

 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b> August 11, 2014
	<p style="text-align: right;"><b>Agenda Item No.</b> 13 <b>Roll Call No.</b> <u>14-1211</u> <b>Communication No.</b> <u>14-391</u> <b>Submitted by:</b> Pamela S. Cooksey, P.E., Acting City Engineer</p>

**AGENDA HEADING:**

Approving increase of total project costs for the design and construction of the Des Moines and Raccoon Rivers Project.

**SYNOPSIS:**

Recommend approval of increase of the total project costs to complete the Des Moines and Raccoon Rivers Project. The increase in total project costs includes the estimated cost for the Corps of Engineers to complete the certification of the Birdland and Central Place levees and the design and construction of the Downtown Closures to the authorized level. The increased City share of the project includes the required local contribution of 35% and funding to design and construct the flood protection improvements consistent with the Corps of Engineer’s Des Moines River Regulated Flow Frequency Study.

**FISCAL IMPACT:**

Amount: Estimated \$2,637,715 (Federal \$1,791,000, City \$846,715)

Funding Source: The Federal share of the project was included in the 2014 Federal Appropriations. The estimated City increased costs include: \$846,715 from 2014-2015 CIP, Des Moines River Flood Mitigation Improvements, SM087, Page Storm Water – 6.

**ADDITIONAL INFORMATION:**

On October 12, 2009, by Roll Call No. 09-1833, City Council approved the Project Partnership Agreement (PPA), with a Corps of Engineers defined project totaling \$8,827,615 for the Birdland Park Levee, wetland mitigation, and downtown closure improvements. The PPA included a provision for a maximum total project cost of 120% of their estimate or \$10,593,138.

Subsequent increases to the total project were approved by City Council on March 22, 2010, by Roll Call No. 10-0463, to secure stimulus funding and March 28, 2011, by Roll Call No. 11-0553, due to actual construction costs exceeding the estimate and the results of the Des Moines River Regulated Flow Frequency Study. As Birdland and Central Place construction was being completed, the Corps of Engineers began the process to increase the overall project cost to allow design and construction of the downtown closure improvements. The 2014 Federal Appropriations included funding to support the increased project cost described in the Corps of Engineers Post Authorization Change Report. The total project cost of \$23.25 million for the Des Moines and Raccoon Rivers project was included in the

Water Resources Reform and Development Act (WRRDA) legislation. Federal funding to date and funding noted above supports a total project cost of \$22,960,000.

By increasing the total project cost, the City is agreeing to a potential increase of local match of \$146,950. In addition, \$884,000 of City funds are required for the estimated betterment costs associated with design and construction of the downtown closures consistent with the Des Moines River Regulated Flow Frequency Study. The Corps of Engineers is not authorized to construct the improvements to the elevation required to protect to at least the 100-year (0.01 probability). The City is responsible for the full cost of the design and construction of the betterments which may exceed the estimate of \$884,000.

The Corps of Engineers anticipates utilizing all federal funds allocated to date to design and construct the downtown closures, as well as complete the levee certification of Birdland and Central Place levees. Based on funds provided to date, credits for costs incurred and estimated costs to complete the project, the Corps has requested payment totaling \$846,714.56.

#### **PREVIOUS COUNCIL ACTION(S):**

Date: March 28, 2011

Roll Call Number: [11-0553](#)

Action: [Increase](#) of total project costs in project partnership agreement with the Department of the Army for construction of the Des Moines and Raccoon Rivers Project for the Birdland Park Levee. ([Council Communication No. 11-176](#)) Moved by Mahaffey to adopt. Motion Carried 7-0.

Date: June 28, 2010

Roll Call Number: [10-1020](#)

Action: [Approving](#) Project Partnership Agreement with the Department of the Army for construction of the Des Moines and Raccoon Rivers Project. ([Council Communication No. 10-411](#)) Moved by Hensley to adopt. Motion Carried 7-0.

Date: May 24, 2010

Roll Call Number: [10-855](#)

Action: [Approving](#) and authorizing the execution of Iowa Jobs Program Grant Award Agreement with the Iowa Jobs Board and the Iowa Finance Authority for \$2,205,000 for the Birdland Levee replacement. ([Council Communication No. 10-280](#)) Moved by Mahaffey to adopt. Motion Carried 7-0.

Date: March 22, 2010

Roll Call Number: [10-0463](#)

Action: [Increase](#) of total project costs in the Project Partnership Agreement with Department of the Army, for construction of the Des Moines and Raccoon Rivers Project for the Birdland Park Levee,

(increase to \$11.3 Million, Federal share \$7.3 Million, City Share \$4 Million). ([Council Communication No. 10-164](#)) Moved by Mahaffey to adopt. Motion Carried 7-0.

Date: October 12, 2009

Roll Call Number: [09-1833](#) and [09-1834](#)

Action: Items regarding Des Raccoon Rivers Project: ([Council Communication No. 09-720](#))

- (A) [Approving](#) Project Partnership Agreement with Department of the Army for construction. Moved by Mahaffey to adopt. Motion Carried 7-0.
  
- (B) [Authorization](#) to proceed with acquisition of the necessary right-of-way and easements. Moved by Mahaffey to adopt. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

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