



Roll Call Number

Agenda Item Number

75

Date July 14, 2008

APPROVAL OF EMERGENCY PROCEEDINGS AT VARIOUS LOCATIONS FOR EMERGENCY REPAIRS AND APPROVAL OF EMERGENCY PURCHASE ORDERS WITH THE LOWEST RESPONSIBLE BIDDER

WHEREAS, recent flooding on the Des Moines and Raccoon Rivers and heavy local rains resulting in surcharge of the sanitary and storm sewers have caused damage to the public improvements as listed below.

WHEREAS, the scope of these emergency repairs required the services of a private contractor because of the urgent nature of the required repairs; and the delay of advertising and a public letting might cause serious loss or injury to the city; and

WHEREAS, local private contractors were contacted for their services, said contractors and asked to submit bids for the repair work, and

WHEREAS, Section 384.103(2) of the Iowa Code provides for emergency repairs as follows:

When emergency repair of a public improvement is necessary and the delay of advertising and a public letting might cause serious loss or injury to the City, the governing body shall, by resolution, make a finding of the necessity to institute emergency proceedings under this section, and shall procure a certificate from a competent registered professional engineer or architect, not in the regular employ of the City, certifying that emergency repairs are necessary.

In that event the governing body may contract for emergency repairs without holding a public hearing and advertising for bids, and the provisions of Chapter 26 do not apply.

WHEREAS, H.R. Veenstra, Jr., P.E., of Veenstra & Kimm has inspected the sites and has recommended in the attached letters that emergency repair actions be taken.

WHEREAS, on Monday, June 9, 2008, the City Manager declared an operating emergency related to the anticipated flooding in the City of Des Moines and departments were authorized under Section 2-709 (b) (Public and Operating Emergencies) Municipal Code of the City of Des Moines to procure in the open market, without filing a requisition, purchase order, or request for proposals or estimate therefore and without advertisement, any goods and/or services that could have not been reasonably foreseen or anticipated, for immediate delivery or furnishing to meet such operating emergency when necessary. Goods and services should be acquired using normal procedures when feasible.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the emergency actions of the City Manager and the City Engineer regarding emergency repairs to the following public improvements are hereby approved, ratified, and confirmed; and the City Council hereby makes a finding that emergency repairs were necessary because a public letting might have caused serious loss or injury to the City; and the

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City Council hereby makes a finding that the emergency repairs were necessary in accordance with Subsection 384.103(2) of the Code of Iowa for the following work:

- SE 5th & Livingston Storm Sewer Repair: Activity ID 14-2008-066: This work includes the spot repair of the 48” storm sewer and street repair. The 48” storm sewer has failed under SE 5th north of Livingston resulting in a sinkhole that has caused a portion of the street to collapse into the sinkhole. The sinkhole has also caused damage to a portion of a parking lot that will also be remove and replaced. The contractor will be required to dewater the work area before commencing the storm sewer repair.
- SE 8th & Van Buren Storm Sewer Repair: Activity ID 14-2008-068: This is work includes the spot repair of the 42” storm sewer and street repair. The 42” storm sewer has failed under SE 8th & Van Buren resulting in a sink hole that has caused a portion of the street to collapse into the sinkhole. The local storm sewer system, including manholes, intakes, and 15” storm sewer was also damaged and needs to be repaired. The contractor will be required to dewater the work area before commencing the storm sewer repair.
- SE 6th & Jackson Storm Sewer Repair: Activity ID 14-2008-069: This work includes the spot repair of the 24” storm sewer and street repair. The 24” storm sewer cross run has failed under SE 6th at Jackson resulting in a sinkhole that has caused a portion of the street to settle. The cross run has settled over the sanitary sewer; therefore, the sanitary sewer may have failed which caused damage to the storm sewer and street. The bid includes repair of the street, storm and sanitary sewer. The contractor will be required to dewater the work area before commencing the sewer repairs.
- 800 Block of Boyd Street Sanitary Sewer Repair: Activity ID 14-2008-070: This work includes the repair of the 12” sanitary sewer collapse in the 800 Block of Boyd Street and repair the street. This is the second repair in this area. Purchase Order Number 21185 was for a sanitary sewer repair of a collapse near E 9th and Boyd Street. After this repair was made, the sanitary sewer still did not function and the sewer in the 800 block was televised in an attempt to find the problem. The televising identified additional areas of failure in the 800 Block of Boyd Street that were not as apparent as the initial failure; however, the sewer has failed and needed repair.
- Robert D. Ray Drive Sanitary Sewer Repair: Activity ID 14-2008-072: This work includes the spot repair of the 48” brick sanitary sewer and street repair. The 48” brick sanitary sewer has failed under Robert D. Ray Drive approximately 500 feet north of the Armory resulting in a sinkhole that has caused a portion of the street to collapse into the sinkhole. The contractor will be required to dewater the work area before commencing the sanitary sewer repair, and supply by-pass pumping of the sanitary sewer flow until the repair is completed.
- SE 14th Street and E Park Avenue Sanitary Sewer Repair: Activity ID 14-2008-074: This work shall include the repair of a 30” sanitary sewer located east of SE 14th Street and south of E Park Avenue behind the Hy-Vee Store in an open drainageway downstream from a 66” storm sewer outlet. The sanitary sewer has been washed out by the recent high storm water flows and was overflowing into the drainageway causing a sanitary sewer overflow condition. Bypass pumping has been initiated to eliminate the sanitary sewer overflow. The bypass pumping will need to continue until repairs to the sanitary sewer can be completed on an emergency basis.



