


COUNCIL COMMUNICATION

	Number:	24-142	Meeting:	April 1, 2024
	Agenda Item:	7	Roll Call:	24-0478
	Submitted by:	Steven L. Naber, P.E., City Engineer		

AGENDA HEADING:

Approving Supplemental Agreement No. 6 to the Professional Services Agreement (PSA) with Kirkham Michael & Associates, Inc. for additional design services for Southeast Connector – SE 30th Street to U.S. Highway 65 (U.S. 65), not to exceed \$295,000.

SYNOPSIS:

Recommend approval of Supplemental Agreement No. 6 to the PSA with Kirkham Michael & Associates, Inc. (Michael S. Olson, P.E., President, 12700 West Dodge Road, Omaha, Nebraska 68154) for an additional amount not to exceed \$295,000, based on hourly rates and reimbursable costs, to provide additional design services for the Southeast Connector – SE 30th Street to U.S. 65.

FISCAL IMPACT:

Amount: \$295,000

Funding Source: Fiscal Year (FY) 2023-2024 Capital Improvement Program (CIP), Page 118, Southeast Connector – SE 30th Street to U.S. 65, ST256, G.O. Bonds

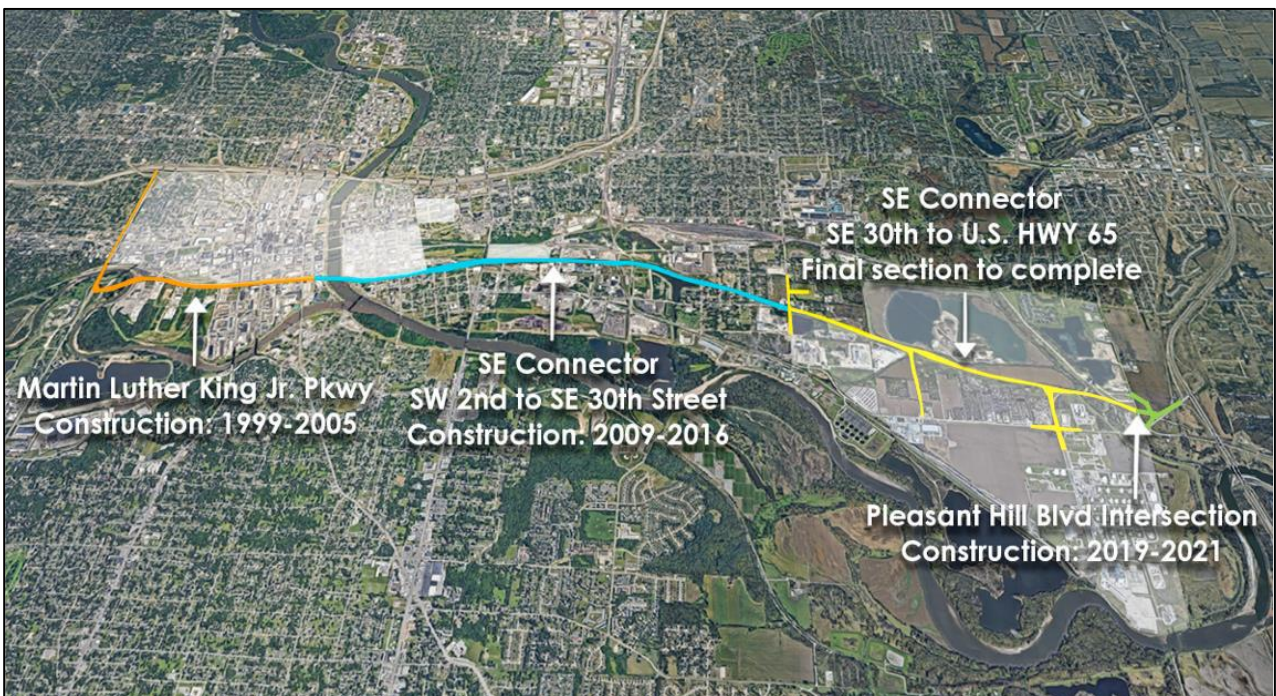
ADDITIONAL INFORMATION:

