ITEM #:	**24**
DATE:	**05-28-24**
DEPT:	**PW**

COUNCIL ACTION FORM

SUBJECT: **2019/20 STORM WATER EROSION CONTROL PROGRAM (IOWAY CREEK - 6TH TO 13TH ST) AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT**

BACKGROUND:

In January 2021, the City contracted with WHKS & Co. for the design of the 2019/20 Storm Water Erosion Control program (Ioway Creek - 6th to 13th Street). **After receiving extensive public input through a series of meetings, an alternative design was pursued to address feedback regarding the original design concept. Design and construction plans were developed as negotiations began with landowners to obtain the necessary permanent easements.**

As a result of the negotiations with the adjoining private landowners, including two new owners since the project began, further revision to the stream alignment design is necessary. **The revised alignment will locate a portion of the streambank on the adjoining landowner property, and therefore permanent easements need to be acquired for the project.**

Amendment No.1 was previously approved in the amount of $46,900, in response to the initial public engagement meetings. It included a second conceptual design that realigns a section of the creek away from the steep east slope, three additional public outreach meetings, design of a Landscape Plan and preparing an Establishment and Maintenance plan considering the Rusty Patched Bumble Bee, which was identified in Brookside Park near the project site. As a protected species, protection and enhancement of its habitat is being incorporated into the design and construction of the project. **Additional funding in the amount of $600,000 was acquired at that time from the IDALS Water Quality Initiative and IFA Water Infrastructure Fund.**

This proposed contract Amendment No. 2 includes compensation for a further revised Final Design, additional coordination with Iowa DNR State Revolving Fund, Floodplain, and River Program staff, Floodplain Permitting re-submittal and attendance at one final public meeting. The additional cost for the professional services is $20,600, bringing the total contract to $126,320.

Listed below is a table of funding sources and estimated expenses.

SOURCES	REVENUES	EXPENSES
City of Ames Stormwater Utility Fund	$300,000	
State Revolving Fund (approved 2020)	$300,000	
IDALS Water Quality Initiative	$100,000	

IFA Water Infrastructure Fund (Watershed)	$500,000	
Design (WHKS)		$ 126,320
Engineering/Administration (Staff)		$ 113,680
Construction Estimate		$ 960,000
Total	**$ 1,200,000**	**$1,200,000**

ALTERNATIVES:

1. Approve Amendment No. 2 to the Professional Services Agreement for the 2019/20 Storm Water Erosion Control project with WHKS & Co. of Ames, Iowa, billed hourly and not to exceed the amount of $20,600.

2. Do not approve the Amendment to Professional Services Agreement.

CITY MANAGER'S RECOMMENDED ACTION:

Staff has worked diligently with stakeholders, neighbors, and adjoining landowners. As a result of negotiations to obtain required easements, the final plan design must be updated to reach agreement with adjoining property owners. Additional work is also required of WHKS to coordinate and meet State of Iowa grant and permitting requirements. Also, due to the high level of public and neighborhood interest in this project, an extra public meeting will be held and led by WHKS. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1.

ATTACHMENT(S):
Brookside-Park-Amend-02_04-10-2024.pdf
Stream Option -realigned stream_-2023.pdf