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BE IT FURTHER RESOLVED: That the City Council approves, ratifies, and confirms the actions of the Procurement Administrator to issue purchase orders to the following contractors for the referenced work:

- SE 5th & Livingston Storm Sewer Repair: Activity ID 14-2008-066: AND SE 8th & Van Buren Storm Sewer Repair: Activity ID 14-2008-068: The work at these two locations was combined for bidding purposes because the two repairs are in the same area and are similar work. Three bids were received on June 26th for the work being:

- \$145,000.00 from Van Hauen & Associates.
- \$225,111.00 from Corell Contractor Inc.
- \$455,400.00 from The Underground Company.

Purchase Order No. 21346 was issued to Van Hauen & Associates, Mark Van Hauen, CEO/Vice President, 13185 Pineview Drive, Clive, IA 50325 in the amount of \$145,000.00. Based on unit bid prices, the breakdown for each location is as follows:

- \$68,750.00 for SE 5th & Livingston Storm Sewer Repair: Activity ID 14-2008-066.
- \$76,250.00 for SE 8th & Van Buren Storm Sewer Repair: Activity ID 14-2008-068.

- SE 6th & Jackson Storm Sewer Repair: Activity ID 14-2008-069: Three bids were received on June 27th for the work being:

- \$81,735.00 from Corell Contractor Inc.
- \$118,890.00 from The Underground Company.
- \$145,000.00 from Van Hauen & Associates.

Purchase Order No. 21368 was issued to Corell Contractor Inc., Grant S. Corell, President, 1300 Lincoln Street, West Des Moines, IA 50265 in the amount of \$81,735.00.

- 800 Block of Boyd Street Sanitary Sewer Repair: Activity ID 14-2008-070: Three bids were received on June 25th for the work being:

- \$53,100.00 from The Underground Company, Ltd.
- \$97,000.00 from Van Hauen & Associates, Inc
- \$100,000.00 from Corell Contractor Inc

Purchase Order No. 21284 was issued to The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047 in the amount of \$53,100.00.

- Robert D. Ray Drive Sanitary Sewer Repair: Activity ID 14-2008-072: Three bids were received on July 1, 2008 for the work being:

- \$134,000.00 from Van Hauen & Associates.
- \$217,200.00 from The Underground Company.
- \$349,500.00 from Corell Contractor Inc

Purchase Order No. 21391 was issued to Van Hauen & Associates, Mark Van Hauen, CEO/Vice President, 13185 Pineview Drive, Clive, IA 50325 in the amount of \$134,000.00.

- SE 14th Street and E Park Avenue Sanitary Sewer Repair: Activity ID 14-2008-074: Two bids were received on July 2, 2008 for the work being:



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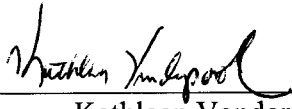
Date July 14, 2008

- o \$65,000.00 from The Underground Company.
- o \$97,000.00 from Van Hauen & Associates.

Purchase Order No. 21445 was issued to The Underground Company in the amount of \$65,000.00.

(Council Communication Number 08-410 is attached)

Moved by _____ to adopt.

FORM APPROVED: 
 Kathleen Vanderpool
 Deputy City Attorney



Funding Source: 2008-089 Operating Budget, SP854, ENG982008, OPR 178, 2008 Storms Mitigation/Recovery