- On September 8, 2014, by Roll Call No. 14-1351, the City and Kirkham Michael & Associates, Inc. entered into a PSA for conceptual design services for the Southeast Connector – SE 30th Street to U.S. 65, not to exceed \$1,229,000.
- On September 26, 2016, by Roll Call No. 16-1595, the City and Kirkham Michael & Associates, Inc. entered into Supplemental Agreement No. 1 for preliminary design services for the Southeast Connector – SE 30th Street to U.S. 65, not to exceed \$2,029,000.
- On October 22, 2018, by Roll Call No. 18-1728, the City and Kirkham Michael & Associates, Inc. entered into Supplemental Agreement No. 2 for final design of the Southeast Connector – SE 30th Street to U.S. 65, not to exceed \$992,000. Supplemental Agreement No. 2 to the PSA with Kirkham Michael & Associates, Inc. provided for preliminary and final design and bidding assistance for partial build, two (2)-lane from E. 30th Street to U.S. 65, not to exceed \$2,021,000. With the reduction of Supplemental Agreement No. 1 by \$1,029,000, the net increase to the total compensation was \$992,000.

- On October 4, 2021, by Roll Call No. 21-1459, the City and Kirkham Michael & Associates, Inc. entered into Supplemental Agreement No. 3 for hydraulic modeling and levee design and additional final design for the Southeast Connector – SE 30th Street to U.S. 65, not to exceed \$900,000.
- On May 9, 2022, by Roll Call No. 22-0670, the City and Kirkham Michael & Associates, Inc. entered into Supplemental Agreement No. 4 for geotechnical exploration and final design to relocate a portion of the ag-lime stockpile located at 3400 E. Granger Avenue for the Southeast Connector – SE 30th Street to U.S. 65, not to exceed \$49,500.
- The estimated total project cost for the Southeast Connector (SE 30th – U.S. Highway 65) is nearly \$75M, with an estimated \$58M being for construction and the remaining for design, right-of-way acquisition, utility relocations and construction administration and inspection. On February 20, 2023, by Roll Call No. 23-0203, City Council approved and authorized the application for the 2023 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grant application requesting \$25M for construction of the project which is intended to include the paving for two (2) lanes of roadway, a 1,515-foot-long bridge, multi-use trail, the relocation and improvement of 4,000 feet of the SE Des Moines Levee system, storm water enhancements, as well as right-of-way and grading for future expansion of the roadway if future traffic volumes warrant.
- The City was not successful in obtaining a 2023 RAISE grant. As a result, the City was planning to construct the last 2.2-mile-segment of the Southeast Connector in two (2) phases to accommodate the anticipated timing of available funding:
 - The first phase was planned to include roadway improvements from SE 30th Street to SE 36th Street and grading between SE 36th Street and Pleasant Hill Boulevard.
 - The second phase was planned to include roadway improvements from SE 36th Street to U.S. 65, including a bridge over Fourmile Creek and the remaining roadway.
- On May 22, 2023, by Roll Call No. 23-0700, the City and Kirkham Michael & Associates, Inc. entered into Supplemental Agreement No. 5 which provided for additional design services to accommodate a two (2)-phased project, environmental engineering, archeological evaluations, and additional United States Army Corps of Engineers (USACE) permitting services including the following services:
 - Redesign of Southeast Des Moines (SEDM) Levee with new levee heights and raising SE 36th and SE 43rd Streets.
 - Included updates to the current hydraulic model being used for the Levee Alterations Program which identified the need for increased levee height.
 - An additional 2,500 feet of levee was added to the project due to the availability of on-site borrow which is estimated to result in an ultimate potential savings of \$500,000 in construction costs to the City versus completing it later as part of the Levee Alterations Program.
 - Design of structural modifications to existing railroad levee closures structure on Norfolk Southern Railway at Fourmile Creek.
 - The original design included reconstruction of the closure structure and was estimated to cost \$1,000,000.
 - Redesign of the closure structure to be modified with an increased wall height and new stoplog structure which is estimated to result in a potential savings of \$800,000 in construction costs.

