


# COUNCIL COMMUNICATION

 <p>CITY OF DES MOINES OFFICE OF THE CITY MANAGER</p>	Number:	<b>23-076</b>	Meeting:	<b>February 20, 2023</b>
	Agenda Item:	<b>10</b>	Roll Call:	<b>23-206</b>
	Submitted by:	<b>Jonathan A. Gano, P.E., Public Works Director and Steven L. Naber, P.E., City Engineer</b>		

## AGENDA HEADING:

Approving Supplemental Agreement No. 2 to the Professional Services Agreement (PSA) with Kirkham Michael & Associates, Inc. for professional services for Hamilton Drain Storm Water Improvements, not to exceed \$375,000.

## SYNOPSIS:

Recommend approval of Supplemental Agreement No. 2 to the PSA with Kirkham Michael & Associates, Inc. (Michael S. Olson, President, 12700 West Dodge Road, Omaha, Nebraska), for an additional amount not to exceed \$375,000, based on hourly rates and reimbursable costs, to provide construction staking for Phase 3 of the Hamilton Drain Storm Water Improvements, final design of Phase 4 of the Hamilton Drain Storm Water Improvements, and Federal Emergency Management Administration (FEMA) map revisions.

## FISCAL IMPACT:

Amount: \$375,000

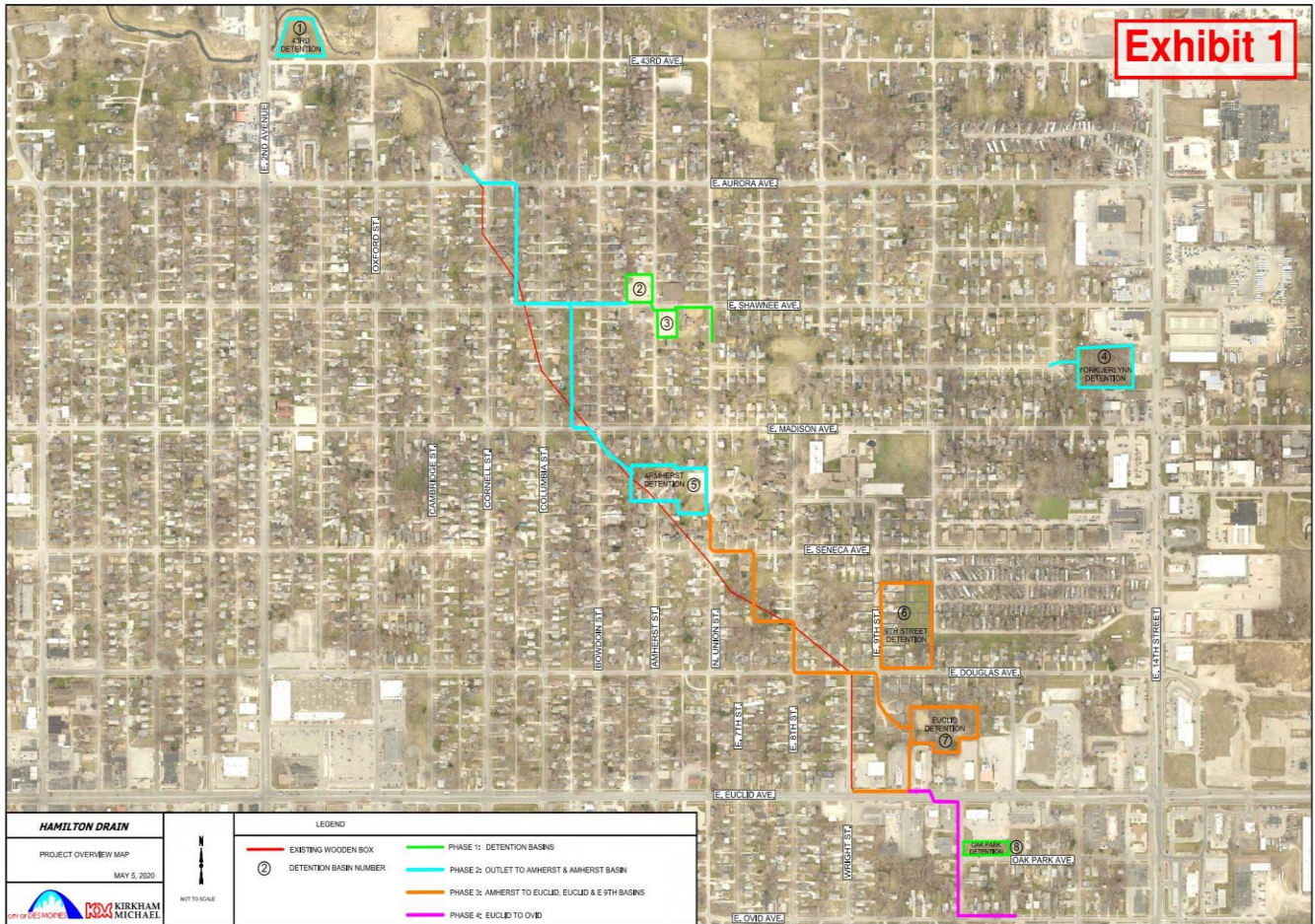
Funding Source: 2022-2023 CIP, Page 107, Hamilton Drainage Area Improvements, SM133, Being: Storm Water Revenue Bonds and Storm Water Utility Fund.