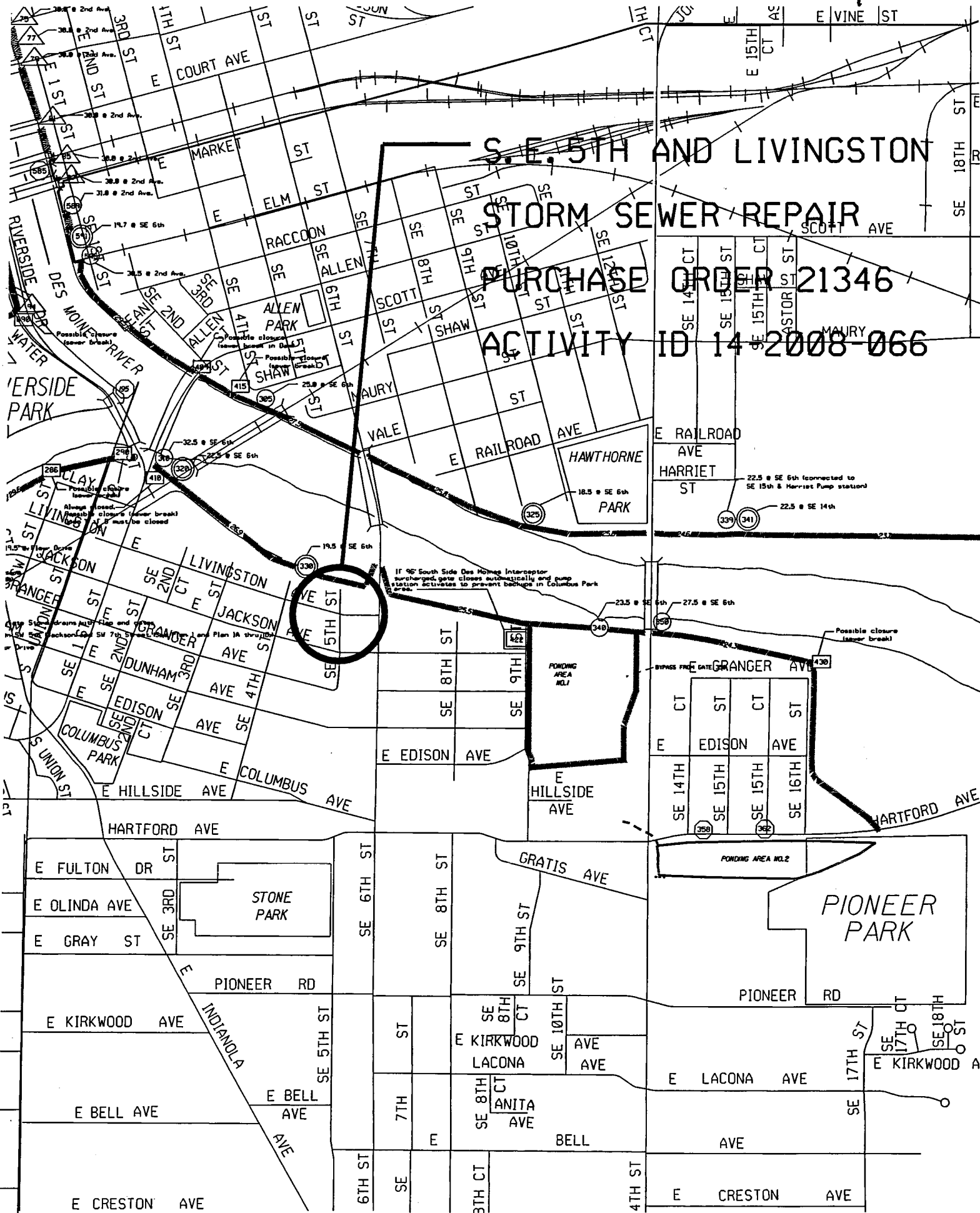
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLISSIS				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

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.

