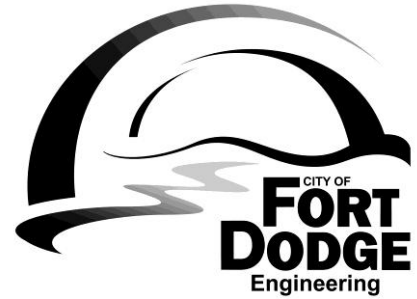


**January 30, 2015**

**To: Mayor Bemrich and City Council**  
**From: David Fierke, City Manager**  
**Subject: East Region Storm Sewer Project –  
Iowa Clean Air Attainment Program  
Approve Amendment with IDOT for Funds**



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**ACTION: For vote Monday, Feb. 2, 2015**

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**Brief History**

On May 14<sup>th</sup>, 2012, City Council passed a resolution accepting the method of selection to choose an Engineering Firm to perform preliminary design on the East Region Storm Sewer Project – Phases 1-3. The qualifications for each firm were scored by a selection committee and based on their recommendation, City Council directed staff to prepare a contract with Snyder & Associates, which was approved on June 25<sup>th</sup>, 2012.

Snyder & Associates is assisting the City in identifying potential grant sources for recommended roadway and traffic improvements. The Iowa Department of Transportation's Transportation Safety Improvement Program (TSIP) grant was approved by the IDOT and formally accepted by the Council on February 10, 2014 in the amount of \$315,000.

The City submitted an Iowa Clean Air Attainment Program (ICAAP) grant application on March 7, 2013 in the amount of \$300,000.

The City submitted a Surface Transportation Program (STP) grant application on March 14, 2011 in the amount of \$1,500,000.

**Analysis of Issue**

Council approved Agreement 01-14-STPU-020 on May 27, 2014. This Agreement approved the funding from IDOT for ICAAP and STP. The ICAAP portion of the funds was for work on 1<sup>st</sup> Ave. S. from west of 25<sup>th</sup> St. to east of 29<sup>th</sup> St. Since that time, the 1<sup>st</sup> Ave. S. project has been divided into 2 projects (west of 27<sup>th</sup> St. and east of 27<sup>th</sup> St.). Therefore, the IDOT has submitted an Amendment to the original agreement thereby splitting the ICAAP funding into 2 projects.

### **Budget Impact**

Funding for this project will be continuously changing as design and planning progress. The engineering fees proposed are consistent with the project costs associated with Phases 1, 2, and 3:

Original Contract.....	\$298,300
Amendment #1.....	\$550,000
Amendment #2.....	\$212,900
Amendment #3.....	<u>\$690,310</u>
Total.....	\$1,751,510

Total cost of Phases 1, 1B, 1C, 2, and 3 is approximately \$14,000,000. Revenues include:

• Storm Sewer Bond -	\$3,000,000
• TIF -	\$1,000,000
• ICAAP -	\$ 150,000
• TSIP -	\$ 700,000
• STP -	\$1,500,000
• LOST -	\$5,030,000
• JT Borrow -	<u>\$2,600,000</u>
<b>Total =</b>	<b>\$13,980,000</b>

Other funding sources: ICAAP = Iowa Clean Air Attainment Program (IDOT), TSIP = Traffic Safety Improvement Program (IDOT), and STP = Surface Transportation Program (Federal).

### **Strategic Plan Impact**

Policy D.4.2: Advanced planning for all infrastructure facilities shall be supported and routinely updated. Facilities benefited by advanced planning shall include, at minimum, schools, health care, residential areas, roads, water, sewer, storm water management, parks, recreation, and greenways.

Policy C.3.5: Pedestrian-oriented streetscape improvements including, but not limited to, sidewalks, street trees, landscaping, street lights, street furniture, trash receptacles, and signage shall be made to create and maintain an environment attractive to investment.

### **Impact on Existing Plans**

This project has been included in the Capital Improvement Plan, has leveraged Surface Transportation Funds, and includes all recommendations from the Cross-town Connector Report as well as the Business District Watershed Analysis.

**Staff Conclusions / Recommendations**

It is Staff's recommendation to approve the Amendment with the Iowa Department of Transportation regarding the Iowa Clean Air Attainment Program funding.

**Alternatives**

City Council could reject this Amendment, thereby jeopardizing an opportunity for outside funding to leverage more than \$5 million in local funds for planned improvements for the East Region Storm Sewer area.

