

**COUNCIL ACTION FORM**

**SUBJECT: SHARED USE PATH SYSTEM EXPANSION (FROM CHRISTOPHER GARTNER PARK TO AMES MIDDLE SCHOOL)**

**BACKGROUND:**

On February 9, 2010, City Council approved an alternative shared use path alignment from Christopher Gartner Park through the Estates of Nature's Crossing and South Fork subdivisions to the Ames Middle School, and directed staff to draft a supplemental project agreement with The Estates of Nature's Crossing Subdivision developer that details the work to be performed and the shared funding arrangements.

The developer has agreed to install or pay for all costs with the exception that the City will pay a set amount of \$14,000. This amount approximates a three-way split of the costs of that segment between the City, the Estates of Nature's Crossing developer, and the South Fork Subdivision owner. This arrangement will enable the construction of this eastern segment to occur prior to the development of South Fork Subdivision. A project agreement that details those provisions has been developed and is attached. This agreement calls for the developer to submit a letter of credit to secure the financing of construction, engineering, and construction inspection expenses. The developer has informed the City that this Letter of Credit will be submitted on or shortly after April 28, 2010. Therefore, approval of the agreement and award of the construction contract are contingent upon receipt of the Letter of Credit.

On Wednesday, April 21, 2010, bids were received as follows:

Engineer's Estimate	\$ 124,700.00
Absolute Concrete	\$ 75,999.95
Manatt's, Inc.	\$ 88,152.60
TK Concrete, Inc.	\$ 93,137.50
Con-Struct, Inc.	\$ 94,501.00

Completing this section of shared use path will provide a safer travel route to the Middle School next fall, rather than waiting until the entire area develops, which is estimated to be at least five years.

**Funding for the City's share of this project was not included in the current year's budget.** It was hoped that constructing the Skunk River Trail with Stimulus II funds would create savings in the Shared-Use Path Expansion program to cover the \$14,000 City portion for this path. However, we were recently informed by the Iowa Department of Transportation that the Stimulus II program will not move forward. **Thus, the \$14,000**

**will need to come from the Local Option Sales Tax Fund available balance if the City Council hopes to take advantage of this opportunity to complete this project earlier than expected.**

It should be remembered that a portion of this shared-use path will be a double-wide sidewalk along Cochrane Parkway.

**ALTERNATIVES:**

- 1a. Approve the supplemental project agreement with the developer of The Estates of Nature's Crossing, contingent upon receipt of the Letter of Credit in the amount of \$64,500 by May 6, 2010.
  - b. Accept the report of bids for the Shared Use Path System Expansion (Christopher Gartner Park to Ames Middle School).
  - c. Approve the final plans and specifications for the Shared Use Path System Expansion (Christopher Gartner Park to Ames Middle School).
  - d. Award the Shared Use Path System Expansion (Christopher Gartner Park to Ames Middle School) to Absolute Concrete of Slater, Iowa, in the amount of \$75,999.95, contingent upon receipt of the Letter of Credit in the amount of \$64,500 by May 6, 2010.
2. Report the bid amounts, but delay the final approval of the developer agreement and award of bid until the next Council meeting after the necessary Letter of Credit has been provided by the developer.
  3. Reject the project.

**MANAGER'S RECOMMENDED ACTION:**

Moving ahead with this new alignment will facilitate the 2010 completion of the path connection between South Dakota Avenue and the Ames Middle School. This will finish the final link in this trail between Daley Park and State Avenue. This also allows for children walking or bicycling to school to avoid crossing the busy accesses to the middle school along Mortensen Avenue.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the project agreement with the developer of The Estates of Nature's Crossing contingent upon receipt of the Letter of Credit in the amount of \$64,500 by May 6, 2010, accepting the report of bids, approving the final plans and specifications, and awarding the Shared Use Path System Expansion (Christopher Gartner Park to Ames Middle School) to Absolute Concrete of Slater, Iowa, in the amount of \$75,999.95, contingent upon receipt of the Letter of Credit in the amount of \$64,500 BY May 6, 2010.