

## Meeting Agendas/Info

**CITY COUNCIL  
COMMUNICATION:**

**ITEM \_\_\_\_\_**

**01-548**

**OFFICE OF THE CITY MANAGER  
CITY OF DES MOINES, IOWA**

**AGENDA:**

OCTOBER 22, 2001

**SUBJECT:**

CONSULTANT  
AGREEMENT WITH  
TERRACON, INC.  
FOR ENGINEERING  
DESIGN AND  
INSPECTION  
SERVICES FOR THE  
FORMER DILLER  
BATTERY SITE

**TYPE:**

**RESOLUTION**  
ORDINANCE  
RECEIVE/FILE

**SUBMITTED BY:**

DONALD M. TRIPP  
PARK &  
RECREATION  
DIRECTOR

**SYNOPSIS -**

A consultant agreement has been negotiated with Terracon, Inc. (Larry Davidson, President, 600 S.W. 7th Street, Suite M, Des Moines, IA, 50309) for design specifications and inspection services for overexcavation of soils at the former Diller Battery site. The City of Des Moines, Polk County, and the Union Pacific Railroad (the parties) shall share equally in the expenses of this consultant agreement by a participation agreement between the parties. The consultant agreement is \$88,491.80 in which the City shall be responsible for one-third or \$29,497.27, Polk County one-third or \$29,497.27, and Union Pacific Railroad one-third or \$29,497.27.

**FISCAL IMPACT -**

Compensation to the consultant for services covered by this agreement shall be in a lump sum not to exceed \$88,491.80 for which the City shall be responsible for one-third or \$29,497.27. Funds for this agreement are provided in the Capital Improvements Program.

**RECOMMENDATION -**

**Approval.**

**BACKGROUND -**

The former Diller Battery site (FDDBS) Parcel One was operated as a lead battery factory by Diller Battery from 1946 to 1952. In 1953, the facility was operated jointly by Diller Battery and Span-O-Life Battery, and by Span-O-Life Battery only in 1954. The FDDBS Parcel Two was formerly occupied by a school building. The school building was demolished in or about 1994. Parcel One and Two will be referred to as FDDBS. In July of 1996, at the request of the U.S. Environmental Protection Agency (USEPA), the Ecology and Environment, Inc., Superfund Technical Assessment and Response

Team conducted an integrated site assessment (ISA) at the FDBS. Results of the ISA indicated elevated lead and polynuclear aromatic hydrocarbons (PAH) levels that exceeded comparison values and health-based benchmarks. The USEPA determined, based on the ISA, that the conditions at the FDBS constitute an actual or threatened release of hazardous substances from the site. The USEPA requested that an Engineering Evaluation/Cost Analysis (EE/CA) and site characterization be completed at the FDBS.

In December 1997, the City, Polk County, and Union Pacific Railroad prepared a participation agreement to equally share in the cost for preparation of an EE/CA and site characterization for the FDBS. The site characterization was completed in September of 1999 and the EE/CA was completed in September of 2000.

The EE/CA compared different remedial methods and associated costs. The City, Polk County, and the Union Pacific Railroad agreed to overexcavate and remove the contaminated soil from the FDBS. The USEPA is in concurrence with this agreement.

The consultant selection committee, composed of David McGuffin (City of Des Moines Engineering), Jeff McDermott (Union Pacific Railroad), and Larry Land (Polk County Engineering), reviewed six proposals. Based on those proposals, the committee unanimously recommends Terracon, Inc. as the consultant most qualified to do the work required.

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