

MEMORANDUM

TO: Programs, Projects, and Operations Subcommittee
FROM: Eric Williams, Natural Resources Planner
DATE: February 7, 2020
SUBJECT: Elkhorn River Stabilization Project (01-03-547-4400)
Account Over 110%

Following the flooding in March 2019, inspection of the Elkhorn River along the section of the Improvement Project Area (IPA) showed the need for bank stabilization and reconstruction work. This work was budgeted in FY 2020 to be contracted, with an expected cost to the District of \$50,000 for Professional Services in design and construction administration, and \$250,000 in Contract Work for construction services. This work is included in the FEMA flood recovery project list, and reimbursement is expected to cover 75% of costs incurred.

Five (5) sites were identified, design was completed, and a contract was awarded to Niewohner Construction in the amount of \$850,696. This amount was higher than the original estimate in the FY 2020 budget. Changing site conditions, tight bidding market, and increased material costs due to extremely high demand were all a factor in the elevated contract price. As the contracted work was being completed, the need for additional rock stabilization was identified and recommended by the engineer for the project. Quantities for rock placed are known to be higher than the bid amount. Work has now been completed on all sites, and invoices have been submitted for both the professional services and construction work.

The total cost for this repair work exceeds the current balance of funds collected by the IPA through its annual assessment, so the contractor will need to be paid from the general fund pending receipt of FEMA reimbursement. A request will be submitted to FEMA using the documentation of the completed project, and it is hoped but not certain that reimbursement will be received prior to the end of the fiscal year. When sufficient assessments have been collected, the IPA will reimburse the general fund for the local share, so that all District costs will be covered by the IPA as originally planned.

The general fund accounts under project 547, Elkhorn River Stabilization, do not have sufficient budget this fiscal year to cover the IPA repair costs. Projects which are currently included in the FY 2020 budget but which are not expected to be fully expended before the end of the fiscal year have been identified. This includes Western Douglas County Trail under 01-06-261-4410, Papio Trails System – Construction Costs, which is expected to make up the difference between the IPA budget amount and the total cost of this work.

- **Staff recommends that the Subcommittee recommend to the Board that the account for Elkhorn River Stabilization (01-03-547-4400) be allowed to exceed the budgeted amount by up to \$940,000.**

3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF BID

- 5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

Item No.	Description	Unit	Estimated Quantity	Bid Unit Price	Bid Price
1	MOBILIZATION	LS	1	20,000. ⁰⁰	20,000. ⁰⁰
2	CLEARING AND GRUBBING	LS	1	3,500. ⁰⁰	3,500. ⁰⁰
3	PASTURE SEED MIX	AC	3.7	2,000. ⁰⁰	7,400. ⁰⁰
4	EMBANKMENT- ON SITE	CY	10,548	6. ⁰⁰	63,288. ⁰⁰
5	EMBANKMENT- OFF SITE	CY	1,921	22. ⁵⁰	43,222. ⁵⁰
6	CLASS "B" RIPRAP	TN	7,524	90. ⁰⁰	677,160. ⁰⁰
7	COARSE AGGREGATE FILTER	TN	616	45. ⁰⁰	27,720. ⁰⁰
8	GEOTEXTILE FABRIC	SY	973	3. ⁵⁰	3,405. ⁵⁰
9	TEMPORARY CROSSING	LS	1	5,000. ⁰⁰	5,000. ⁰⁰
Total of All Unit Price Bid Items					\$850,696. ⁰⁰

Bidder acknowledges that (1) each Bid Unit Price and Item Lump Sum includes an amount considered by Bidder to be adequate to cover Contractor's overhead and profit for each separately identified item, and (2) estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price Bid items will be based on actual quantities, determined as provided in the Contract Documents.

ARTICLE 6 – TIME OF COMPLETION

- 6.1 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.
- 6.2 Bidder accepts the provisions of the Agreement as to liquidated damages.