- Redesign Southeast Connector mainline roadway between SE 30th Street and SE 33rd Street to avoid an existing pond and design an additional 1,300 feet of SE 36th Street in conjunction with the proposed relocation of a Des Moines Area Regional Transit Authority (DART) facility.
 - The previously designed alignment required extensive fill in the pond to build the roadway embankment.
 - Revising the alignment avoids costs to fill the pond, removing and replacing additional pavement west of SE 30th Street on Martin Luther King Jr. Parkway, and reduces sewer installation costs resulting in a potential saving of \$3,000,000 in construction costs.
 - Additional design of SE 36th Street increased consultant costs by \$80,000.
- Redesign of landscaping and lighting based on alignment shift near SE 30th Street.
- Separating existing plans into two (2) separate project phases for bidding and construction purposes allows the project to proceed with available funding.
- Conduct environmental engineering and testing for rubbish pile located at 3400 E. Granger Avenue.
 - Iowa Department of Natural Resources (IDNR) has identified this pile as not having a beneficial use and potentially landfill material.
- Engineering, testing, and screening of material may limit the volume required to be disposed and used on-site during construction resulting in a potential savings of \$400,000.
- Conduct archeological evaluation for residential property at 3016 E. Maury Street.
- Conduct Phase 1 archaeological resources inventory and geomorphological analysis at four (4) locations throughout the project corridor identified by State Historic Preservation Office (SHPO).
- Development of Basis of Design report for USACE 408 permitting submittal.
 - USACE is requiring stream mitigation credits for realigned Fourmile Creek.
 - Work includes working with USACE to reduce the number of credits required, resulting in a potential savings of \$150,000.
- Total potential construction cost savings resulting from the additional design services being conducted under Supplemental Agreement No. 5 is estimated to be \$4,850,000.
- Subsequently, the City applied for a United States Department of Transportation (USDOT) Infrastructure for Rebuilding America (INFRA) discretionary grant in 2023 for an amount of \$34M. The City was notified by the USDOT in January 2024 that its application had been approved for the full amount of \$34M. This INFRA grant award now positions the City to complete the Southeast Connector project as a single project as opposed to the previously planned two (2) phases.
- The project is anticipated to be bid via the Iowa Department of Transportation (IDOT) with an anticipated bid date in late 2024 or early 2025. The project will take approximately three (3) years to construct.

- City staff is currently in the process of developing a draft agreement with the USDOT and IDOT to formalize the INFRA grant. This agreement will be brought before the City Council at a future meeting for consideration.
- The INFRA grant will be administered by IDOT as the Recipient, with the City being the designated Subrecipient.
- Supplemental Agreement No. 6 to the PSA with Kirkham Michael & Associates, Inc. provides for additional design services, as listed below, in addition to combining the previously mentioned Phase 1 and Phase 2 bid plans into one (1) set of bid plans, which will consist of approximately 1,000 plan sheets.
 - Incorporate design modifications into plan sheets requested after 95% submittal.
 - Update the traffic analysis for the uncompleted portion of the Southeast Connector.
 - Development of a technical memo summarizing the expected maintenance requirements and costs for the new Southeast Connector bridge over Fourmile Creek.
 - Providing INFRA grant funding assistance during the implementation and award of the grant.
 - Responding to Norfolk Southern Railway comments regarding the design and impacts to their right-of-way.
 - Additional coordination and communication with the USACE comments regarding the project design and impacts.



PREVIOUS COUNCIL ACTION(S):

Date: May 22, 2023

Roll Call Number: [23-0700](#)

Action: [Approving](#) Supplemental Agreement No. 5 to the Professional Services Agreement with Kirkham Michael & Associates, Inc. for additional design services for Southeast Connector – SE 30th Street to U.S. 65, not to exceed \$981,000. ([Council Communication No. 23-249](#)) Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Absent: Sheumaker.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

City staff does not anticipate an additional Supplemental Agreement for design services; however, unanticipated changes may require Council action. A Supplemental Agreement for construction phase services will be presented for future Council consideration.

The INFRA grant agreement will be brought before the City Council at a future meeting date for its consideration and approval.

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.