

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	August 13, 2012
	Agenda Item No.	8
	Roll Call No.	<u>12-1232</u>
	Communication No.	<u>12-419</u>
	Submitted by:	Jeb E. Brewer, P.E., City Engineer

AGENDA HEADING:

Approving Change Order No. 3 with Elder Corporation for a reduced thickness pavement section on top of the levee for the Des Moines River Regional Trail - Phase 1 for a reduction of \$34,152.00.

SYNOPSIS:

Recommend approval of Change Order No. 3 for a reduction of \$34,152.00 with Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, Iowa 50327, for a reduced thickness pavement section on top of the levee for the Des Moines River Regional Trail – Phase 1.

FISCAL IMPACT:

Amount: \$34,152.00 (reduction)

Funding Source: 2012-2013 CIP, Page Parks-16, Recreation Trails, PKS045, Being: \$426,526 maximum in Federal funds from Iowa Clean Air Attainment Program (ICAAP) for 80% eligible construction costs under IDOT Project No. STP-A-1945(773)--86-77; \$73,474 in Iowa Department of Transportation (IDOT) State Recreational Trails funding, Agreement 2010-SRT-004; \$300,000 Iowa DNR REAP Grant, Agreement 08-R4-QV; \$163,400 from 165 individual, business and foundation pledges; \$25,000 Polk County Community Development Grant award; and the remaining funding from PKS045, G.O. Bonds.

ADDITIONAL INFORMATION:

The Des Moines River Regional Trail – Phase 1 was awarded on February 13, 2012 in an amount of \$1,364,999.99 to Elder Corporation. The improvement includes construction of a 5-inch and 6-inch HMA Recreational Trail from Scott Street to the James W. Cownie Baseball Park, along the south side of the Des Moines River. The estimated construction cost was \$1,800,000.00. The low bid was \$435,000.01 under the budget estimate.

The trail is located on DM-3 levee much of the length between SE 1st Street and east of SE 14th Street. Based on the Des Moines River Flood Mitigation report that DM-3 levee will not meet the required freeboard, AECOM Technical Services, Inc. was approved on February 13, 2012 to provide professional services to evaluate incorporating an increase in the height of the DM-3 levee system as part of the trail construction.

The consultant has prepared a plan for raising the levee. These plans were submitted to the Corps of Engineers. Due to required Corps of Engineers 408 approval process and additional hydraulics

required, the levee raise could not be incorporated into the Des Moines River Regional Trail – Phase 1 project. Grant dollars already specified to be used for the trail project will be lost if not used; therefore, Change Order 3 has been negotiated with the contractor to install a reduced pavement section knowing that a future levee raise will be necessary for DM-3. These proposed trail improvements will still help in future flood-fighting operations by providing better access to the levee. The information and analysis required by the Corps of Engineers for the 408 process will be prepared and included in a future submittal that addresses the entire levee system and proposed improvements.

PREVIOUS COUNCIL ACTION(S):

Date: February 13, 2012

Roll Call Number: [12-0166](#)

Action: [AECOM](#) Technical Services, Inc. (Steven J. Eaton, Principal-in-Charge) for design services for the Des Moines River DM-3 Levee Raise, not to exceed \$216,000. ([Council Communication No. 12-070](#)). Moved by Hensley to adopt. Motion Carried 7-0.

Date: February 13, 2012

Roll Call Number: [12-0243](#)

Action: [On](#) Des Moines River Regional Trail – Phase 1: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating lowest responsible bidder as Elder Corporation (Jared R. Elder II, President), \$1,364,999.99. ([Council Communication No. 12-073](#)). Moved by Meyer to adopt. Motion Carried 7-0.

Date: June 27, 2011

Roll Call Number: [11-1160](#)

Action: [IDOT](#) Agreement for construction of the Des Moines River Regional Trail – Phase 1. ([Council Communication No. 11-411](#)). Moved by Hensley to adopt. Motion Carried 7-0.

Date: June 27, 2011

Roll Call Number: [11-1074](#)

Action: [Approving](#) Supplemental Agreement No. 1 to Des Moines River Regional Trail – Phase 1 Professional Services Agreement with AECOM, Inc. to provide additional design services, not to exceed \$56,100. ([Council Communication No. 11-409](#)). Moved by Hensley to adopt. Motion Carried 7-0.

Date: April 12, 2010

Roll Call Number: [10-531](#)

Action: [Submission](#) of \$750,750 grant application to River Enhancement Community Attraction and Tourism (RECAT) Program for development of Des Moines River Trail, Phase 1. ([Council Communication No. 10-179](#)). Moved by Coleman to adopt. Motion Carried 7-0.

Date: January 11, 2010

Roll Call Number: [10-044](#)

Action: [Acceptance](#) of \$73,474 Iowa Department of Transportation State Recreational Trail Grant (DOT SRT) for The Des Moines River Trail, Phase 1. ([Council Communication No. 10-015](#)). Moved by Hensley to adopt. Motion Carried 7-0.

Date: January 11, 2010

Roll Call Number: [10-043](#)

Action: [Acceptance](#) of \$300,000 Iowa Department of Natural Resources (DNR) Resource Enhancement and Protection (REAP) Grant for The Des Moines River Trail, Phase 1. ([Council Communication No. 10-014](#)). Moved by Hensley to adopt. Motion Carried 7-0.

Date: May 18, 2009

Roll Call Number: [09-822](#)

Action: [Approving](#) Professional Services Agreements for the following: AECOM, Inc. in conjunction with the Des Moines River Regional Trail – Phase 1, not to exceed \$202,000. ([Council Communication No. 09-330](#)). Moved by Kiernan to adopt. Motion Carried 6-1. Absent: Cownie.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Partial payments to the contractor and final acceptance of work.

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