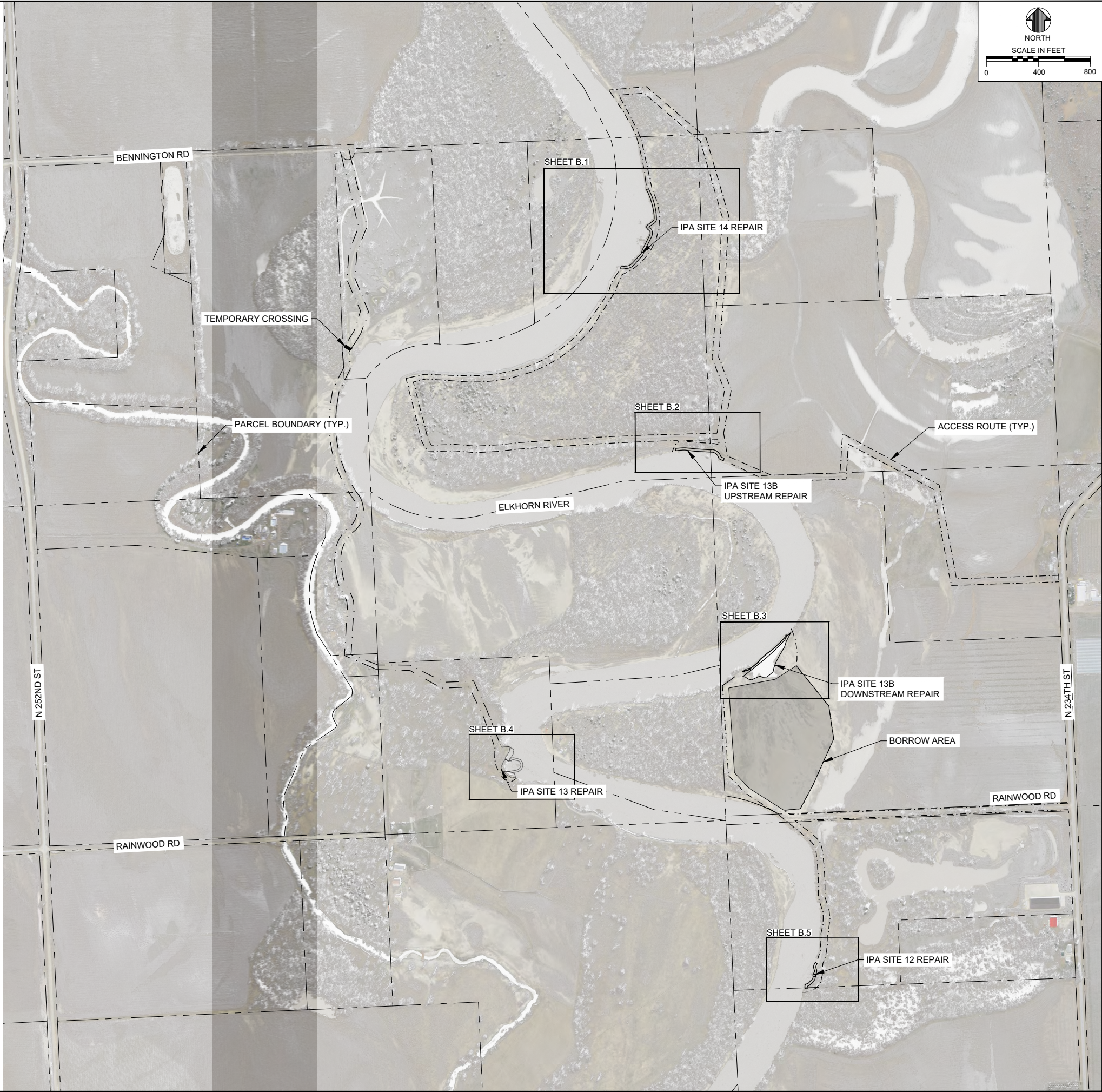
ARTICLE 7 – ATTACHMENTS TO THIS BID

- 7.1 The following documents are submitted with and made a condition of this Bid:

A. Required Bid security; and

GENERAL CONDITION NOTES:

1. THE LOCATION OF ALL ABOVE GROUND AND UNDERGROUND UTILITY FACILITIES ARE APPROXIMATE OR MAY NOT BE INDICATED IN THESE PLANS. UNDERGROUND FACILITIES, WHETHER INDICATED OR NOT, SHALL BE LOCATED AND FLAGGED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE REQUIRED TO NOTIFY AND COORDINATE ALL NECESSARY UTILITY SERVICE INTERRUPTIONS WITH THE OWNERS. ANY DAMAGE TO EXISTING UTILITIES AND/OR PAVED STREETS CAUSED BY CONSTRUCTION OPERATIONS SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
2. ONE CALL: 402-344-3565
3. A NEST SURVEY MUST BE CONDUCTED 5 DAYS PRIOR TO ANY CLEARING AND GRUBBING BETWEEN THE MONTHS OF FEBRUARY THROUGH SEPTEMBER. THE ENGINEER'S FIELD REPRESENTATIVE MUST BE CONTACTED 10 DAYS PRIOR TO DISTURBANCE TO ARRANGE THE SURVEY. CLEARING AND GRUBBING CANNOT BEGIN UNTIL APPROVAL BY THE FIELD REPRESENTATIVE. IF THE DISTURBANCE DOES NOT START WITHIN 5 DAYS OF THE SURVEY, THEN A NEW SURVEY WILL BE COMPLETED PRIOR TO THE START OF CONSTRUCTION ACTIVITIES.
4. CONTRACT MUST ADHERE TO THE REQUIREMENTS OF THE NATIONWIDE 404 PERMIT GRANTED BY THE UNITED STATES ARMY CORPS OF ENGINEERS FOR THIS PROJECT. A COPY OF THE REQUIREMENTS WILL BE PROVIDED TO THE SELECTED CONTRACTOR, OR UPON REQUEST.
5. ALL RUBBLE AND DEBRIS FROM CONSTRUCTION ACTIVITIES MUST BE REMOVED FORM THE SITE UPON COMPLETION OF WORK. ALL DISTURBED AREAS WITHIN THE APPROVED LIMITS OF CONSTRUCTION SHALL BE RESTORED TO ORIGINAL CONDITIONS BY DISKING OR ROTO-TILLING COMPACTED SOILS PRIOR TO FINISHED GRADING AND SEEDING.
6. TREES 6" DIA. AND GREATER ARE IDENTIFIED ON PLANS. SMALLER DIAMETER TREES MAY BE ENCOUNTERED WITHIN CLEARING AND GRUBBING AREAS.
7. CLEARING AND GRUBBING TO BE PERFORMED ONLY IN LOCATIONS ABSOLUTELY NECESSARY TO CONSTRUCT AND ACCESS THE SITE FEATURES. MAXIMUM ACCEPTABLE DISTANCE AT EACH FIELD SITE FROM THE TOP OF BANK TO CLEAR AND GRUB IS 30 FEET. TREES DIRECTLY ON THE BANKLINE SHOULD NOT BE REMOVED,UNLESS APPROVED BY FIELD REPRESENTATIVE.
8. STABILIZED ROCK ENTRANCES MUST PLACE AT LOCATIONS WHERE EQUIPMENT ACCESSES PUBLIC ROADS. EACH SHALL BE MAINTAINED AT ALL TIMES TO ENSURE SEDIMENT IS NOT TRACKED ONTO PUBLIC STREET AREAS. CONTRACTOR MAY BE REQUIRED TO PLACE MORE ROCK TO AREAS OR CLEAN SEDIMENT FROM EXISTING ROCK. IF ANY SEDIMENT IS TRACKED ON PUBLIC STREET AREAS, THE CONTRACTOR IS RESPONSIBLE FOR REMOVING THE SEDIMENT IMMEDIATELY. THIS ITEM WILL BE STRICTLY ENFORCED. STABILIZED ROCK ENTRANCES MUST BE REMOVED AFTER CONSTRUCTION IS COMPLETED WITH APPROVAL FROM THE FIELD REPRESENTATIVE.
