


COUNCIL COMMUNICATION

	Number: 22-563	Meeting: December 12, 2022
	Agenda Item: 60B	Roll Call: 22-1934
	Submitted by: Jonathan A. Gano, P.E., Public Works Director and Steven L. Naber, P.E., City Engineer	

AGENDA HEADING:

Approving Supplemental Agreement No. 6 to the Professional Services Agreement (PSA) with Barr Engineering Company for additional professional services for Des Moines Levee Alterations – Phase C, for an amount not to exceed \$1,745,500.

SYNOPSIS:

Recommend approval of Supplemental Agreement No. 6 to the PSA with Barr Engineering Company (Ward Swanson, President, 4300 Market Pointe Drive, Suite 200, Minneapolis, Minnesota, 55435), for an additional amount not to exceed \$1,745,500, based on hourly labor rates and reimbursable costs, for construction administration, construction observation, and survey work necessary to verify the Project is constructed in accordance with the approved Plans and Specifications and to develop the necessary documentation for the Federal Emergency Management Agency (FEMA) to accredit the Des Moines Levee Alterations Phase C levee section after the completion of the entire levee system modification.

FISCAL IMPACT:

Amount: \$1,745,500

Funding Source: 2022-2023 CIP, Page 106, Flood Mitigation Improvements, SM087, Being: Storm Water Revenue Bonds, Sales Tax Increment Fund, and Storm Water Utility Fund.

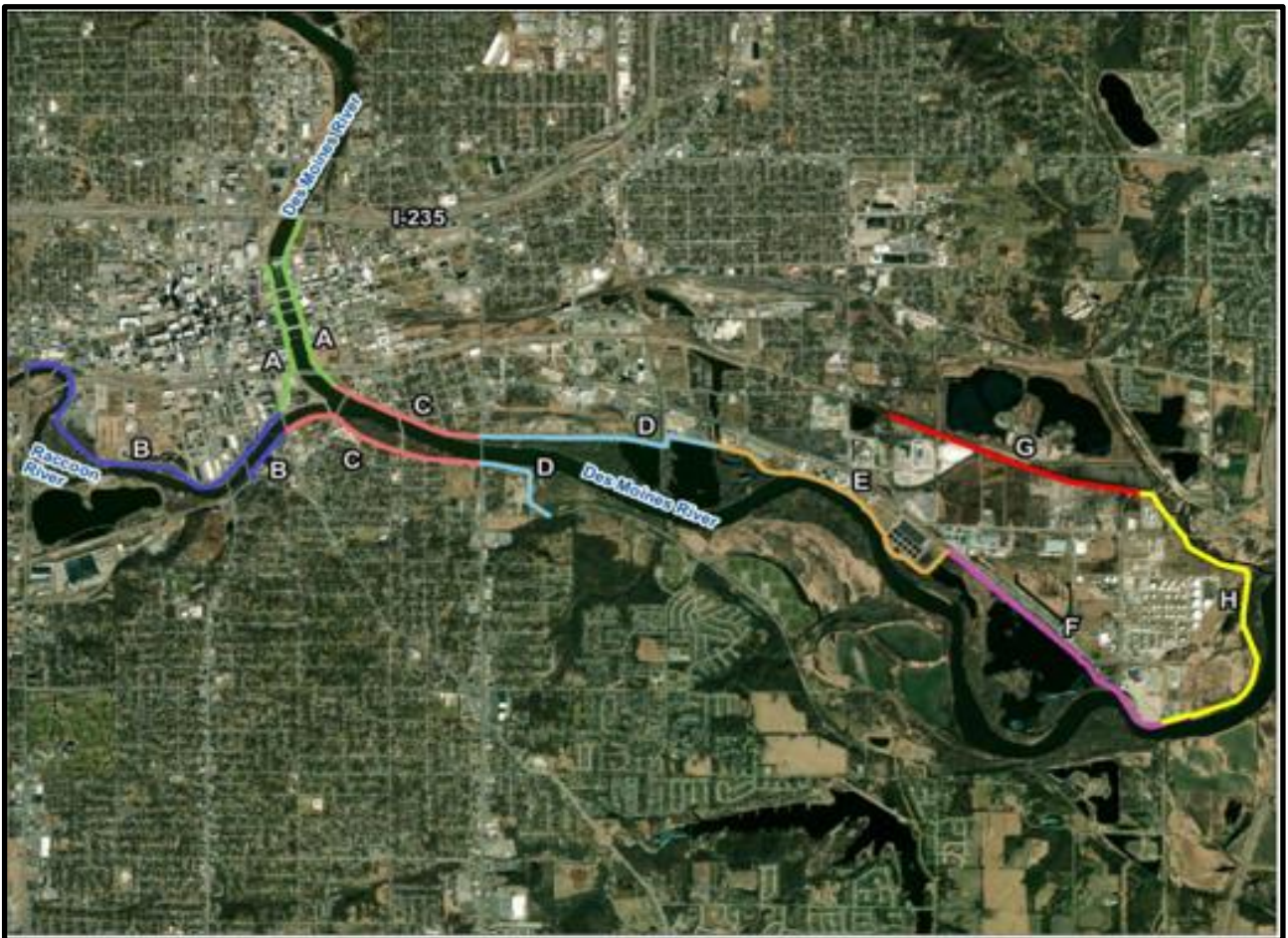
ADDITIONAL INFORMATION:

- Phase C incorporates the downstream reaches of the DM-I and DM-III levee systems along the Des Moines River from approximately the confluence with Raccoon River to just downstream of SE 14th Street. Construction of Phase C has an initial contract cost of \$17,388,129.50 with work scheduled to begin in 2023 and be completed in 2025.
- On May 7, 2018, by Roll Call No. 18-0752, City Council approved the PSA for Phase C with Barr Engineering Company for a total cost not to exceed \$1,020,800, based on hourly rates, to provide design phase services.
- Supplemental Agreement No. 1 to the PSA with Barr Engineering Company for an additional amount not to exceed \$24,900, based on hourly rates, was approved by the City Engineer on July 3, 2019, to provide SE 9th Street Storm Water Pump Station Seepage Mitigation Design for Des Moines Levee Alterations – Phase C.

- Supplemental Agreement No. 2, for an additional amount not to exceed \$341,354, based on hourly rates, was approved by City Council on March 9, 2020, to provide additional environmental study, design of additional height levee, closed circuit pipe televising, and design sheet reconfiguration services for Des Moines Levee Alterations – Phase C.
- Supplemental Agreement No. 3, for an additional amount not to exceed \$260,800, based on hourly rates, was approved by City Council on January 25, 2021 by Roll Call No. 21-0074, to provide borrow site evaluation, additional coordination and design services for levees related to the SE 9th Street Pump Station and SE 4th and Van Buren Pump Station, tree impact evaluation, additional seepage mitigation design, SE 6th Street levee closure options, potential failure mode analysis and design related to 48-inch watermain crossings, SE 14th Street trail and ramp grading design, interior drainage improvements near Eagle View Loft complex, Jackson Basin Outlet assessment and modifications, and Meredith Bridge access ramp design services for Des Moines Levee Alterations – Phase C.
- Supplemental Agreement No. 4, for an additional amount not to exceed \$95,600, based on hourly rates and reimbursable costs, was approved by City Council on February 7, 2022, by Roll Call No. 22-0152, to provide additional professional services, reimbursable by Iowa Confluence Water Trails (ICON), related to Levee Phase C project and as result of the ICON project. Services include project management, staging coordination, geotechnical review to analysis ICON project elements and the impact to the Phase C design, drawing and plan revisions related to various ICON project elements, environmental services changes with incorporation of ICON project elements, and updates to the Design Documentation Report for U.S. Army Corps of Engineers Section 408 review.
- Supplemental Agreement No. 5, for an additional amount not to exceed \$199,500, based on hourly rates and reimbursable costs, was approved by City Council on July 18, 2022, by Roll Call No. 22-1120, to provide:
 - Project management and coordination, including meetings, related to the ICON project.
 - Additional franchise utility coordination including meetings, potholing coordination, field observation, updating of the utility penetration risk category, and related coordination with the United States Army Corps of Engineers (USACE).
 - Additional project permitting including wetland banking mitigating coordination, cultural resources determination by conducting a Phase I Archaeological Survey and Geomorphic Investigation, development of associated technical memorandum and reporting as requested by the USACE.
 - Plan design development including design, drawing, and specification modifications related to hydraulic modeling updates, various project design element updates, and rebidding of the ICON project.
 - Additional real estate acquisition coordination, staking, and plat revisions.
 - Additional bid letting services for a fall 2022 rebid of the project.
- Staff negotiated Supplemental Agreement No. 6 to the PSA with Barr Engineering Company for an additional amount not to exceed \$1,745,500, based on hourly rates and reimbursable costs, to provide additional professional services related to Levee Phase C project including:
 - Construction Administration including meetings, review of shop drawings and submittals, design interpretation questions or requests for information (RFI), review of contractor payment requests, change orders, report of project status, primary liaison to outside regulatory agencies, perform site visit to determine if the project is complete final inspection and punch list/final acceptance, record drawings, prepare a construction

documentation report, update the existing Operation and Maintenance Plan, prepare a levee system evaluation package report, and utilize a web-based construction management site.

- Construction Observation – the Consultant shall provide full-time onsite construction observation for the project and shall document construction activities daily, bid item quantity logs, Storm Water Pollution Prevention Plan (SWPPP) verification needs and reports to provide a record of the construction activities.
- Construction Survey – the Consultant shall provide supplementary survey at check points during construction as deemed necessary by the consultant or as needed for plan revision changes.
- Inclusion of provisions of a Borrow Site Agreement with the Des Moines Airport Authority (DMAA), as required by the Federal Aviation Administration (FAA), resulting from the proposed use of a borrow site located on DMAA property.



PREVIOUS COUNCIL ACTION(S):

Date: July 18, 2022

Roll Call Number: [22-1120](#)

Action: [Approving](#) Supplemental Agreement No. 5 to the Professional Services Agreement with Barr Engineering Company for additional services for the Des Moines Levee Alterations – Phase C, not to exceed \$199,500. ([Council Communication No. 22-328](#)) Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

City staff does not anticipate any future Council actions on this PSA at this time, however unanticipated changes to this PSA would require an additional Supplemental Agreement, which may require Council action.

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