


## COUNCIL COMMUNICATION

	Number:	<b>20-102</b>	Meeting:	<b>March 9, 2020</b>
	Agenda Item:	<b>9</b>	Roll Call:	<b>20-0407</b>
	Submitted by:	<b>Jonathan A. Gano, P.E., Public Works Director and Steven L. Naber, P.E., City Engineer</b>		

### AGENDA HEADING:

Approving exception to Request for Proposal (RFP) process for good cause and approving Professional Services Agreement (PSA) with Kirkham Michael & Associates, Inc. (KMA) for construction services for SE 9th Street Storm Water Pump Station and Improvements, not to exceed \$400,000.

### SYNOPSIS:

Recommend approval of exception to the Engineering Department's Request for Proposal process for good cause and approval of the PSA with KMA (Michael S. Olson, P.E, President, 12700 West Dodge Road, Omaha, NE, 68154), for a total cost not to exceed \$400,000, based on hourly rates, to provide construction services for SE 9th Street Storm Water Pump Station and Improvements.

### FISCAL IMPACT:

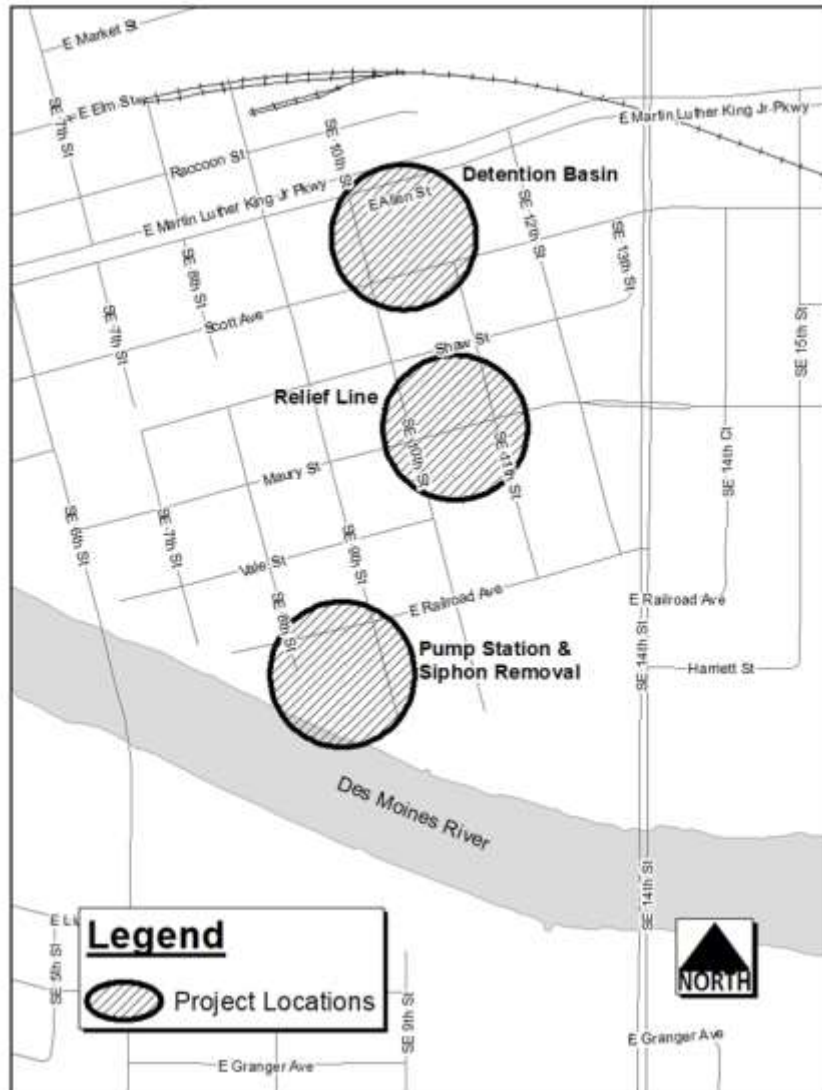
Amount: \$400,000

Funding Source: 2019-2020 CIP, Page Storm Water-6, Flood Mitigation Improvements, SM087, State Flood Mitigation funds

### ADDITIONAL INFORMATION:

- On June 24, 2013, by Roll Call No. 13-1059, City Council approved the PSA with Stantec Consulting Services, Inc.(Stantec) for an assessment and analysis of the Des Moines Downtown Levee Systems relative to Federal Emergency Management Agency (FEMA) accreditation requirements. This included identifying a plan of projects to both reduce flood risk within the levee areas and bring the levee system into compliance with the FEMA accreditation requirements. One (1) component of the plan identified the necessary improvements to the interior drainage pump stations along the DM-I, DM-II, and DM-III levee systems, required to meet FEMA criteria.
- On August 22, 2016, by Roll Call No. 16-1386, City Council approved the PSA with Stantec to provide design services for SE 9th Street Storm Water Pump Station and Improvements. As part of that PSA, Stantec will be supporting construction with shop drawing and change order review.

- The City Engineer recommends that good cause exists to exempt the procurement of these professional services from the Engineering Department’s RFP process, including advertisement, in order to obtain construction phase services. KMA is qualified to perform the professional services and was selected to complete construction services for SE 9th Street Storm Water Pump Station and Improvements based on:
  - KMA was the local subconsultant to Stantec for design of the SE 9th Street Storm Water Pump Station and Improvement. Stantec’s proposal included KMA providing survey, utility coordination, collection system design, construction phase support and related services.
  - KMA has previously provided construction phase services on many City projects and can efficiently manage City processes, utilities and other field services required during construction.
- City staff negotiated a PSA for SE 9th Street Storm Water Pump Station and Improvements with KMA for a total cost not to exceed \$400,000, based on hourly rates, to provide construction services.



**PREVIOUS COUNCIL ACTION(S):**

Date: December 16, 2019

Roll Call Number: [19-2070](#) and [19-2071](#)

Action: [On](#) SE 9<sup>th</sup> Street Storm Water Pump Station and Improvements: Resolution approving plans, specifications, form of contract documents, and Engineer's estimate and designating lowest responsible bidder as Woodruff Construction, LLC (Donald A. Woodruff, President), \$8,186,736.62. ([Council Communication No. 19-550](#)) Moved by Gatto to adopt. Motion Carried 7-0.

(A) [Approving](#) contract and bond and permission to sublet. Moved by Gatto to adopt. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

City staff does not anticipate any future Council actions on this PSA at this time; however, unanticipated changes to this PSA would require a Supplemental Agreement, which may require Council action.

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@dmgov.org](mailto:cityclerk@dmgov.org).