

★ Roll Call Number

15-0771

Agenda Item Number

38

Date May 4, 2015

**RESOLUTION APPROVING DISTRIBUTION OF
REQUEST FOR QUALIFICATIONS AND REQUEST FOR PROPOSALS FOR
RAIL PORT TRANSLOAD FACILITY**

WHEREAS, on October 20, 2014, by Roll Call No. 14-1667, the City Council received and filed the Des Moines Rail Transload Feasibility Study ("Transload Study"), as commissioned and approved by the Des Moines Area Metropolitan Planning Organization (MPO) to examine the need for a rail port or transload facility for transfer of shipments of products from one mode of transportation (rail or vehicular) to the other to assist and attract Des Moines area businesses transporting goods to and from the area; and

WHEREAS, the Transload Study followed prior studies of regional goods movement by the MPO in 2002, 2006 and 2013 that identified issues with the efficient movement of goods including rising fuel costs, interstate congestion, and a need to identify changes that could be made by the rail and truck industries to address these issues; and

WHEREAS, the Transload Study identified City-owned real property in southeast Des Moines, immediately north of the alignment of the SE Connector roadway between the SE 14th Street viaduct and SE 18th Street, as the preferred site for a Rail Transload Facility ("Facility") due to the convergence of Class I and II rail lines in the area including BNSF Railway Company, Norfolk Southern Railway Company, Union Pacific Railroad Company, and Iowa Interstate Railroad Company, and the proximity to the planned extension of the SE Connector to Highway 65 to promote vehicular access to the facility; and

WHEREAS, the MPO has received approval of its application to the Iowa Department of Transportation (IDOT) Rail Revolving Loan and Grant (RRLG) Program for partial funding of the development of the Transload Facility, which loan may be used by the selected developer for construction of the Facility; and

WHEREAS, on October 20, 2014, by Roll Call No. 14-1668, the City Council approved an agreement for professional services with McClure Engineering Company ("McClure"), using subconsultant Engineered Rail Solutions, LLC, to review the potential options for development of the Facility and preparation of a Request for Proposals to locate a developer and operator for the Facility, and further approved submitting a Letter of Support to the IDOT RRLG Program as requested by the MPO; and

WHEREAS, following Council's direction, City staff have consulted with a representative from the neighborhood, the Greater Des Moines Partnership, the MPO, and McClure and its subconsultant, to review the proposed railport concept and develop RFP criteria; and

WHEREAS, based on input of the committee and consultants, City staff recommend that a Request for Qualifications be submitted to a group of potential respondents to obtain basic information designed to evaluate the respondents' experience in the development and operation of a rail port transloading facility, from which three to five respondents will be requested to submit a Request for Proposals specifically detailing each respondent's proposal for development, operation, maintenance and financing of the Facility; and

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WHEREAS, further based on said input, City staff recommend that the options for development and operation of the Facility include both (1) facility construction by the operator and land sale from the City to the operator, and (2) facility construction by the operator and land lease from the City to the operator, eliminating the options whereby the City would undertake construction of the Facility, and allowing for development proposals for either sale or land lease to be considered during the Request for Qualifications and Request for Proposals review; and

WHEREAS, a recommendation regarding the preferred developer will be returned to City Council for consideration and approval prior to commencing development negotiations with said developer.

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

- 1. That the City Manager and his designee(s) are authorized and directed to distribute the Des Moines Railport Development & Operation Request for Qualifications, in substantially the form on file in the office of the City Clerk; to review and evaluate the responses received; and to select from said responses at least three and no more than five respondents to receive a Request for Proposal.
2. Following such evaluation and selection, the City Manager and his designee(s) are authorized and directed to distribute the Request for Proposal for Des Moines Railport Development & Operation, in substantially the form on file in the office of the City Clerk, to the selected respondents; to review and evaluate the responses received; to select a preferred developer; and to submit to City Council a recommendation regarding the preferred developer for consideration and approval prior to commencing development negotiations.

(Council Communication No. 15- 238)

FORM APPROVED:

Glenna K. Frank
Assistant City Attorney

MOVED BY Gatto TO ADOPT.

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MAHAFFEY, MOORE, and TOTAL (7 yeas).

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.

T. M. Franklin Council Mayor

Diane Rauh City Clerk