

ITEM #: 35  
DATE: 12-10-24  
DEPT: PW

**COUNCIL ACTION FORM**

**SUBJECT:       FY 2019/20 STORM WATER EROSION CONTROL PROGRAM (IOWAY CREEK - 6TH TO 13TH ST)**

**BACKGROUND:**

The Storm Water Erosion Control program provides for stabilization of areas that have become eroded in streams, channels, swales, gullies, or drainage ways that are part of the stormwater system. **This program provides a more permanent control of the erosion and will reduce recurring maintenance costs in these areas.**

**The location for this project is Ioway Creek from 6th Street to 13th Street through Brookside Park.** The stream banks have continued to erode, threatening a shared use path along the west stream bank and neighboring residential properties on the east bluff. The project will relocate 500' of the creek away from the eroding east slope providing a flatter and more stable slope, add a water quality oxbow treatment, stabilize stream banks, and improve proper stream flow functioning. The site will be revegetated with native landscaping including trees and shrubs on the east slope.

There is a base bid and two add alternates: a north add alternates for in-stream work between 13th Street and the northern pedestrian bridge, and a south add alternate for in-stream work from 6th Street to the southern pedestrian bridge.

On December 3, 2024 bids for the project were received as follows:

<b>Bidder</b>	<b>Base Bid</b>	<b>North Alternate - 13th St. to N. Ped. Bridge</b>	<b>South Alternate - 6th St. to S. Ped Bridge</b>	<b>Total Base Bid and North and South Alternates</b>
<i>Engineer's Estimate</i>	<i>\$1,549,153.00</i>	<i>\$97,600.00</i>	<i>\$212,200.00</i>	<i>\$1,858,953.00</i>
<b>Iowa Earth Works</b>	<b>\$1,391,153.00</b>	<b>\$124,200.00</b>	<b>\$172,080.00</b>	<b>\$1,687,433.00</b>
Con-Struct Inc.	\$1,487,717.00	\$102,000.00	\$199,400.00	\$1,789,117.00
RW Excavating Solutions, LC	\$1,566,471.65	\$229,200.00	\$385,200.00	\$2,180,871.65
Reilly Construction Co., Inc	\$2,197,899.25	\$201,000.00	\$249,900.00	\$2,648,799.25

The alternates were added to ensure that if construction bids came in above the engineer's estimate, a project with the base bid could be awarded by the end of the year to avoid the risk of losing IFA Water Infrastructure Funding that is available for this project. This funding source requires that a construction contract be executed by December 31, 2024.

Sufficient funding is available to award the base bid plus both alternates. The table below shows the revenue and expenses for this project:

<b>Funding Source</b>	<b>Available Revenue</b>	<b>Estimated Expenses</b>
2019/20 Stormwater Erosion Control Program (Stormwater Utility Fund)	\$432,000	
State Revolving Fund	\$300,000	
IDALS Water Quality Initiative	\$100,000	
IFA Water Infrastructure Fund	\$500,000	
Previous CIP Savings (Stormwater Utility Fund)	\$736,000	
Anonymous Donation	\$ 90,000	
<b>Construction (Base Bid and North and South Alternates)</b>		<b>\$ 1,687,433</b>
Engineering/Administration		<u>\$ 324,000</u>
<b>Total</b>	<b>\$ 2,158,000</b>	<b>\$ 2,011,433</b>

**PUBLIC & PARTNER OUTREACH:**

Three outreach meetings were held in 2021 to receive property owner, stakeholder and public feedback. Staff, consultants, and outside experts (IDNR) reviewed the feedback and then prepared and presented a second alternative design to the public through three more public meetings in spring 2022. In addition, over the last two years, staff has had ongoing discussions with the adjoining property owners as part of the easement acquisition process. Staff also worked closely with the U.S. Fish and Wildlife Service to establish construction timing around the Indiana Bat and the Rusty Patched Bumble Bee. The U.S. Fish and Wildlife Service determined that construction timing should avoid the winter bee nesting period. A final public meeting was held on October 9, 2024 to present 90% design plans and the upcoming construction schedule with a favorable response from the public. Outreach will continue prior to and during construction through various methods including signage in the park and social media to inform the public of the project schedule.

Additionally, prior to bidding, staff held a joint meeting with the Iowa Department of Natural Resources and the U.S. Army Corps of Engineers to review construction phasing and ensure all relevant agencies remain aligned regarding the expectations for construction within the waterway.

**ALTERNATIVES:**

1. The City Council can approve the following:
  - a. Accept the report of bids for the 2019/20 Storm Water Erosion Control Program (Ioway Creek-6th Street to 13th Street).
  - b. Approve the final plans and specifications for this project.
  - c. Award the 2019/20 Storm Water Erosion Control Program (Ioway Creek-6th Street to 13th Street) to Iowa Earth Works in the amount of \$1,687,433 for the base bid and the north and south alternates.
2. Award the contract to one of the other bidders.
3. Do not proceed with this contract.

**CITY MANAGER'S RECOMMENDED ACTION:**

Approving these plans and specifications will stabilize the stream banks, restore stream function of Ioway Creek, and protect storm sewer and pedestrian infrastructure within Brookside Park. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.

**ATTACHMENT(S):**

[Ioway Creek Brookside A.03.pdf](#)