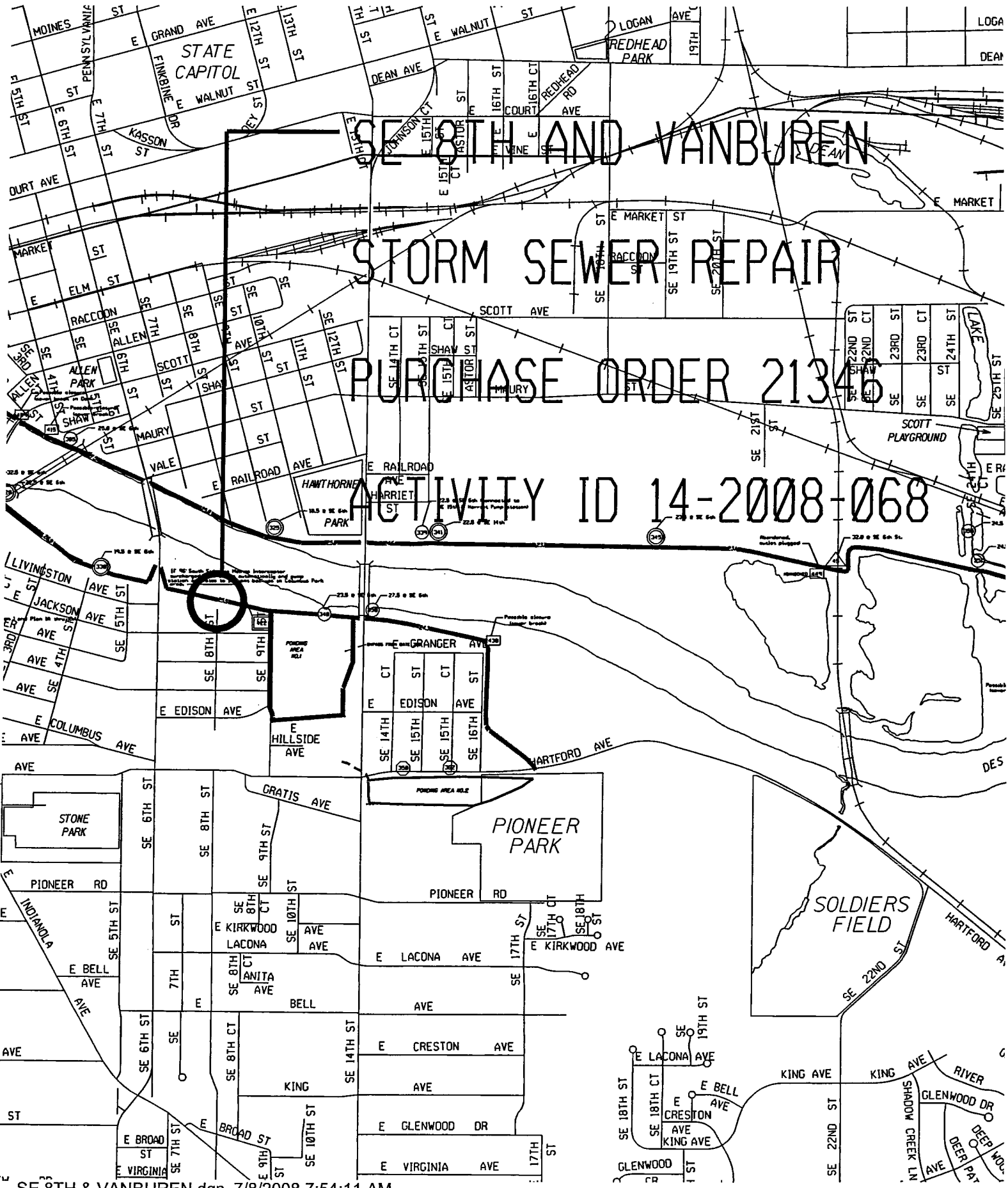
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ City Clerk



S. E. 5TH AND LIVINGSTON
STORM SEWER REPAIR
PURCHASE ORDER 21346
ACTIVITY ID 14-2008-066

If 96 South Side Des Moines Interceptor surcharged, gate closes automatically and pump station activates to prevent backflow in Columbus Park.



