

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: September 26, 2011
	Agenda Item No. 17 Roll Call No. [_____] Communication No. <u>11-612</u> Submitted by: Jeb E. Brewer, P.E., City Engineer

AGENDA HEADING:

Authorization to proceed with acquisition of the necessary property interests for the 2011 and 2012 Sewer Repair Projects by gift, negotiation, or condemnation.

SYNOPSIS:

Recommend approval of authorization to proceed with acquisition of the necessary property interests for the 2011 and 2012 Sewer Repair Projects by gift, negotiation, or condemnation. This action is required by Iowa law before the City can initiate right-of-way acquisition process under eminent domain.

FISCAL IMPACT:

Amount: To be determined after the right-of-way design and plats have been completed.

Funding Source: 2011-2012 CIP, Page Storm Water Improvements – 4, City-wide Storm Water Utility Projects, STE057.

ADDITIONAL INFORMATION:

In 2010, the City of Des Moines was affected by several severe storms containing large amounts of precipitation, which caused local flash flooding and river flooding. This flooding caused damage to City storm and sanitary sewer infrastructure at approximately ninety locations throughout the City. A number of these locations have been repaired both by Public Works Department crews and by contracts administered by the Engineering Department. Staff from the Public Works and Engineering Departments met to develop a strategy for repairing the remaining locations. Due to current workload, it was determined that 32 of these remaining repairs needed to be designed by consultants and constructed by a contract administered by the Engineering Department.

Some of these repairs may be eligible for partial reimbursement by FEMA. In order to expedite the design process, staff from Public Works and Engineering selected two separate consultant contractors to perform engineering services for the Project. The City of Des Moines has entered into a Professional Services Agreement with Foth Infrastructure and Environment, LLC, (Douglas Ernst, Senior Project Manager, 8191 Birchwood Court, Suite L, Johnston, Iowa) to provide design and construction phase services for 17 sites based on their past experience with similar projects. The City of Des Moines has entered into a separate Professional Services Agreement with Snyder & Associates, Inc., (David N. Moeller, President, 2727 S.W. Snyder Blvd., Ankeny, Iowa, 50023) to perform engineering and design services for the remaining 15 sites based on their past experience in storm and sanitary design and watershed studies. The services will also include design and analysis for channel improvements in

Leetown Creekway. It is anticipated that a total of 24 Permanent Easements and a total of 73 Temporary Easements will be needed for the construction of this project under the two design contracts and four construction contracts. In order to meet the construction deadline, it may be necessary to exercise optional Right-of-Way services under either or both of the Professional Services Agreements. Relocation assistance will not be necessary for this project.

PREVIOUS COUNCIL ACTION(S):

Date: August 29, 2011

Roll Call Number: 11-1432

Action: [Approving](#) Supplemental Agreement No. 1 to the 2011 Sewer Repair Contract 1 professional services agreement with Foth Infrastructure and Environment, LLC, for design and construction phase services, not to exceed \$56,490. ([Council Communication No. 11-538](#)) Moved by Hensley to adopt. Motion Carried 7-0.

Date: May 23, 2011

Roll Call Number: 11-0872

Action: [Snyder](#) and Associates in conjunction with design and construction phase services for the 2011 Sewer Repair Contract 2 Project, not to exceed \$329,000. ([Council Communication No. 11-296](#)) Moved by Hensley to adopt. Motion Carried 7-0.

Date: May 23, 2011

Roll Call Number: 11-0871

Action: [Foth](#) Infrastructure and Environment, LLC in conjunction with design and construction phase services for the 2011 Sewer Repair Contract 1 Project, not to exceed \$132,134. ([Council Communication No. 11-295](#)) Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Approving Construction Contracts

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