



Date February 21, 2022

APPROVAL OF FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF DES MOINES AND THE DES MOINES AIRPORT AUTHORITY REGARDING THE IOWA DEPARTMENT OF TRANSPORTATION (IDOT) REVITALIZE IOWA'S SOUND ECONOMY (RISE) GRANT TO THE DES MOINES AIRPORT AUTHORITY FOR THE COWLES DRIVE RECONSTRUCTION PROGRAM (PHASE 2 AND 3) AT THE DES MOINES INTERNATIONAL AIRPORT AND APPROVAL OF PRIVATE CONSTRUCTION CONTRACT BETWEEN DES MOINES AIRPORT AUTHORITY AND ELDER CORPORATION FOR INSTALLATION OF SANITARY SEWER AND CURB AND GUTTER REPLACEMENT ALONG FLEUR DRIVE.

WHEREAS, on January 25, 2021, under Roll Call No. 21-0070, the City Council authorized submittal of a Revitalizing Iowa's Sound Economy ("RISE") grant application for the Des Moines Airport Authority's Cowles Drive Reconstruction Program within the Des Moines International Airport; and

WHEREAS, an original grant application was approved on April 14, 2020 and the Iowa Department of Transportation (DOT) awarded \$4,862,344 to the Des Moines Airport Authority for Phase 1 of the Cowles Drive Reconstruction Program; and

WHEREAS, a subsequent grant application was approved on June 8, 2021 and the DOT awarded \$4,862,344 to the Des Moines Airport Authority for Phases 2 and 3 of the Cowles Drive Reconstruction Program; and

WHEREAS, the Iowa DOT prepared an addendum to Iowa Department of Transportation Agreement 2020-R-014 between the City of Des Moines (aka, Project Sponsor), the Des Moines Airport Authority (aka, Recipient) and the Iowa Department of Transportation (DOT) for Phases 2 and 3; and

WHEREAS, on October 4, 2021, under Roll Call 21-1456, the addendum to Iowa Department of Transportation Agreement 2020-R-014 for a Revitalize Iowa's Sound Economy Program (RISE) Project, and related agreement between the City of Des Moines and Des Moines Airport Authority was approved that provides that the Authority must perform all obligations for constructing and financing the Project without obligation on part of the City agreement; and

WHEREAS, the first amendment to the Agreement between the City and the Authority is required because, as design progressed, it was determined that some of the Phase 2 and 3 improvements would encroach into City's right-of-way when it was originally thought the City's right-of-way would not be impacted.



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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

1. The attached first amendment to the City-Authority Agreement is hereby approved and the Mayor is authorized and directed to execute the agreement and the City Clerk is authorized to attest to the Mayor's signature.
2. The Private Construction Contract in the amount of \$166,162.50, between the Des Moines Airport Authority, as Owner, and Elder Corporation, as Contractor for the improvements described as Installation of Sanitary Sewer Pipes SA-7, SA-8 and SA-9, Sanitary Sewer Structures MH-7, MH-8 and MH-9, Storm Sewer Structures S-29, PCC curb & gutter Replacement along Fleur Drive as shown on City Plan File numbers 640-001/199 is hereby approved.
3. The City Manager or his designees are hereby authorized and directed to administer the Agreements on behalf of the City and to monitor compliance with the terms and conditions of the Agreement.

(Council Letter Number 22054 attached)

Moved by _____ to adopt.

Second by _____

FORM APPROVED: s/Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

Funding Source: Airport Authority



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SLN

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
TOTAL				

CERTIFICATE

I, P. KAY CMELIK, 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