


COUNCIL COMMUNICATION

 CITY OF DES MOINES OFFICE OF THE CITY MANAGER	Number:	25-145	Meeting:	April 21, 2025
	Agenda Item:	8	Roll Call:	25-0558
	Submitted by:	Steven L. Naber, P.E., City Engineer		

AGENDA HEADING:

Authorizing issuance of a Notice of Intent to Enter into a Guaranteed Maximum Price (GMP) Contract Pursuant to Iowa Code Chapter 26A for the 5th & Walnut Parking Garage Skywalk Improvement project and authorization for staff to proceed pursuant to Iowa Code Chapter 26A.

SYNOPSIS:

Recommend the City Council authorize issuance of a Notice of Intent to Enter into a GMP Contract Pursuant to Iowa Code Chapter 26A for the 5th & Walnut Parking Garage Skywalk Improvement project and authorization for staff to proceed pursuant to Iowa Code Chapter 26A.

FISCAL IMPACT:

Amount: \$2,300,000 – City Engineer’s Pre-Construction Services & Construction Estimate, including Construction Manager fees and estimated Cost of Work

Funding Source: Fiscal Year (FY) 2025-2026 Capital Improvement Program (CIP), Page 167, Skywalk System, SW094, Tax Increment Funding Bonds

ADDITIONAL INFORMATION:

- On July 1, 2022, Senate File 183 established a new Chapter 26A of the Iowa Code, which allows and authorizes public improvement projects to be constructed under the Construction Manager at Risk (“CMR”) project delivery method.
- CMR is defined in Iowa Code Chapter 26A as a sole proprietorship, partnership, corporation, or other legal entity that assumes the risk for construction, rehabilitation, alteration, or repair of a project and provides consultant services to the government entity in the project development and design phases, working collaboratively with the design professionals involved. A CMR project delivery method involves the negotiation of a GMP for the project with a construction manager who agrees to complete the project for the public entity-owner within the GMP. The GMP includes the cost of the construction work (including work performed by subcontractors and any self-performed work by the construction manager), plus the construction manager’s negotiated fee. CMR cannot be used on highway, bridge, or culvert construction projects.
- As a starting point, under Chapter 26A, if the City intends to utilize the CMR method and enter into a GMP contract, the City must publicly disclose its intent to do so and the City’s selection criteria at least 14 days prior to posting a Request for Statement of Qualifications seeking a

contractor to serve as a CMR. The City is required to publicly disclose the intent in a relevant construction lead generating service with statewide circulation, and on an internet site sponsored by either the City or a statewide association that represents the City.

- City staff have prepared a Notice of Intent, Request for Qualifications, and Request for Proposals with the intention of being used to procure a CMR. It is anticipated that City staff will interview and select a CMR in August 2025 to enter into negotiations of an Agreement for subsequent City Council consideration, with an anticipated issuance of a Notice to Proceed in October 2025.
- The 5th & Walnut Parking Garage was completed and purchased by the City in 2021. A parking garage that was connected to the skywalk system was demolished on this site in 2017.
- The City issued a Request for Proposals in early 2025 to provide feasibility study services to identify and recommend solutions to connect the 5th & Walnut Parking Garage to the skywalk system at Skywalk Bridge 4C-5C and received six (6) proposals. Substance Architecture was selected to provide these feasibility study services based on the posted selection criteria, including extensive experience on skywalk projects. The feasibility study is anticipated to be completed by the end of June 2025.
- The 5th & Walnut Parking Garage Skywalk Improvement project scope will be determined following the completion of the feasibility study. The project is anticipated to include selective demolition, renovation, and new construction to connect the new 5th & Walnut Parking garage to the skywalk system at Skywalk Bridge 4C-5C, including structural, mechanical, electrical, civil and architectural work.
- The estimated GMP for construction is \$2,250,000, with an additional estimated \$50,000 for Pre-Construction services. The design consultant will prepare proposed plans, specifications, and form of contract documents available for public inspection. It is anticipated that construction would begin Summer 2026 and complete Spring 2027.

LOCATION MAP



BIRD'S EYE VIEW



PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Anticipated actions include: approving contract for professional architectural and engineering services; approving contract and approving GMP Amendment to contract; also partial payments to the CMR and final acceptance of work.

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@dm.gov.