**Implementation and Accountability**

The Engineering Department and Snyder & Associates will be responsible for overseeing this project.

Signed

Approved



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Chad W. Schaeffer, P.E.  
City Engineer

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David Fierke  
City Manager

**ADDENDUM TO  
IOWA DEPARTMENT OF TRANSPORTATION  
AGREEMENT 01-14-STPU-020 FOR  
Federal-aid Agreement for a Non-Primary Highway Project**

Recipient:	<u>Fort Dodge</u>
Project No.:	<u>STP-U-2690(624)--70-94</u> <u>STP-A-2690(625)--86-94</u>
Iowa DOT	
Addendum No.:	<u>01-14-STPU-020A</u>

This is an addendum to the agreement between the city of Fort Dodge, Iowa (hereinafter referred to as the Recipient), and the Iowa Department of Transportation (hereinafter referred to as the Department). Iowa Code Sections 306A.7 and 307.44, provide for the Recipient and the Department to enter into agreements with each other for the purpose of financing transportation improvement projects on streets and highways in Iowa with Federal funds.

Whereas the Recipient and the Department previously entered into Agreement No. 01-14-STPU-020 for Iowa Clean Air Attainment Program (ICAAP) and Surface Transportation Program (STP) funding.

Subsequent to the execution of Agreement No. 01-14-STPU-020 the Recipient requested to split the project into two separate projects with approximately half of the ICAAP funding to be used for each project.

Previously executed Agreement 01-14-STPU-020 shall remain in effect except as amended herein.

Now, therefore, it is agreed as follows:

1. The two projects listed above shall be constructed in consecutive construction seasons. In order to meet this requirement, the second project shall be let to contract within 18 months of the first project letting. If the second project is not let to contract within 18 months of the first project letting, the department may revoke ICAAP funding commitments for these projects. Revoking ICAAP funding commitments for these projects will require the Recipient to reimburse the Department all ICAAP funds received for the projects and forfeit any remaining ICAAP funds allocated to these projects. An extension may be granted by the Department upon receipt of a written request from the Recipient no less than 30 days prior to the deadline.
2. Paragraph 5 of Agreement 01-14-STPU-020 is hereby amended to:
  5. The Recipient shall receive reimbursement for costs of authorized and approved eligible project activities from ICAAP funds. These funds shall be split between the two projects listed above. The portion of the project costs reimbursed with ICAAP funds shall be limited to a maximum of 80% of eligible costs (other than those reimbursed with other Federal funds) or \$300,000, whichever is less. Eligibility criteria and other provisions specific to ICAAP funds are shown in Exhibit 1 of Agreement 01-14-STPU-020.
3. This Addendum is not assignable without the prior written consent of the Department.
4. It is the intent of both (all) parties that no third party beneficiaries be created by this Addendum.
5. If any section, provision, or part of this Addendum shall be found to be invalid or unconstitutional, such finding shall not affect the validity of the Addendum as a whole or any section, provision, or part thereof not found to be invalid or unconstitutional, except to the extent that the original intent of the Addendum cannot be fulfilled.

August 2013

6. This Addendum may be executed in three counterparts, each of which so executed will be deemed to be an original and shall constitute but one and the same Addendum.
7. This document, as well as the unaffected provisions of previously executed Agreement 01-14-STPU-020 referenced herein, represents the entire Agreement between the Recipient and Department regarding this project. Any subsequent change or modification to the terms of this Addendum will be in the form of a duly executed amendment to this document.

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**IN WITNESS WHEREOF**, each of the parties hereto has executed Addendum No. 01-14-STPU-020A as of the date shown opposite its signature below.

**RECIPIENT: City of Fort Dodge, Iowa**

By \_\_\_\_\_ Date \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Title of city official

I, \_\_\_\_\_, certify that I am the City Clerk of Fort Dodge, and that \_\_\_\_\_, who signed said Agreement for and on behalf of the city was duly authorized to execute the same by virtue of a formal resolution duly passed and adopted by the city on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Signed \_\_\_\_\_ Date \_\_\_\_\_, 20\_\_\_\_

City Clerk of Fort Dodge, Iowa

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**IOWA DEPARTMENT OF TRANSPORTATION  
Highway Division**

By: \_\_\_\_\_ Date \_\_\_\_\_, 20\_\_\_\_

Gregg Durbin, P.E.  
Local Systems Engineer  
District 1