll Call Number: 09-748

Action: Execution of United States Department of Agriculture Natural Resources Conservation Service Project Agreement for the Emergency Watershed Protection Program and the Operation and Maintenance Agreement for 1706 Pennsylvania Avenue Slope Stabilization. (Council Communication No. 09-294). Moved by Hensley to adopt. Motion Carried 7-0.

Date: February 23, 2009

Roll Call Number: 09-281

Action: Approving and authorizing the execution of an agreement with Steven C. Wallace and Alyce A. Wallace regarding 1706 Pennsylvania Avenue and to acquire necessary property interests. (Council Communication No. 09-108). Moved by Hensley to adopt. Motion carried 7-0.

Date: September 22, 2008

Roll Call Number: 08-1662

Action: Authorization to submit grant application to U.S. Department of Agriculture Emergency Watershed Protection Program for soil erosion prevention and repair projects related to 2008 heavy rains and flooding. (Council Communication No. 08-577). Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Normal Council actions on construction contracts.

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