9. ELECTRONIC FILES FOR GPS EQUIPMENT OR STAKING DATA POINT CAN BE PROVIDED BY ENGINEER UPON REQUEST BY CONTRACTOR.
10. PROPERTY BOUNDARIES REFLECT TAX RECORDS OF DOUGLAS COUNTY AS OF 2019.
11. BANKLINE AND EXISTING ROCK LOCATIONS REPRESENT DATA COLLECTED MARCH 2019. FIELD CONDITIONS MAY HAVE CHANGED THAT WILL REQUIRE MEDICATIONS TO THE DESIGN PER ENGINEER'S GUIDANCE.
12. CONTRACTOR IS TO REPLACE ANY EXISTING FENCE REMOVED FOR SITE ACCESS UPON COMPLETION OF WORK IN THAT AREA AS PART OF MOBILIZATION.
13. CONTRACTOR REQUIRED TO CONTROL TRACKOUT FROM ACCESS POINTS ONTO PUBLIC ROADS AND REMOVE ANY ACCUMULATED SEDIMENT ON ROADWAYS AS A RESULT OF CONSTRUCTION ACTIVITIES.
14. CONSTRUCT TEMPORARY CROSSING OVER DRAINAGE CHANNEL AT THE ELKHORN CROSSING RECREATION SITE. CONTRACTOR TO PROVIDE BORROW MATERIAL FOR ANY EMBANKMENT NEEDED FOR THE CROSSING AS WELL AS ANY TEMPORARY PIPES OR MATERIALS TO ACCOMMODATE DRAINAGE.
15. CONTRACTOR TO ABIDE BY ACCESS ROUTES AND LIMITS OF CONSTRUCTION AS SHOWN. ANY MODIFICATIONS TO ACCESS ROUTES TO BE SUBMITTED AND APPROVED BY FIELD ENGINEER PRIOR TO ACCESS.
16. ALL AREA DISTURBED FOR CONSTRUCTION AND ACCESS TO BE RETURNED TO PRE-CONSTRUCTION CONDITIONS. SITES THAT WERE PREVIOUSLY VEGETATED TO BE RESEEDDED WITH THE PASTURE SEED MIX. THE RESEEDING AREA FOR THE ENTIRE PROJECT LOCATED WITHIN THE DESIGNATED LIMITS OF CONSTRUCTION WAS ESTIMATED AS 3.7 ACRES. CONTRACTOR TO ONLY BE REIMBURSED FOR AREA RESEEDDED WITHIN THE LIMITS OF CONSTRUCTION UNLESS APPROVED BY FIELD ENGINEER PRIOR TO ANY DISTURBANCE OUTSIDE THE LIMITS OF CONSTRUCTION.
17. THE OWNER HAS APPLIED FOR A REGIONAL GENERAL 404 PERMIT TO THE UNITED STATES CORPS OF ENGINEERS FOR THE WORK TO BE PERFORMED AT IPA SITE 13 AND THE TEMPORARY CROSSING TO ACCESS THIS SITE. THE PERMIT IS PENDING AND WORK ASSOCIATED WITH THIS SITE SHOULD NOT BE PERFORMED UNTIL THE PERMIT IS OBTAINED. CONTRACTOR TO SEQUENCE WORK ACCORDINGLY.
18. THE OWNER HAS APPLIED FOR AN NPDES PERMIT THROUGH THE NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY FOR THE ENTIRE WORK SITE. THE PERMIT IS PENDING BUT IS ANTICIPATED TO BE AWARDED PRIOR TO NOTICE TO PROCEED. CONSTRUCTION CANNOT BEGIN UNTIL THIS PERMIT IS OBTAINED.
19. A COPY OF THE PERMITS WILL BE PROVIDED TO THE CONTRACTOR ONCE AWARDED. THE CONTRACTOR MUST ABIDE BY ALL PEMRIT REQUIREMENTS. ANY IMPACTS TO QUANTITIES OR TIMELINES WILL BE ADJUSTED BY CHANGE ORDER.