## ADDITIONAL INFORMATION:

- On December 16, 2019, by Roll Call No. 19-1980, the City Council approved a PSA with Kirkham Michael & Associates, Inc. for preliminary design of Phases 1, 2, 3, 4, and 5; and final design of Phases 1 and 2 for the Hamilton Drain Storm Water Improvements, not to exceed \$1,300,000.
- On November 15, 2021, by Roll Call No. 21-1711, City Council approved Supplemental Agreement No. 1 to the Agreement for Professional Services with Kirkham Michael & Associates, Inc. for an additional amount not to exceed \$430,000, to provide design and construction services for Hamilton Drain Storm Water Improvements for Construction Staking of Phase 2 and Final Design of Phase 3.
- The Hamilton Drain East System Storm Water Improvements project will improve drainage and mitigate flood risk in portions of the Highland Park neighborhood.

- Currently, an old storm drainage culvert (Rocky Place Storm Sewer) runs underground through part of Highland Park. The Rocky Place Storm Sewer was originally constructed in the 1930's and is made of treated wood planks. The culvert is rectangular in shape and varies in size from 18-inches by 24-inches up to 5-feet by 7-feet. At some locations, the culvert is in relatively good condition for its age. In other locations, the culvert is in fair to poor condition. This area has experienced flooding and the Federal Emergency Management Agency (FEMA) has designated a Special Flood Hazard Area in the neighborhood.
- The City, with the help of a consultant, developed a conceptual plan for proposed improvements, known as the Hamilton Drain East System Storm Sewer Improvements, which includes replacement of the old wooden box with new storm sewer in a new alignment through the neighborhood, and construction of multiple stormwater detention facilities to mitigate flooding and manage stormwater. Public meetings were held in October 2017, May 2019, and August 2020 to gather input prior to developing conceptual improvements, obtain feedback on proposed conceptual improvements, and present the final conceptual plan for improvements.
- The Hamilton Drain East System Storm Sewer Improvements are now being planned to be constructed in four (4) phases as shown in Exhibit 1 below. Five (5) construction phases were originally anticipated after the study portion of the project was completed; however, subsequent review during preliminary design resulted in the development of a phasing schedule that will allow the project to be constructed in four (4) phases. The preliminary phasing has now been modified to accomplish the project in four (4) construction contracts.
- Phase 1 of the Hamilton Drain East System Storm Sewer Improvements included construction of underground storm water detention basins near the intersections of Amherst Street and E. Shawnee Avenue and an above ground storm water detention basin near the intersection of E. Oak Park Avenue and E. 12th Street. Phase 1 construction was substantially completed in September 2021.
- Phase 2 of the Hamilton Drain East System Storm Sewer Improvements includes construction of approximately 2,600-linear-feet of 84-inches diameter storm sewer from the new detention basin off Amherst Street and south of E. Madison Avenue to northwest of the intersection of E. Aurora Avenue and Cornell Street, and construction of three (3) stormwater detention basins:
  - 544,000 cubic-feet storage detention basin located northeast of the intersection of 2nd Avenue and NE 43rd Avenue.
  - 370,000 cubic-feet storage detention basin located off Amherst Street and south of E. Madison Avenue.
  - 260,000 cubic-feet storage detention basin located east of the intersection of Jerlynn Avenue and York Street.
- On October 18, 2021, by Roll Call No. 21-1608, City Council held a public hearing on the Hamilton Drain Storm Water Improvements Phase 2, and approved plans, specifications, form of contract documents, engineer's estimate, receive and file bids and designating lowest responsible bidder as RW Excavating Solutions, LC (Dan E. Wilson, Managing Member), \$6,196,268.70. Also, on October 18, 2021, under Roll Call No. 21-1609, City Council approved the contract and bond and permission to sublet for the Hamilton Drain Storm Water Improvements Phase 2.

