

 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b> October 25, 2010
	<b>Agenda Item No.</b> 57B <b>Roll Call No.</b> [ _____ ] <b>Communication No.</b> <u>10-630</u> <b>Submitted by:</b> <b>Jeb E. Brewer, P.E.</b> <b>City Engineer</b>

**AGENDA HEADING:**

Approving Supplemental Agreement No. 3 to the Court Avenue/Water Street Sewer Separation Professional Services Agreement with Veenstra and Kimm, Inc. for required archaeological investigations, monitoring, and construction phase services, for the Court Avenue/Water Street Sewer Separation Project, not to exceed \$97,048.

**SYNOPSIS:**

Recommend approval of Supplemental Agreement No. 3 to the Professional Services Agreement with Veenstra and Kimm, Inc, H.R. Veenstra Jr., P.E., President, 3000 Westown Parkway, West Des Moines, IA, for a total cost not to exceed \$97,048, based on hourly rates, to provide required archaeological investigations, monitoring, and construction phase services for the Court Avenue/Water Street Sewer Separation Project.

**FISCAL IMPACT:**

Amount: \$97,048

Funding Source: 2010-2011 CIP – Page Storm Water Improvements-6, Court Ave/Water Street Sewer Separation, STE081

**ADDITIONAL INFORMATION:**

Funding for the Court Avenue/Water Street Sewer Separation project includes a \$4 million CDBG Grant, and an I-Jobs Grant of \$3.05 million from the State Legislature. The CDBG Grant was accepted by City Council in November 2009. The I-Jobs agreement will be presented to the Des Moines City Council once it has been finalized by the Iowa Finance Authority (IFA). Supplemental Agreement No. 3 includes required archaeological investigations, monitoring, and construction administration services to satisfy grant requirements, including compliance with the National Historic Preservation Act and Davis Bacon. These requirements were not included in the original scope of services.

The CDBG Grant requires compliance with the National Historic Preservation Act. The Letter of Agreement with the State Historic Preservation Office (SHPO) was signed on July 20, 2010. The City of Des Moines contracted with the Office of the State Archaeologists (OSA) to perform exploratory work that was used to obtain SHPO’s approval and define the scope of work included in this Supplemental Agreement. The fees associated with the defined scope are estimates; if there are unforeseen issues or a discovery is made, there will be additional costs. The estimated cost for OSA’s services included in this

Supplemental Agreement total \$91,720. Any costs in excess of the approved agreement amount would be included in a future Supplemental Agreement.

In addition to normal construction phase services, the consultant will be responsible for certified payrolls and wage interviews during construction of the pump station, in accordance with Davis Bacon provisions included in the CDBG requirements. The additional services are estimated to cost \$5,328.

**PREVIOUS COUNCIL ACTION(S):**

Date: May 10, 2010

Roll Call Number: [10-701](#)

Action: [Approving](#) Supplemental Agreement No. 2 to Professional Services Agreement with Veenstra and Kimm, Inc. for design and construction phase services on the Court Avenue/Water Street Sewer Separation Project, not to exceed \$175,154. ([Council Communication No. 10-253](#)) Moved by Hensley 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: September 14, 2009

Roll Call Number: [09-1620](#)

Action: Approving Supplemental Agreement No. 1 to Court Avenue/Water Street Sewer Separation Professional Services Agreement with Veenstra and Kimm, Inc. for additional design and construction phase services for the Court Avenue/Water Street Sewer Separation Project, not to exceed \$72,853. ([Council Communication No. 09-653](#)) Moved by Vlassis to adopt. Motion Carried 7-0.

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.

Date: August 11, 2008

Roll Call Number: [08-1470](#)

Action: Request for Proposals (RFP) for design and construction phase services of storm sewer improvements and a storm sewer pump station in vicinity of Water Street and Court Avenue. ([Council Communication No. 08-498](#)). Moved by Hensley to adopt. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S): URBAN DESIGN REVIEW BOARD**

Date: November 17, 2009

Action: Approval of the Court Avenue Pump Station. 7 Yes. 1 Abstain

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Normal Council actions on consultant services for design and construction administration, grant agreements, and construction contracts.

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