

★ **Roll Call Number**

Agenda Item Number

52B

.....
Date .. December 23, 2013

**APPROVING COMPLETION AND ACCEPTANCE OF DES MOINES
RECREATIONAL RIVER AND GREENBELT PROJECT, DES MOINES
RIVERWALK, PHASE I**

WHEREAS, on November 19, 2007, under Roll Call No. 07-2267, the City Council approved execution of the Project Cooperation Agreement between the City of Des Moines and the Department of the Army for construction of Phase I of the Des Moines Riverwalk; and

WHEREAS, the Corps of Engineers defined the project as construction of a 12-foot wide multi-purpose public trail connecting downtown Des Moines to Gray's Lake Recreation Area along the Raccoon River, 10 to 12 foot wide street-level trails on the East and West side of the Des Moines River in the vicinity of the abandoned Union Railway Bridge into a pedestrian bridge connecting the East and West side trails on the lower end; and

WHEREAS, the Principal Riverwalk project was accomplished as a private – public partnership, with portions of the project designed and constructed with available private funds, State and Federal grants, and City funds; and

WHEREAS, the Corps of Engineers constructed the improvements on the west end of the Center Street Bridge (now known as the "Iowa Women of Achievement Bridge") and generally north of Grand Avenue and between Court Avenue and Walnut Street on the west bank of the Des Moines River, including the Kiosk Building, flood wall, trails and plaza areas (including what is now known as the "Hub Spot"); and

WHEREAS, the Corps of Engineers construction project was funded by Federal appropriations, with a final construction contract amount of \$8,204,104.75; and

WHEREAS, the required fifty percent local share was provided through work-in-kind approved by the Corps of Engineers, which included property required for the project, City staff costs, design and construction of other Riverwalk components, and

WHEREAS, the Corps of Engineers has provided written notice of project completion to the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

That the attached notice from the Corps of Engineers of project completion, be received and filed; and that in accordance with the Agreement that was approved under Roll Call No.07-2267, is hereby acknowledged and that said improvements are hereby accepted.

Activity ID 14-2004-032 & 14-2010-031

Moved by _____ to adopt.

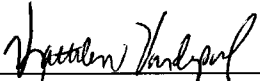
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
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FORM APPROVED:


 Kathleen Vanderpool
 Deputy City Attorney

 Funding Source: 2013-2014 CIP, Page Parks – 15, Principal Riverwalk, PK162

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MOORE				
VOSS				
TOTAL				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

 Mayor

 City Clerk

14-2010-031 52B



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, ROCK ISLAND DISTRICT
CLOCK TOWER BUILDING - PO BOX 2004
ROCK ISLAND, ILLINOIS 61204-2004

CEMVR-PM-M

Pamela Cooksey, PE
Deputy City Engineer
City Hall
400 Robert D. Ray Drive
Des Moines, IA 50309

RECEIVED

APR 30 2013

MAY 02 2013

DEPT. OF ENGINEERING
CITY OF DES MOINES, IOWA

Dear Ms Cooksey:

As provided for in Article II of the Project Partnership Agreement (PPA) between the US Army Corps of Engineers and the City of Des Moines (City), you are hereby notified that construction of the Des Moines Recreational River and Greenbelt Project, Phase I (Project) is substantially complete. Phase I was completed on December 17, 2012. The main components of the Project are: a central trail-hub; a Kiosk building; parks; walking trails; open green spaces and related facilities; the 1.2 mile Riverwalk loop, and more than 2 additional miles of trail linkage to other trails, features, and facilities.

Article VIII of the PPA requires that the City assume operation, maintenance, repair, replacement, and rehabilitation (OMRR&R) of the Project at no cost to the Federal Government and in accordance with the Project's authorized purpose and applicable Federal and state laws. An OMRR&R Manual will be prepared for the City's use when construction of all phases of the Project is complete. The Corps will furnish the City with an interim OMRR&R Manual consisting of contractor submittals and warranty material to aid the City in the Project's OMRR&R.

Please acknowledge receipt of this letter which begins the City's OMRR&R responsibilities for the Project. Your acknowledgement should be sent to the undersigned at:

District Engineer
U.S. Army Corps of Engineers, Rock Island District
ATTN: CEMVR-PM-M (Zukowski)
Clock Tower Building
P. O. Box 2004
Rock Island, IL 61204-2004

Construction of the Kiosk building is substantially complete. There are two punch list items remaining which are scheduled to be completed by May 6, 2013. Considering that the City is responsible for the area in which these punch list items are located, a Certificate of Occupancy has been granted by the City's Community Development Department and the utilities have been transferred to the City. The City may occupy the building.

Questions regarding this matter may be directed to Michael P. Zukowski, P. E. by telephone at 309-794-5890 or e-mail: michael.p.zukowski@usace.army.mil.

Sincerely,



Mark J. Deschenes
Colonel, US Army
Commander & District Engineer