

**Programs, Projects, and Operations
Subcommittee Meeting Minutes
March 8, 2022**

A meeting of the Papio-Missouri River Natural Resources District’s Programs, Projects, and Operations Subcommittee was held at the Natural Resources Center, 8901 South 154th Street, Omaha, NE, on March 8, 2022. The meeting was called to order by Chairperson Conley at 4:00 p.m.

QUORUM CALL: Quorum call was taken. The following subcommittee members were in attendance.

| Subcommittee Members Present | Subcommittee Members Absent | Other Directors Present | Others Present |
|-------------------------------------|------------------------------------|--------------------------------|---|
| Fred Conley, Chairperson | Tim Fowler, Vice-Chair* | Larry Bradley | John Winkler |
| Patrick Bonnett ** | | Phil Davidson | Brent Meyer, Legal Counsel |
| Ted Japp | | Tim McCormick | Tracy Thompson |
| Kevyn Sopinski | | Jim Thompson | Eric Williams |
| Rich Tesar | | | Martin Cleveland |
| | | | John Borgmeyer, Midwest Right of Way |
| | | | Lindy Rogers, FYRA |
| | | | Puja Biswa, UNO Student |
| | | | Hannah Miller, UNO Student |
| | | | Other Staff Members |

* Absent

** Alternate Voting Member

ADOPTION OF AGENDA:

- **It was moved by Director Tesar and seconded by Director Sopinski that the agenda be adopted.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea.

Voting Yea: Bonnett, Japp, Sopinski, Tesar, Conley

Voting Nay: None

Abstaining: None

Absent: Fowler

PROOF OF PUBLICATION: Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on March 3, 2022. The proof of publication affidavit is included with the file copy of these minutes.

1. Review and Recommendation of the Elkhorn River Improvement Project Area (IPA), Operation and Maintenance Assessment – Eric Williams:

Project Manager Eric Williams presented the proposed Elkhorn River Improvement Project Area (IPA) Operation and Maintenance Assessment. He stated that a Board resolution is required each year for Douglas County to collect these assessments and that this special assessment is collected at the rate of \$20,000 per year until the O&M Fund reaches a balance of \$250,000. Eric reported that at the end of February 2022,

the remaining O&M fund balance was \$20,280 after repairs from the March 2019 flood for a total cost of \$983,337.10 with 95% reimbursement from FEMA received in November 2021. Eric answered Directors questions.

- **It was moved by Director Tesar and seconded by Director Sopinski that the Subcommittee recommend to the Board that a special assessment for the operation and maintenance of the Elkhorn River Bank Stabilization Improvement Project Area be levied against the benefited parcels in the total amount of \$20,000 for calendar year 2022.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea.

Voting Yea: Bonnett, Japp, Sopinski, Tesar, Conley
Voting Nay: None
Abstaining: None
Absent: Fowler

2. Review and Recommendation of No Name Dike High Ground Project, Professional Services Agreement with Midwest Right of Way – Martin Cleveland and John Borgmeyer, Midwest Right of Way:

Construction Engineer Martin Cleveland presented the proposed Professional Services Agreement with Midwest Right of Way Services, Inc. for the No Name Dike High Ground Project. He reported that a public hearing will be held at the March 10, 2022, Board of Directors Meeting for the purpose of obtaining right-of-way permanent easements over the High Ground Area. Martin reviewed the tasks included in the proposed agreement, and the work performed by Midwest Right of Way Services, Inc. for numerous District projects in the past. The maximum not to exceed cost of the agreement is \$58,500 which is beyond the fee limit of \$50,000 for consultant selection without a Request for Proposals (RFP) as per Board Policy 15.2 Purchasing-Professional Services. Staff believes Midwest Right of Way Services, Inc. is the best qualified firm for No Name Dike High Ground Project and recommends that the Board waive the RFP process and approve the proposed agreement. Director Tesar offered information on the need for the High Ground project. Martin and John Borgmeyer answered Directors questions.

- **It was moved by Director Tesar and seconded by Director Sopinski that the Programs, Projects, and Operation Subcommittee recommend to the Board of Directors that Policy 15.2 Purchasing-Professional Services be waived and that the General Manager be authorized to execute the proposed Professional Services Agreement with Midwest Right of Way Services, Inc. for the No Name Dike High Ground Project, with the maximum not to exceed amount of \$58,500, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea.

Voting Yea: Bonnett, Japp, Sopinski, Tesar, Conley
Voting Nay: None
Abstaining: None
Absent: Fowler

3. Review and Recommendation of Little Papio Creek Channel Culverts Rehabilitation Project, Group A Construction Bids – Martin Cleveland:

Construction Engineer Martin Cleveland presented the bid summary for construction of the Little Papio Creek Channel Culverts Rehabilitation Project Group A. The project consists of rehabilitation of 19 aging channel culverts with either slip lining with HDPE (plastic) pipe or lining with cured in place pipe (CIPP) and abandoning two culverts. One bid was opened on February 24, 2022 from MC Wells Contracting, LLC in the amount of \$4,491,531.00. The engineer's cost estimate prepared by FYRA is \$4,157,680.00. It is

the engineer's recommendation that the bid be accepted. As a partner in this project the City of Omaha was consulted, and they concur that the bid be accepted. The City of Omaha signed a Interlocal Cooperation Agreement with the District on January 3, 2022, to pay a not to exceed total amount of \$2,400,000 over 3 years towards the engineering and construction (rehabilitation) of the City owned culverts. (10 culverts are City owned and 9 culverts are District owned.) Martin and Lindy Rogers, FYRA, answered Directors questions.

- **It was moved by Director Sopinski and seconded by Director Tesar that the Programs, Projects and Operations Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute a contract with MC Wells Contracting, LLC in the amount of \$4,491,531.00 for the construction of the Little Papio Creek Channel Culverts Rehabilitation Project Group A, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea.

Voting Yea: Bonnett, Japp, Sopinski, Tesar, Conley
Voting Nay: None
Abstaining: None
Absent: Fowler

ADJOURNMENT: Being no further business, the meeting adjourned by acclamation at 4:16 p.m.