SE 8TH AND VANBUREN

STORM SEWER REPAIR

PURCHASE ORDER 21346

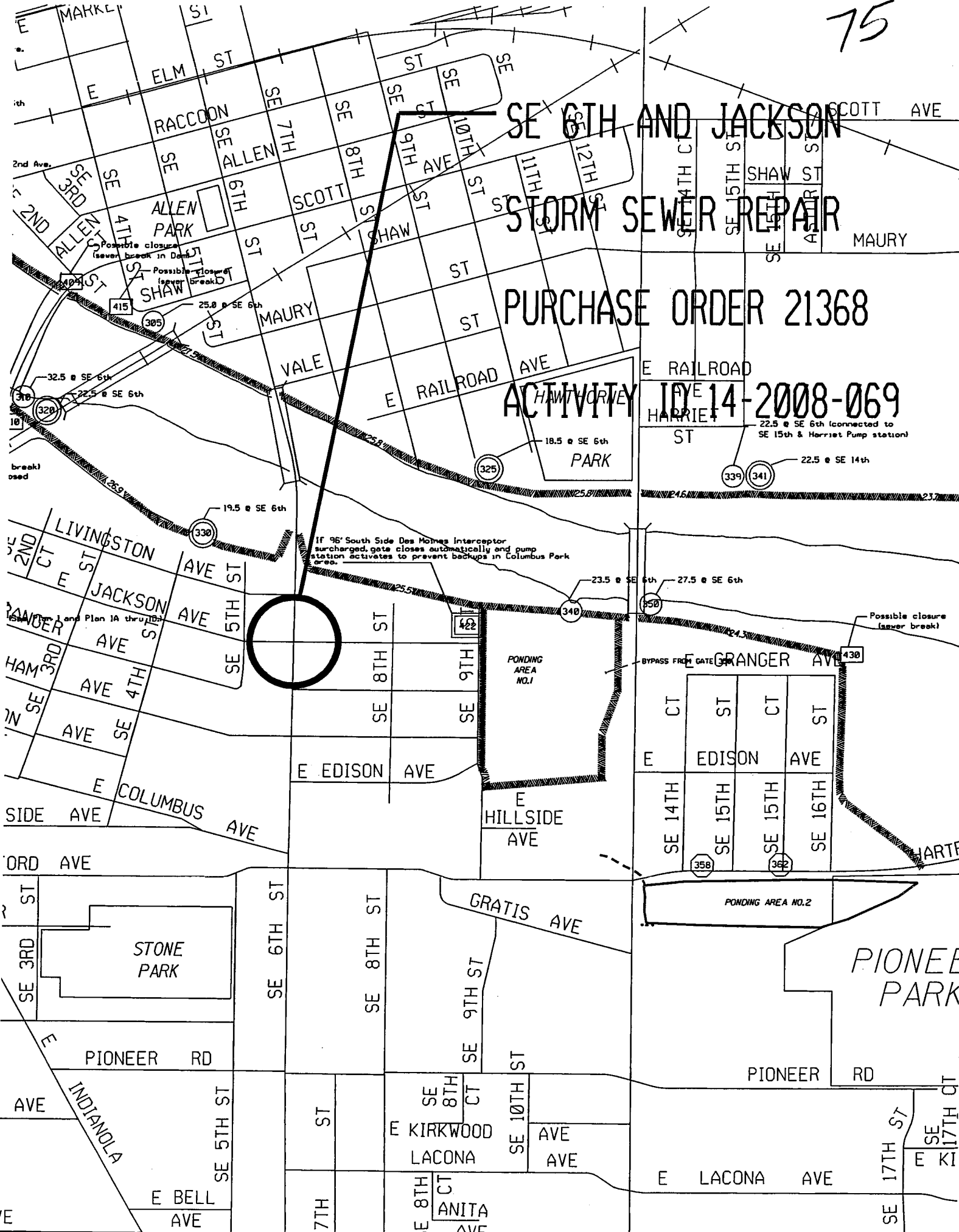
ACTIVITY ID 14-2008-068

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SE 6TH AND JACKSON STORM SEWER REPAIR

PURCHASE ORDER 21368