- Construction of Phase 2 of the Hamilton Drain East System Storm Sewer Improvements is anticipated to be completed in the spring of 2023.
- On December 12, 2022, by Roll Call No. 22-1939, City Council held a public hearing on the Hamilton Drain Storm Water Improvements Phase 3, and approved plans, specifications, form of contract documents, engineer's estimate, receive and file bids and designating lowest responsible bidder as RW Excavating Solutions, LC (Dan E. Wilson, Managing Member), \$7,723,556.90. Also, on December 12, 2022, under Roll Call No. 22-1940, City Council approved the contract and bond and permission to sublet for the Hamilton Drain Storm Water Improvements Phase 3.
- Phase 3 of the Hamilton Drain East System Storm Sewer Improvements includes:
  - New storm sewer construction between Euclid Avenue and the new Amherst Street stormwater detention basin to be constructed as part of Phase 2.
  - Construction of a new stormwater detention basin located northeast of E. Douglas Avenue and E. 9th Street.
  - Construction of a new stormwater detention basin located north of E. Euclid Avenue and east of E. 9th Street.
  - Removal of the existing wood Rocky Place Storm Sewer.
- Construction of Phase 3 of the Hamilton Drain East System Storm Sewer Improvements is anticipated to start spring 2023 and be completed fall 2024.
- City staff have negotiated Supplemental Agreement No. 2 to the PSA with Kirkham Michael & Associates, Inc. to provide:
  - Construction staking for Phase 3 of the Hamilton Drain Storm Water Improvements.
  - Final design of Phase 4 of the Hamilton Drain Storm Water Improvements, which includes new storm sewer between E. Euclid Avenue and E. Ovid Avenue.
  - FEMA map revisions, including submittal to FEMA for revised boundary delineation of the base (1-percent-annual-chance) floodplain, 0.2-percent-annual-chance floodplain, and regulatory floodway after the completion of the Hamilton Drain East System Storm Sewer Improvements.



**PREVIOUS COUNCIL ACTION(S):**

Date: November 15, 2021

Roll Call Number: [21-1711](#)

Action: [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement with Kirkham Michael & Associates, Inc. for design and construction services for Hamilton Drain Storm Water Improvements for Construction Staking of Phase 2 and Final Design of Phase 3, not to exceed \$430,000. ([Council Communication No. 21-487](#)) Moved by Gatto to adopt. Motion Carried 7-0.

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

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

City staff anticipates future Council actions on this project for final design of Phase 4 and construction phase services for Phases 3 and 4, as well as actions related to construction.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the first floor of City Hall, 400 Robert D Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to [cityclerk@dmgov.org](mailto:cityclerk@dmgov.org).