

COUNCIL ACTION FORM

SUBJECT: FLOOD MITIGATION – RIVER FLOODING (CHANGE ORDER)

BACKGROUND:

On February 11, 2020, City Council approved the FEMA grant funding agreement for the stream bank restoration project, providing flood mitigation in the loway Creek channel. The central component of the project includes channel conveyance improvements approximately 2,000 feet either side of the South Duff Avenue bridge.

On November 9, 2021, the project was awarded to Keller Excavating, of Boone, Iowa, in the amount of \$3,327,523.50. On December 10, 2021, City Council approved **Change Order No. 1** in the amount of \$107,410 to properly dispose of vehicle parts that were discovered buried in the southeast quadrant of the project. **Change Order No. 2** was administratively approved in the amount of \$19,572.20 to install an 8-inch valve on the existing water main, add a major manhole adjustment south of U-Haul in the new berm, and replace a sanitary sewer manhole cone section that was more deteriorated than anticipated.

Change Order No. 3 (this change order) is in the amount of \$223,713.72. This change order includes a variety of additional work and quantities, as well as changes to the contract completion.

The additional work addressed in Change Order No. 3 includes the following components:

1. Rip rap and storm sewer pipe relocation necessary for the upcoming loway Creek Trail project along the north side of loway Creek
2. Cleaning a storm sewer pipe found to be completely blocked with silt
3. An increased quantity of wattles and a stabilized construction entrance to prevent erosion and tracking due to rainy spring weather
4. Removal of an unknown concrete foundation near Howe's
5. Cutting/partial removal of existing steel sheet pile to improve water user safety
6. Disposing of garbage on the north side of loway Creek
7. Increased quantity of non-regulated waste disposal
8. Balancing a majority of the field quantities encountered as part of the project.

Funding for this work is available in the unobligated balances of the Water System Improvements, Sanitary Sewer Improvements, and Storm Water Improvements CIP programs.

Change Order No. 3 also extends the completion date to November 11, 2022. The original contract documents stated that if FEMA granted an extension, this would be reflected with the contractor to extend the completion date of the project. The City received a one-year extension to have the entire project closed out by June 19, 2023. The area has been graded and seeded; however, items remaining include landscaping that is best planted in the Fall (once weather cools). Also, a steel handrail to be mounted on top of the retaining wall is delayed due to a long lead time to be fabricated.

The estimated costs and funding are as follows:

Flood Mitigation - River Flooding	Fiscal Year			
	2015/16	2016/17	2018-2022	
Expenditures				Total Expenditures
Design Contract (WHKS)	\$138,000		\$181,200.00	\$319,200.00
Land Acquisition Agent (CGA)			\$74,800.00	\$74,800.00
Land Acquisition			\$2,090,402.40	\$2,090,402.40
Tree Clearing Contract			\$164,085.00	\$164,085.00
Construction Contract Awarded			\$3,327,523.50	\$3,327,523.50
Change Order No. 1			\$107,410.00	\$107,410.00
Change Order No. 2			\$19,572.20	\$19,572.20
Change Order No. 3			\$223,713.72	\$223,713.72
Engineering/Constr Admin (City Staff)			\$243,128.53	\$243,128.53
				\$6,569,835.35
Funding Shown in CIP				Total CIP Funding
20/21 Storm Water Utility Funds			\$500,000	\$500,000
GO Bonds	\$644,000	\$504,000	\$700,000	\$1,848,000
FEMA Hazard Mitigation Grant			\$3,747,450	\$3,747,450
21/22 Water System Improvement Funds			\$55,000	\$55,000
21/22 Sanitary Sewer System Improvement Funds			\$140,000	\$140,000
21/22 Storm Water Improvement Funds			\$200,000	\$200,000
GO Bonds - CO 1 Council Authorized 12/10/21			\$100,000	\$100,000
				\$6,590,450

ALTERNATIVES:

1. a. Approve Change Order No. 3 for the loway Creek Restoration and Flood Mitigation project in the amount of \$223,713.72.
- b. Authorize utilizing up to \$200,000 in Storm Water Improvement Funds, \$140,000 in Sanitary Sewer Improvement Funds, and \$55,000 in Water System Improvement Funds for this project.
2. Do not approve this change order to the project.

CITY MANAGER'S RECOMMENDED ACTION:

Approving this Change Order reflects the additional and unexpected work encountered on the project and continues moving toward meeting the FEMA close-out deadline of June 2023.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as noted above.