


# COUNCIL COMMUNICATION

 CITY OF DES MOINES OFFICE OF THE CITY MANAGER	Number:	<b>22-572</b>	Meeting:	<b>December 12, 2022</b>
	Agenda Item:	<b>60</b>	Roll Call:	<b>22-1932</b>
	Submitted by:	<b>Jonathan A. Gano, P.E., Public Works Director, and Steven L. Naber, P.E., City Engineer</b>		

## AGENDA HEADING:

Hearing on Des Moines Levee Alterations - Phase C: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsible bidder as Peterson Contractors, Inc., Cordell Peterson, President, \$17,388,129.50.

## SYNOPSIS:

This is a public hearing to allow for public input on the Des Moines Levee Alterations - Phase C and take the necessary actions as required by Iowa Code to authorize a contract for construction of the proposed project. This public improvement project includes improvements to the levee system along the Des Moines River from the confluence of the Raccoon River to S.E. 14th Street and is part of the City's Flood Mitigation Program with the goal of mitigating flood risk and meeting the requirements for Federal Emergency Management Agency (FEMA) accreditation of the downtown levees. Improvements include earthen levee raises, gatewell structure modifications, pipe penetration improvements (sewer replacement and abandonments), and construction of seepage relief trenches to increase levee stability.

## FISCAL IMPACT:

Amount: \$17,388,129.50 construction contract (\$15,400,000 City Engineer's Estimate).

Funding Source: 2022-23 CIP, Page 106, Flood Mitigation Improvements, SM087, Being: Storm Water Utility Funds and Flood Mitigation Sales Tax.

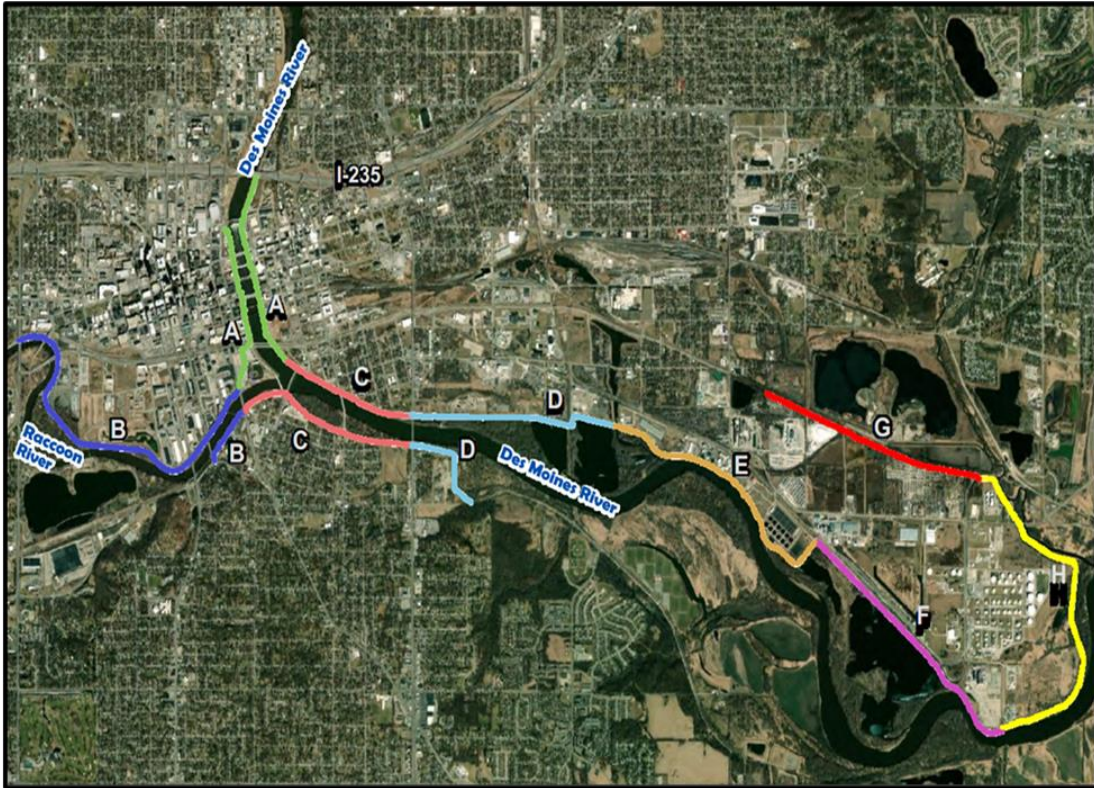
## ADDITIONAL INFORMATION:

- On October 24, 2022, under Roll Call No. 22-1607, the City Council received and filed plans, specifications, form of contract documents, and City Engineer's estimate for the construction of the Des Moines Levee Alterations - Phase C. Before the City Council can enter into a contract, it must hold a public hearing and approve the proposed plans, specifications, and form of contract documents and engineer's estimate for the construction of the Des Moines Levee Alterations - Phase C, Activity ID 08-2020-006. The improvement includes earthen levee raise and widening, earthwork, excavation, clearing, revetment, sheet piling, gatewell raise, sewer pipe and repair, seepage relief pipe, swing gates, articulated concrete block, utility

abandonment, rain garden, Portland Cement Concrete (PCC) pavement, Hot Mix Asphalt (HMA) pavement, light pole relocation, erosion control, seeding, other incidental items and miscellaneous associated work including cleanup; all in accordance with the contract documents, including Plan File No. 638-222/388, with improvements located along the Des Moines River from the confluence of the Raccoon River to S.E. 14th Street.