ACTIVITY ID 14-2008-069



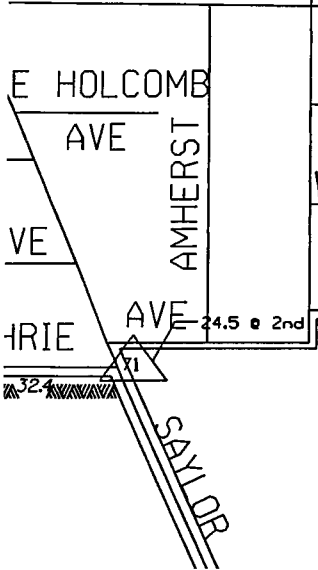
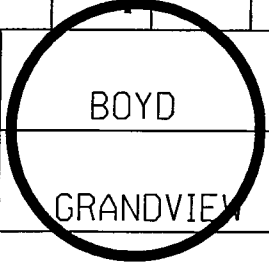
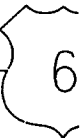
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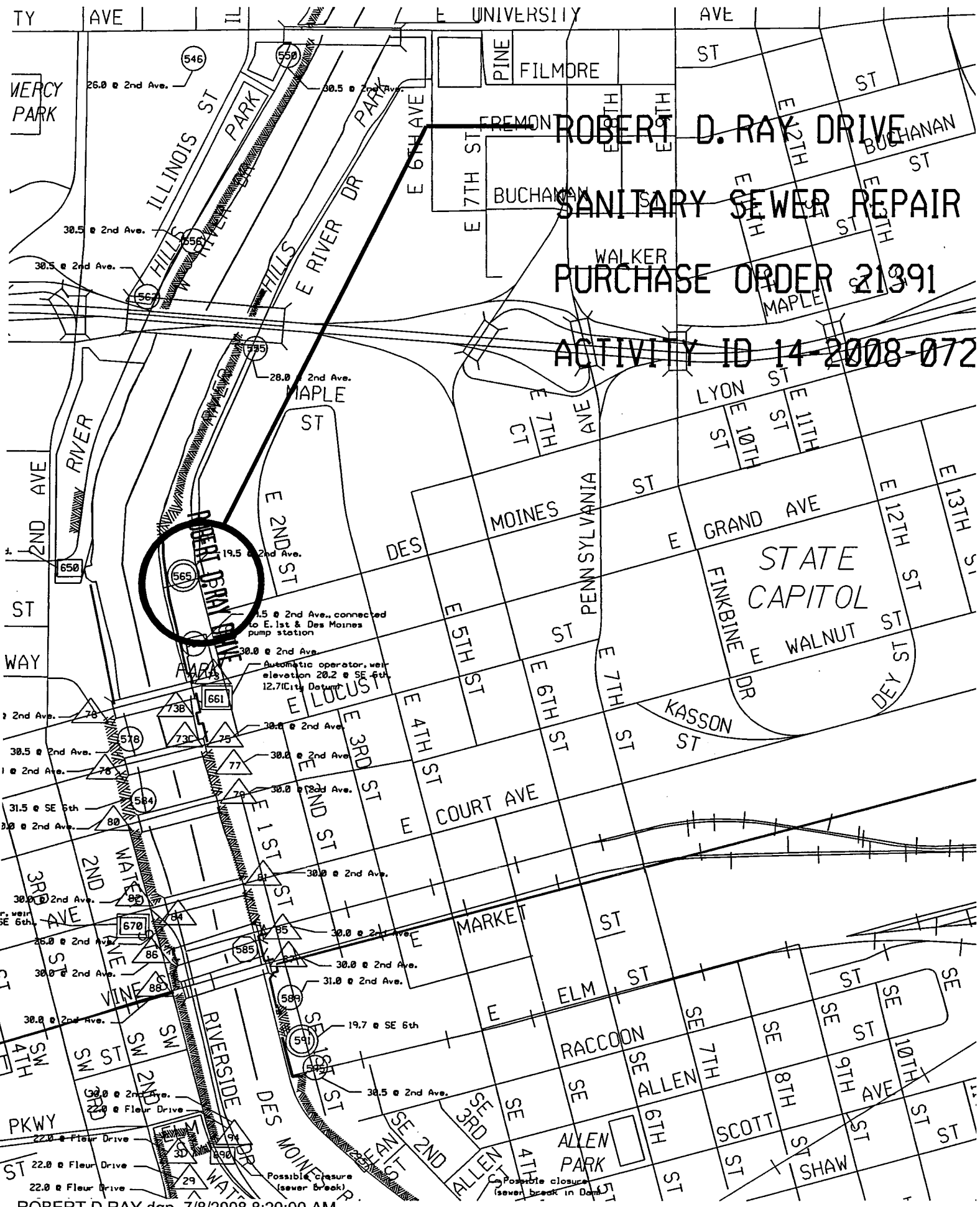
800 BLOCK OF BOYD

