



**Programs, Projects & Operations  
Subcommittee Meeting  
February 7, 2012  
6:30 p.m.  
Agenda**

**Programs, Projects & Operations:**

John Conley, Chairman  
Fred Conley, Vice-Chairman  
David Klug  
Rich Tesar  
Jim Thompson

**Alternate Members:** Gus Erickson  
Tim Fowler

**Staff Liaison:** Gerry Bowen  
Martin Cleveland  
Amanda Grint  
Terry Schumacher  
Dick Sklenar \*

1. Meeting Called to Order – Chairperson John Conley
2. Notification of Open Meetings Act Posting and Announcement of Meeting Procedure – Chairperson John Conley
3. Quorum Call
4. Adoption of Agenda
5. Proof of Publication of Meeting Notice
6. Review and Recommendation on Interlocal Agreement with City of Omaha for Omaha Levee Rehabilitation – Amanda Grint, Marty Grate and Bob Stubbe, City of Omaha
7. Review and Recommendation on Lied Platte River Bridge Research Station – Brian Henkel and Dr. Alan Kolok, University of Nebraska – Omaha
8. Review and Recommendation on MoPac Trail (Hwy. 50 to Lied Bridge) Engineering Fees - Contract with Ehrhart Griffin and Associates – Gerry Bowen and Dan Dolezal, Ehrhart Griffin
9. Review and Recommendation on Elkhorn River IPA – Operation and Maintenance Assessment – Gerry Bowen

10. Review and Recommendation on Missouri River Levee System Units R613 and R616 Cooperation Agreements with US Army Corps of Engineers Rehabilitation of Project – Martin Cleveland
11. Review and Recommendation on Missouri River Floodway Purchase Program for Iske Place and Elbow Bend – Director Japp
12. Adjourn

Agenda Item: 6.

## Memorandum

**To:** PPO Subcommittee  
**From:** Amanda Grint, Water Resources Engineer  
**Date:** February 1, 2012  
**Re:** Interlocal Agreement with City of Omaha for Omaha Levee Rehabilitation

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The Omaha Levee consists of approximately 12 miles of earthen levee and 1 mile of floodwall along the Missouri River (see attached map). This flood control structure protects a large portion of the downtown area including the Century Link Center, TD Ameritrade Park and Eppley Airfield. As a new flood study is being completed to produce revised Federal Emergency Management Agency (FEMA) flood maps, the City of Omaha faces a similar situation as the Village of Waterloo did a few years ago. The Omaha Levee will soon be issued a Provisionally Accredited Levee (PAL) letter by FEMA. The PAL letter gives a community 2 years to accredit a levee in order to continue to show 100 year flood protection on the FEMA flood maps. Even though the flood study has been delayed, meaning a PAL letter is still a few years away from being issued, the City of Omaha realizes that more than two years is likely needed to complete rehabilitation to the Omaha levee in order to have the levee accredited.

A City representative attended the District's Master Plan public session in 2010 and indicated that they were interested in the District taking over responsibility for the Omaha Levee. As noted in the attached letter from Mayor Suttle, with the 2011 flood events the City feels that the levee is best managed by the City. They do however, request cost share assistance to help fund accreditation of the levee. It is proposed the District cost share be used for study, design or construction of improvements.

A preliminary study, jointly funded by the District and the City, was completed by HDR Engineering in 2009 to examine the Omaha Levee and the two District levees, R616 and R613, to determine deficiencies needing to be addressed for the Corps of Engineers PL-8499 program and the FEMA accreditation program. This along with a Corps of Engineers annual inspection has given the City of Omaha some guidance on the amount of work necessary to accredit the levee. Additional information was submitted by Tetra Tech to the District regarding cost estimates for levee accreditation with levees in similar situations as the City of Omaha. Those cost estimates show approximately \$3,500,000 per mile for tasks similar to what the City of Omaha is anticipating.

A proposed interlocal agreement between the City of Omaha and the District for cost sharing on the rehabilitation of the Omaha Levee is attached for review. The interlocal provides for maximum cost share assistance in the amount of \$2,000,000 over a four year period, with an annual District contribution of up to \$500,000.

**Staff recommends that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed Interlocal Agreement with the City of Omaha for the Omaha Levee Rehabilitation providing cost sharing assistance up to \$2,000,000 over four years, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.**

Agenda Item: 7.