ELKHORN RIVER IPA 2019 REPAIRS
PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT
DOUGLAS COUNTY, NEBRASKA
2019

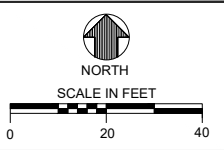
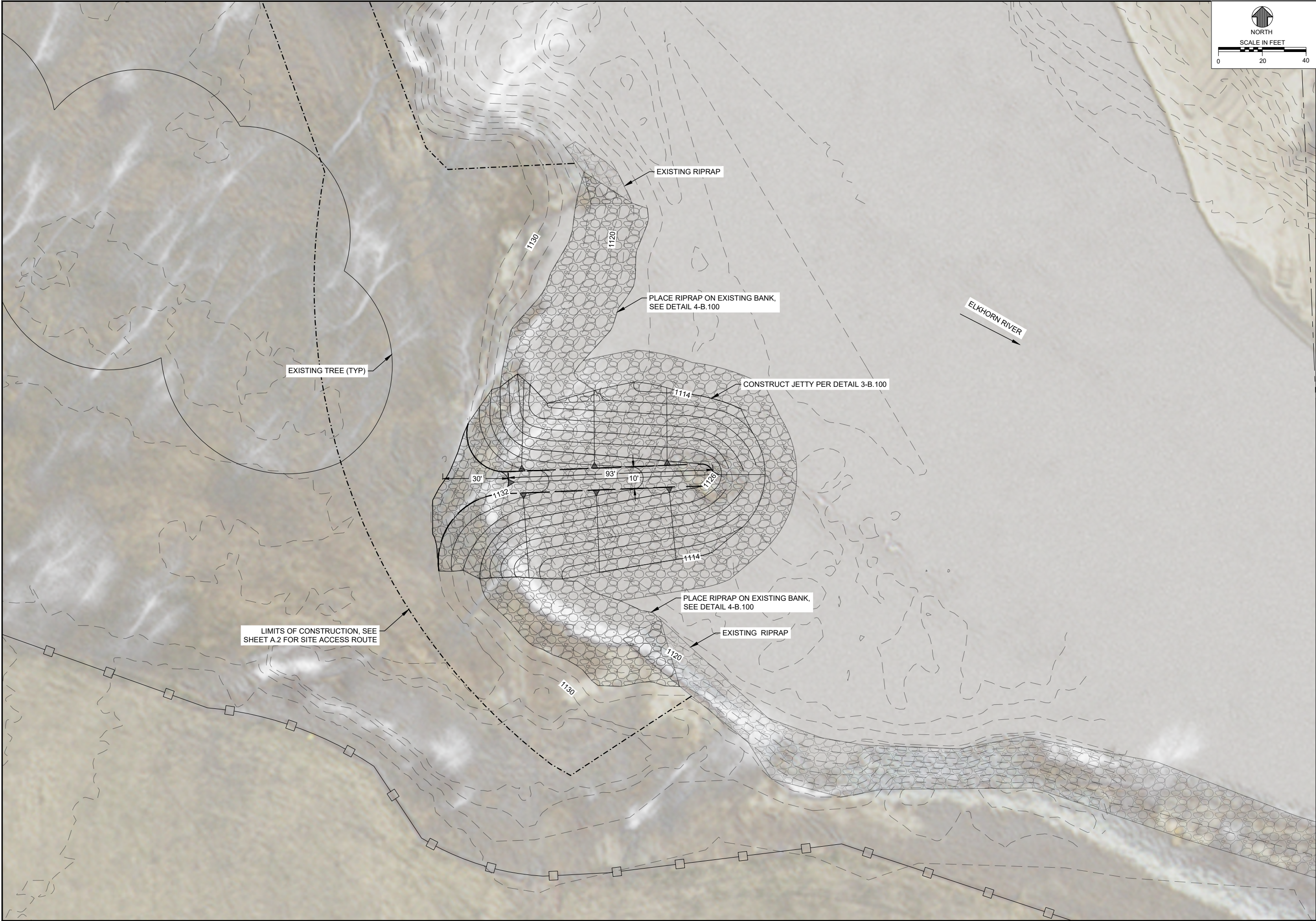
ENGINEER'S SEAL



REVISIONS	
NO.	DATE

DESIGNED BY: SEM
DRAWN BY: CKW
QA / QC BY: MKS
PROJECT NO.: 001-19-05
DATE: 10/14/2019

TITLE
SITE MAP



FYRA
ENGINEERING
12702 Westport Pkwy, Ste 300
Omaha, Nebraska 68138
402.502.7131
www.fyraengineering.com