- Sealed bids for said improvement were submitted by the following bidders:
  - Peterson Contractors, Inc., Reinbeck, IA - Low Bid
  - Reilly Construction Co., Inc., Ossian, IA
  - S. M. Hentges & Sons Inc., Jordan, MN
  - Legacy Corporation of IL, East Moline, IL
  - C. J. Moyna & Sons, Inc., Elkader, IA
- The bids were received and opened at a public meeting presided over by the City Engineer in the City Council Chambers, 2nd Floor, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa at 11:00 a.m. on November 22, 2022.
- The City Engineer has determined that the lowest responsive, responsible bid for the construction of said improvement was submitted by Peterson Contractors, Inc. (Cordell Peterson, President, 104 Blackhawk Street, Reinbeck, IA, 50669-1012), in the amount of \$17,388,129.50, and said bid should be accepted. The Finance Director has determined that funds are available for said improvement as stated above.
- The United States Army Corps of Engineers (USACE) released the Des Moines River Regulated Flow Frequency Study in January 2011, which showed a higher risk of flooding along the Des Moines and Raccoon Rivers and the existing levees in downtown Des Moines do not meet the standards for FEMA accreditation of levees provided in Title 44 of the Code of Federal Regulations (44 CFR) Section 65.10 of the National Flood Insurance Program regulations impacting FEMA flood hazard mapping.
- In response, the City worked with USACE to develop a Section 408 Concept Submittal to improve the levee system to reduce flood risk and satisfy FEMA accreditation requirements and work through 33 USC 408 (Section 408) requirements. The Section 408 Concept Submittal was approved by USACE in July 2018.
- The Section 408 Concept proposes improving approximately 8.8-miles of City levees along the Des Moines and Raccoon Rivers (known as the DM I, DM II, and DM III levee systems) and approximately 7-miles of USACE levee along the Des Moines River and Fourmile Creek, which is hydraulically connected to the City levee system, in multiple project phases shown below.

## LEVEE IMPROVEMENTS PHASING MAP



- The City has completed several flood mitigation improvement projects, including elevating the Red Pedestrian Bridge, stormwater closure improvements, replacement and/or improving multiple storm water pump stations along the levee system, and interior drainage improvements including storm sewer capacity improvements and constructing a storm water detention facility.
- Phase A, which incorporates the upstream reaches of the DM-I and DM-II levee systems along the Des Moines River upstream of the confluence with the Raccoon River, was completed in 2021.
- Phase B, which incorporates reaches of the DM-II and DM-III levee systems along the Raccoon River upstream of SW 3rd Street, is currently under construction and targeting completion by the end of 2023.
- Phase C incorporates the downstream reaches of the DM-I and DM-III levee systems along the Des Moines River from approximately the confluence with Raccoon River to S.E. 14th Street. Phase C levee system improvements include earthen levee raises, gatewell structure modifications, pipe penetration improvements (sewer replacement and abandonments), and construction of seepage relief trenches to increase levee stability. Construction of this Phase C public improvement project is anticipated to begin in spring 2023 and be completed at the end of 2024.
- Phases D, E, F, G, and H are currently under design and anticipated to be constructed between 2024 and 2028.

- The design and construction staging of this project has been coordinated with the Iowa Confluence (ICON) Water Trails proposed improvements at the Scott Avenue Dam.
- The ICON Water Trails project and Phases B and C of the levee system improvements will require closures of the John Pat Dorrian Trail, Carl Voss Trail, and Meredith Trail during construction. Trail detours will be posted during the closures. The John Pat Dorrian Trail between Scott Avenue and S.E. 14th Street on the north side of the Des Moines River is anticipated to be closed for the majority of 2023 to accommodate construction of the ICON Water Trails project and Phase C levee system improvements. On the south side of the Des Moines River, the Meredith Trail between S.W. 3rd Street and Scott Avenue, as well as the Carl Voss Trail between Scott Avenue and S.E. 14th Street, are anticipated to be closed the majority of 2024 to accommodate construction of the ICON Water Trails project and Phase C levee system improvements. All closures and detours will be coordinated with the Parks and Recreation Department for appropriate detour routes, signage and appropriate 2-week notice of the trail closures to the general public.
- All trail impact detours will be in compliance with the American with Disabilities Act (ADA) to be accessible for all multi-use trail user groups. Detour signage shall comply with the Manual for Uniform Traffic Control Devices (MUTCD).
- A virtual public meeting was held using Zoom on September 30, 2021, to present the Phase B and C levee system improvement projects and the anticipated construction staging.
- Bids for Phase C levee system improvements were previously received on February 8, 2022. Due to the lowest bid being 30.18% over the project estimate, all bids were rejected at the March 7, 2022, Council meeting. To lower construction costs, a new borrow site for fill material has been added, an option to use vinyl sheet piling instead of only steel has been added, and more time is being allowed to complete certain phases of this Phase C project. Rebidding this project on November 22, 2022, with the above changes resulted in a low bid being \$1,097,971 less than the low bid from the February 8, 2022, bid letting.

**PREVIOUS COUNCIL ACTION(S):**

Date: October 24, 2022

Roll Call Number: [22-1607](#)

Action: Ordering construction of the following:

- (E) [Des Moines Levee Alterations – Phase C: Receiving of bids, \(11-22-22\) and Setting date of hearing, \(12-12-22\), Engineer’s estimate, \\$15,400,000. \(Council Communication No. 22-480\)](#)  
Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.

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

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Partial payments to the contractor and final acceptance of work.

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).