SANITARY REPAIR

PURCHASE ORDER 21284

ACTIVITY ID 14-2008-070



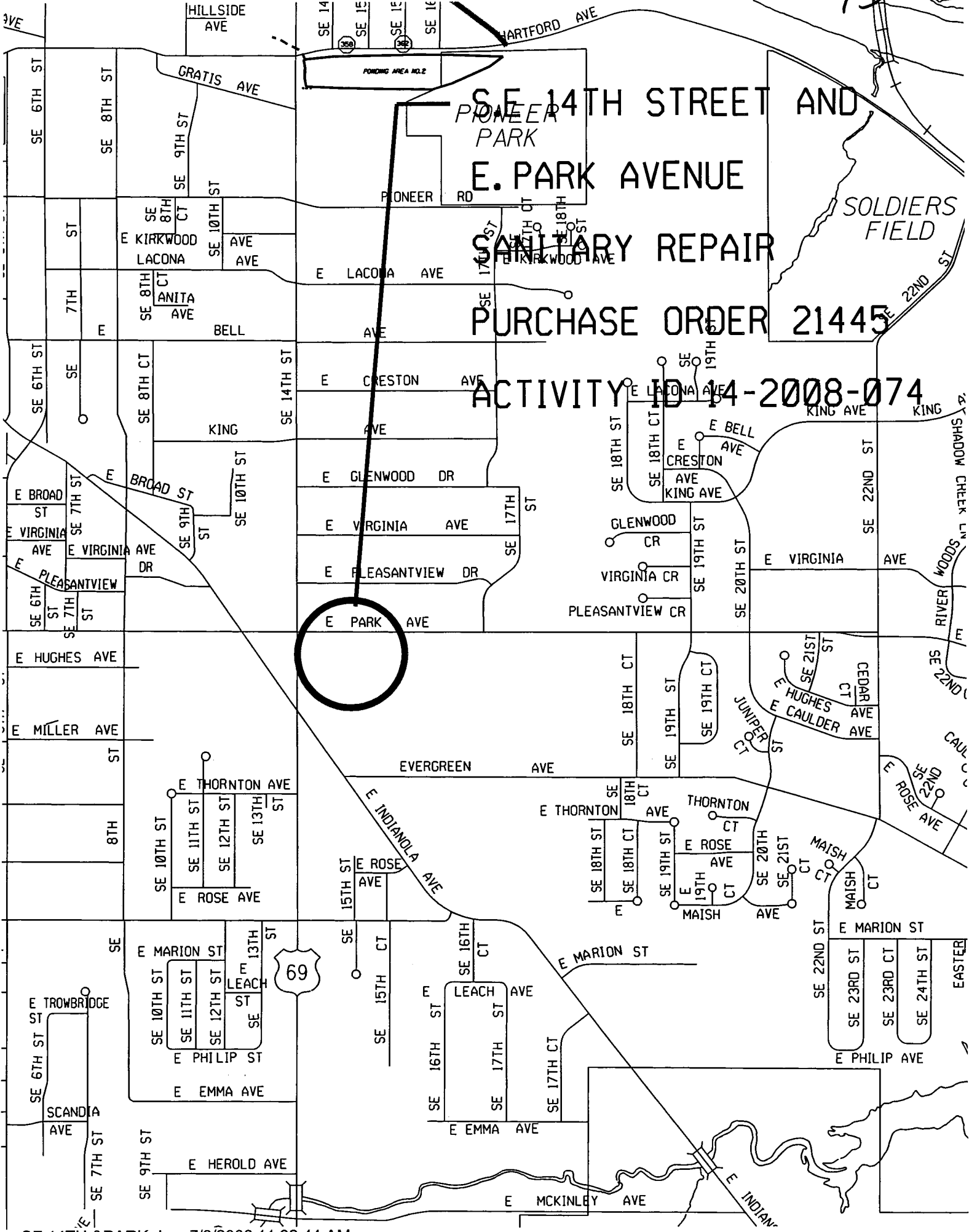


ROBERT D. RAY DRIVE
SANITARY SEWER REPAIR
PURCHASE ORDER 21391
ACTIVITY ID 14-2008-072

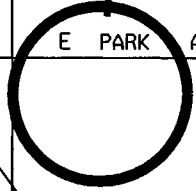
ROBERT D RAY DRIVE

Automatic operator, weir elevation 20.2 @ SE 6th, 12.7 @ City Detour

STATE CAPITOL



SE 14TH STREET AND
 E. PARK AVENUE
 SANITARY REPAIR
 PURCHASE ORDER 21445
 ACTIVITY ID 14-2008-074



**VEENSTRA & KIMM, INC.**

3000 Westown Parkway • West Des Moines, Iowa 50266-1320
515-225-8000 • 515-225-7848(FAX) • 800-241-8000(WATS)

June 26, 2008

Jeb E. Brewer
City Engineer
City of Des Moines
City Hall
400 Robert D. Ray Drive
Des Moines, Iowa 50309-1891

DES MOINES, IOWA
STORM SEWER FAILURE
SE FIFTH AND LIVINGSTON
ACTIVITY ID NO. 14-2008-066
EMERGENCY DETERMINATION

In response to the request of the City of Des Moines, Veenstra & Kimm, Inc. has completed an investigation of the apparent storm sewer failure near SE Fifth and Livingston. The investigation indicates an existing 42-inch storm sewer has collapsed near SE Fifth and Livingston. The failure of the storm sewer has resulted in the development of a sink hole. An area of street has collapsed into the sink hole at the storm sewer failure.

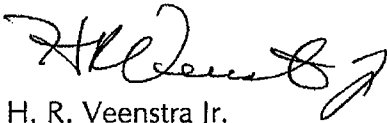
At the present time it appears the failure of the 48-inch storm sewer is a relatively isolated location. With the size of the storm sewer there is a potential for significant loss of soil material. Continued loss of soil material risks an increase in the extent of the street collapse and potentially the risk for additional storm sewer failure.

Based on the investigation, it is the writer's opinion the failure and collapse of the 48-inch storm sewer at SE Fifth and Livingston constitutes an emergency condition and repairs to the storm sewer and street surface should be completed as soon as practical. The basis for this determination is two-fold. First, with the failure of the storm sewer there is a significant potential for the loss of relatively large volumes of soil material. Continued loss of soil material will increase the size of the sink hole and increase the potential for property damage, including damage to the storm sewer and street surface. Second, the size of the storm sewer creates the potential for additional street failure that could adversely impact traffic in the residential area and create a potential public safety hazard.

Jeb E. Brewer
June 26, 2008
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If you have any questions or comments concerning the project, please contact us at 225-8000.

VEENSTRA & KIMM, INC.

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H. R. Veenstra Jr.

114273
cc: Roger Joanning

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VEENSTRA & KIMM, INC.

3000 Westown Parkway • West Des Moines, Iowa 50266-1320

515-225-8000 • 515-225-7848(FAX) • 800-241-8000(WATS)

June 26, 2008

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City Engineer
City of Des Moines
City Hall
400 Robert D. Ray Drive
Des Moines, Iowa 50309-1891

DES MOINES, IOWA
STORM SEWER FAILURE
SE EIGHTH AND VAN BUREN STREET
ACTIVITY ID NO. 14-2008-068
EMERGENCY DETERMINATION

In response to the request of the City of Des Moines, the writer has completed an investigation of the apparent failure of the 42-inch storm sewer at SE Eighth and Van Buren Street. The investigation indicates at least some form of structural failure has occurred on the 42-inch storm sewer at the intersection. The failure has resulted in the development of sink holes and a partial collapse of the street over the storm sewer.

From the investigation it appears there is a loss of the integrity of the storm sewer. The failure of the storm sewer has resulted in the loss of soil material into the large storm sewer. The loss of soil material has created a sink hole under the street pavement that has grown to the extent a partial collapse of the street has been experienced.