ELKHORN RIVER IPA 2019 REPAIRS
PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT
DOUGLAS COUNTY, NEBRASKA
2019

ENGINEER'S SEAL



REVISIONS	
NO.	DATE

DESIGNED BY: SEM
DRAWN BY: CKW
QA / QC BY: MKS
PROJECT NO.: 001-19-05
DATE: 10/14/2019

TITLE
IPA SITE 13
REPAIR PLAN

Fund: 16 - ELKHORN RIVER STABILIZATION PROJECT

Budget Period: 7/1/2019 - 6/30/2020

Account Number and Description

FY2019 -
BUDGET

FY 2019 - YTD
ACTUAL

FY2020 -
BUDGET

Cash on hand	16	01	000	3000	\$ 215,204	\$ -	\$ 235,141
FEDERAL GRANTS AND FUNDS	16	01	000	3010	\$ -	\$ -	\$ 225,000
SPECIAL ASSESSMENT	16	01	000	3030	\$ 20,000	\$ 20,270	\$ 20,000
INTEREST INCOME	16	01	000	3110	\$ 180	\$ 393	\$ 330
Total Income					\$ 235,384	\$ 20,663	\$ 480,471
PROFESSIONAL SERVICES	16	01	000	4400	\$ 5,000	\$ -	\$ 50,000
MAINTENANCE MATERIALS	16	01	000	4477	\$ 5,000	\$ -	\$ 5,000
CONTRACT WORK	16	01	000	4479	\$ -	\$ -	\$ 250,000
SALARIES	16	01	000	4550	\$ 7,000	\$ 726	\$ 7,000
Operating reserve	16	01	000	4999	\$ 218,384	\$ -	\$ 168,471
Total Expense					\$ 235,384	\$ 726	\$ 480,471

Excess Revenue over (under) Expenditures

for 16 - ELKHORN RIVER STABILIZATION PROJECT

\$ - \$ 19,937 \$ 0

3010 - Federal Grants and Funds 75% FEMA cost share, flood cleanup

Fund: 01 - PAPIO-MISSOURI RIVER NRD

Budget Period: 7/1/2019 - 6/30/2020

Account Description

547 - ELKHORN RIVER STABILIZATION

					FY2019 - BUDGET	FY 2019 - YTD ACTUAL	FY2020 - BUDGET
FEDERAL GRANTS AND FUNDS	01	03	547	3010	\$ -	\$ -	\$ 75,000
Total Income					\$ -	\$ -	\$ 75,000
PROFESSIONAL SERVICES	01	03	547	4400	\$ -	\$ -	\$ 140,000
Total Expense					\$ -	\$ -	\$ 140,000

Excess Revenue over (under) Expenditures
for 547 - ELKHORN RIVER STABILIZATION

\$ - \$ - \$ (65,000)

3010 - Federal Grants and Funds

75% EWP cost share, flood repairs

4400 - Professional Services

Flood damage assessment	\$ 40,000
Design and repair	\$ 100,000
	<u>\$ 140,000</u>

548 - WESTERN SARPY/CLEAR CREEK

STATE GRANTS AND FUNDS	01	03	548	3020	\$ -	\$ -	\$ -
CONTRIBUTIONS/REIMB/COST SHARES	01	03	548	3120	\$ 152,310	\$ 133,681	\$ -
Total Income					\$ 152,310	\$ 133,681	\$ -
ATTORNEY FEES & LEGAL COSTS	01	03	548	4392	\$ 5,000	\$ 1,273	\$ -
PROFESSIONAL SERVICES	01	03	548	4400	\$ 5,000	\$ -	\$ -
CONSTRUCTION	01	03	548	4410	\$ 10,000	\$ -	\$ -
LAND RIGHTS	01	03	548	4430	\$ 1,000	\$ -	\$ -
Total Expense					\$ 21,000	\$ 1,273	\$ -

Excess Revenue over (under) Expenditures
for 548 - WESTERN SARPY/CLEAR CREEK

\$ 131,310 \$ 132,408 \$ -

Project construction is complete. Any future maintenance expenditures will be reflected in 591 - Maintenance, Channels and Levees.

