

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	January 9, 2012
	Agenda Item No. Roll Call No. Communication No. Submitted by:	8 <u>12-0017</u> <u>Council</u> <u>Communication: 12-001</u> William G. Stowe, WRA Director and Jeb E. Brewer P.E. City Engineer

AGENDA HEADING:

Resolution approving a Chapter 28E Agreement between the Des Moines Metropolitan Wastewater Reclamation Authority and the City of Des Moines, for the design, property acquisition and construction of the Hawthorne Pump Station, Force Main and lateral sewers as part of the WRA New Main Outfall, Phase 17, Segment 5 and 6 Project.

SYNOPSIS:

Recommend approval and authorization to execute an Iowa Code Chapter 28E Agreement between the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) and the City of Des Moines, for the design, property acquisition and construction of the Hawthorne Pump Station, Force Main and Lateral Sewers as part of the WRA New Main Outfall, Phase 17, Segment 5 and 6 Project.

FISCAL IMPACT:

Amount: \$950,000

Funding Source: 2011-2012 CIP, Page Sanitary – 7, City-wide Sanitary Sewers, SAE054, Sanitary Sewer Revenue Funds.

ADDITIONAL INFORMATION:

The WRA New Main Outfall project extends from the WRF westerly to the proposed Combined Sewer Solids Separation Facility (CSSSF) and continues northwesterly along the corridor of the existing Main Outfall to the east side of the Des Moines River and across the Des Moines River to connect to the siphon structure on the west side of the Des Moines River at the Des Moines Outfall. Due to the WRA project, certain lateral sewers owned and operated by the City of Des Moines conflict with the project location and are required to be relocated. In addition, the WRA requested that the City of Des Moines Hawthorne Pump Station be lowered in elevation to avoid the WRA New Main Outfall sewer alignment. The City of Des Moines intended to reconstruct and replace its Hawthorne Pump Station (1398 E. Railroad Avenue, Des Moines, a/k/a Hawthorne Park Pump Station) and to construct a new force main.

Pursuant to the design agreement between Veenstra & Kimm, Inc. (“V&K”) and the WRA, for the WRA Main Outfall Replacement dated December 18, 2007. V&K has substantially designed both the WRA and City improvements related to the WRA New Main Outfall, the City Hawthorne Pump Station, the

City force main and the relocations of City lateral sewers as caused by the WRA project. This Chapter 28E Agreement formalizes the use of the Agreement for Professional Services for the WRA Main Outfall Replacement between V&K and the WRA for design of the City improvements, and requires the City of Des Moines to reimburse the WRA for all engineering services charged by V&K for design of the Hawthorne Pump Station and the force main under said design agreement.

The construction of the City Hawthorne Pump Station and force main are anticipated to occur within City-owned property, without the need for acquisition of property interests from other owners. However, the consultant has identified a potential need for property acquisition for the lateral sewer relocation. This Agreement authorizes the WRA to negotiate and acquire easements for the lateral sewer relocation, including acquisition by negotiation or eminent domain, which easements, if any, will be assigned to the City of Des Moines upon final acceptance of project improvements by the WRA Board. Per the Agreement, the WRA shall incur the costs associated with acquisition of property for the WRA New Main Outfall project and for the lateral sewer relocation, because such relocation is caused solely by the WRA project.

The Agreement further authorizes the WRA to construct the City Hawthorne Pump Station and force main, in addition to the WRA New Main Outfall and lateral sewer relocation, as part of the WRA New Main Outfall, Phase 17, Segment 5 and 6 Project. The WRA will bid the projects and provide construction administration services. Construction of the Hawthorne Pump Station and force main will be included separately as Division 4 of said WRA construction contract. The Agreement requires the City to reimburse the WRA for the cost of construction, construction administration, and change orders associated with the Hawthorne Pump Station and force main. The WRA will incur costs related to its New Main Outfall project improvements and for the lateral sewer relocation caused and required by the WRA project.

This Agreement was approved by the WRA Board at its Board meeting on December 20, 2011.

PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S):

Board: Des Moines Metropolitan Wastewater Reclamation Authority Board

Date: December 20, 2011

Resolution Number: 11-175

Action: Resolution Approving a Chapter 28E Agreement by and between the Des Moines Metropolitan Wastewater Reclamation Authority and the City of Des Moines, Iowa for the Design, Property Acquisition and Construction of the Hawthorne Pump Station, Force Main and Lateral Sewers as part of the WRA New Main Outfall, Phase 17, Segment 5 and 6 Project

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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