With the size of the storm sewer there is a continuing risk of the loss of relatively large volumes of soil material. With the passage of time it is anticipated the size of the sink hole will increase and result in additional street failure.

Based on the investigation, it is the writer's opinion the failure of the 42-inch storm sewer at SE Eighth and Van Buren Street constitutes an emergency condition and repairs to the storm sewer should be completed as soon as practical. The basis for this determination is two-fold. First, there is a continuing potential for loss of soil material into the storm sewer.

Jeb E. Brewer
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With the size of the storm sewer there is a potential for the loss of relatively large volumes of soil that can increase the size of the sink hole. Second, there is a risk of additional street collapse and that could create a public safety hazard.

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515-225-8000 • 515-225-7848(FAX) • 800-241-8000(WATS)

June 26, 2008

Jeb E. Brewer
City Engineer
City of Des Moines
City Hall
400 Robert D. Ray Drive
Des Moines, Iowa 50309-1891

DES MOINES, IOWA
STORM SEWER FAILURE
SE SIXTH AND JACKSON
ACTIVITY ID NO. 14-2008-066
EMERGENCY DETERMINATION

In response to the request of the City of Des Moines, Veenstra & Kimm, Inc. has completed an investigation of the apparent failure of the storm sewer near SE Sixth and Jackson. Investigation would indicate some portion of a 24-inch storm sewer has failed. The failure is evidenced by street settlement over the 24-inch sewer.

Based on the extent of the street settlement it appears the failure of the 24-inch storm sewer is isolated. At the present time it appears n an isolated repair to the storm sewer would be adequate. However, the exact extent of the failure will need to be determined with additional investigation.

With the location of the storm sewer there is a continuing risk of additional soil loss. With the passage of time it is anticipated the extent of the street damage will continue to increase

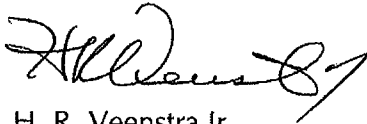
Based on the investigation, it is the writer's opinion the apparent failure or the 24-inch storm sewer near SE Sixth and Jackson constitutes an emergency condition and repairs to the storm sewer and street surface should be completed as soon as practical. The basis for this determination is two-fold. First, with the passage of time it is anticipated there will be additional soil loss at the storm sewer failure. Continued soil loss may increase the extent of the sink holes and cause additional damage to both the storm sewer and street surface.

Jeb E. Brewer
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Second, the street settlement adversely impacts the performance of the street and with the passage of time the extent of the street damage may continue to increase and create the potential for a public safety hazard.

If you have any questions or comments concerning the project, please contact us at 225-8000.

VEENSTRA & KIMM, INC.

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H. R. Veenstra Jr.

114273
cc: Roger Joanning



June 26, 2008

Jeb E. Brewer
City Engineer
City of Des Moines
City Hall
400 Robert D. Ray Drive
Des Moines, Iowa 50309-1891

DES MOINES, IOWA
SANITARY SEWER FAILURE
800 BLOCK OF BOYD STREET
ACTIVITY ID NO. 14-2008-070
EMERGENCY DETERMINATION

In response to the request from the City of Des Moines, the writer has completed additional investigation of the sanitary sewer in the 800 block of Boyd Street. An initial investigation identified the need for a spot repair on the Boyd Street sanitary sewer near East Ninth Street. The spot repair has been completed.

The sanitary sewer in the 800 block of Boyd Street was televised after the completion of the repair. The televising identified additional areas of failure of the Boyd Street sanitary sewer. Although these areas of failure were not as apparent as the initial failure, the sanitary sewer has failed.

Based on the current the extent of the investigation that could be completed, it appears the additional failures of the sanitary sewer on Boyd Street are isolated areas that can be addressed through spot repairs. However, the sanitary sewer failures create the potential to adversely impact the performance of the sanitary sewer.

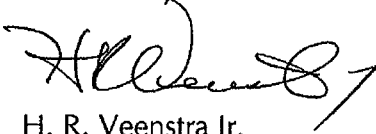
Based on the investigation, it is the writer's opinion the additional failures of the sanitary sewer in the 800 block of Boyd Street constitute an emergency condition and repairs to the sanitary sewer should be completed as soon as practical. The basis for this determination is two-fold. First, with the passage of time it is anticipated the sanitary sewer will continue

Jeb E. Brewer
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to be adversely impacted. With the precipitation patterns currently being experienced, the repair of the sanitary sewer should be completed to minimize the impact on the service area. Second, with the passage of time there is an increased risk of soil loss into the sanitary sewer. The loss of soil creates the potential for additional property damage.

If you have any questions or comments concerning the project, please contact us at 225-8000.

VEENSTRA & KIMM, INC.

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H. R. Veenstra Jr.

114273
cc: Roger Joanning