549 - FLOODPLAIN REMAPPING

PROFESSIONAL SERVICES	01	03	549	4400	\$ 126,000	\$ 100,104	\$ 51,000
Total Expense					\$ 126,000	\$ 100,104	\$ 51,000

Excess Revenue over (under) Expenditures
for 549 - FLOODPLAIN REMAPPING

\$ (126,000) \$ (100,104) \$ (51,000)

4400 - Professional Services

Papio Watershed Hydraulics	\$31,000.00
Preliminary Flood Products for public meetings	<u>\$20,000.00</u>
	\$51,000.00

Fund: 01 - PAPIO-MISSOURI RIVER NRD

Budget Period: 7/1/2019 - 6/30/2020

Account Description

TRAILS

260 - TRAILS ASSISTANCE PROGRAM

CONTRIBUTION/REIMB/COST SHARE	01	06	260	4195	\$ 900,199	\$ 621,180	\$ 904,614
Total Expense					\$ 900,199	\$ 621,180	\$ 904,614

Excess Revenue over (under) Expenditures
for 260 - TRAILS ASSISTANCE PROGRAM

\$ (900,199) \$ (621,180) \$ (904,614)

4195 - Contributions/Reimb/Cost Share

Carryover

City of Omaha, Turner Blvd Trail on Pacific St.	\$ 83,612
Tekamah, Tiger Trail Loop	\$ 36,410
City of Omaha, W. Papio Trail Bent Creek Park	\$ 18,732
SID 441 Waterford, Trail Improvements	\$ 75,000
Village of Walthill, Walthill Walking Trail, Phase 3	\$ 53,450
TOTAL	\$ 267,204

New Applications

Gretna, Wehrspann Lake Trail	\$ 82,670
City of Omaha, North Omaha Trail Project (1 of 2)	\$ 146,209
SID 503 (Douglas) West Dodge Station Trail	\$ 244,026
South Sioux City, 29th St. Trail	\$ 164,505

TOTAL \$ 637,410

261 - PAPIO TRAILS SYSTEM

CONTRIBUTION/REIMB/COST SHARE	01	06	261	3120	\$ 835,000	\$ 579,266	\$ 390,000
Total Income					\$ 835,000	\$ 579,266	\$ 390,000
CONTRIBUTION/REIMB/COST SHARE	01	06	261	4195	\$ 1,500	\$ 1,200	\$ 1,500
ATTORNEY FEES & LEGAL COSTS	01	06	261	4392	\$ 9,000	\$ 2,111	\$ 9,000
PROFESSIONAL SERVICES	01	06	261	4400	\$ 435,484	\$ 103,595	\$ 310,000
CONSTRUCTION	01	06	261	4410	\$ 1,653,096	\$ 1,602,007	\$ 930,000
Total Expense					\$ 2,099,080	\$ 1,708,912	\$ 1,250,500

Excess Revenue over (under) Expenditures
for 261 - PAPIO TRAILS SYSTEM

\$ (1,264,080) \$ (1,129,646) \$ (860,500)

3120 - Contributions/Reimb/Cost Share

West Papio (Giles to Millard construction) - La Vista	\$ 390,000
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4195 - Contributions/Reimb/Cost Share

Keep Omaha Beautiful (trail cleanup)	\$ 1,500
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4400 - Professional Services

West Papio (Giles to Millard, Cnst Admin)	\$ 50,000
West Papio (Millard Connection)	\$ 50,000
US Hwy 34 Trail (Platte River) Bridge, Phase 2	\$ 35,000
West Papio (West Maple Connection)	\$ 50,000
Adams Park Trail	\$ 125,000
TOTAL	\$ 310,000

4410 - Construction Costs

West Papio (Giles to Millard)	\$ 250,000
W Douglas Co Trail (NDOT 20% Local Share)	\$ 675,000
Fixit Stations installation	\$ 5,000
TOTAL	\$ 930,000