## Memorandum

**To:** Programs, Projects and Operations Subcommittee  
**From:** Brian L. Henkel, Groundwater Management Engineer  
**Date:** February 7, 2012  
**Re:** Lied Platte River Bridge Research Station

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Dr. Alan Kolok, Director of the University of Nebraska at Omaha's (University) Aquatic Toxicology Laboratory requests a Memorandum of Understanding (MOU) to construct an environmental science laboratory on the Lied Platte River Bridge (Lied Bridge). The District previously entered into a cost share agreement to partially fund the Elkhorn River Research Station (ERRS) at the T. L. Davis Prairie on The University of Nebraska Foundation property on 240<sup>th</sup> Street, South of Q Street. The ERRS serves as a three season laboratory for real time data collection and distance education. The Lied Bridge project will be similar in concept to the ERRS. Water quality research, like that of the ERRS, is an important component of the mission of the District and supporting this research will help to supplement the Districts ongoing water quality programs.

**Staff recommends that the Programs, Projects and Operations Subcommittee recommend to the Board of Directors that the General Manager be authorized to enter into a Memorandum of Understanding with the University of Nebraska for the Lied Platte River Bridge Research Station project subject to approval as to form by District Legal Counsel.**

Agenda Item: 8.

Memo to: Programs, Projects, and Operations Subcommittee  
Subject: MoPac Trail (Hwy. 50 to Lied Bridge) Engineering Fees – Contract with Ehrhart Griffin and Associates  
Date: February 3, 2012  
From: Gerry Bowen

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In December, 2003, the District entered into a professional services contract with Ehrhart Griffin and Associates (EGA) for the Mopac Trail (Hwy. 50 to the Lied Bridge) project. The original contract amount was \$238,046.45. In June, 2008, the Board approved an increase in the “not-to-exceed” amount to \$323,906.68 due to changes in the project design to accommodate landowner requests for drainage improvements that remained after the NDOR paved Highway 31 (memo attached). This allowed the District to acquire the right-of-way for the project without the use of eminent domain.

The entire project was then delayed due to changes in procedures by NDOR and FHWA for use of federal transportation funds. The engineering on the project then resumed in 2010 and was required to follow the revised NDOR rules and regulations under guidance from FHWA. The new procedures required additional fees to be incurred to meet the new requirements.

The Board was notified in December, 2010 (EGA’s letter included in the General Manager’s Report and attached) that additional fees would be needed to get the project completed. The 2010 letter noted that the increase in fees amounted to \$95,000 at that time. This increase was not brought to the Board for action since it was believed that there would still be additional work necessary.

The District received the attached letter from EGA on January 27, 2012. The additional fees and services are outlined in the letter. The additional services are itemized in the letter under the following categories:

ROW Assessment Documents	\$3,800.00
FHWA Oversight	\$197,358.00
NEPA Process	\$34,500.00
Project Completion	\$15,000.00
Construction Administration (credit)	(\$106,149.98)
Total Additional Fees Requested	\$144,508.02

The construction administration credit resulted because it was included in the original scope of services. The District was not allowed to utilize EGA as the construction administration contractor unless a separate request for proposal was sent to all qualified consultants. The District followed the guidelines, interviewed consultants and ultimately selected EGA as the firm for construction administration. These services will be covered in a separate agreement that will be prepared by NDOR within the next several months. This agreement will be brought to the Board for action at that time.

- **It is recommended that the Subcommittee recommend to the Board that the General Manager be authorized to execute proposed amendment No. 2 of the professional services contract with Ehrhart Griffin and Associates for the Mopac Trail Project (Hwy. 50 to Lied Bridge) increasing the not to exceed amount from \$323,903.68 to \$468,414.70.**

Agenda Item: 9.

Memo to the Programs, Projects and Operations Subcommittee

Subject: Elkhorn River IPA – Operation and Maintenance Assessment

Date: January 26, 2012

From: Gerry Bowen

In February, 2011, The Board voted to reestablish the Operation and Maintenance Assessment on benefited properties in the Elkhorn River Improvement Project Area. The action is to collect the special assessments at the rate of \$15,000 (see attached) per year until the O&M Fund reached a balance of \$250,000. As of December 31, 2011, the balance in the O&M Fund was \$91,198.75.

In order for Douglas County to collect these assessments, a Board resolution is required each year.

- **It is recommended that the Subcommittee recommend to the Board that a special assessment for operation and maintenance of the Elkhorn River Bank Stabilization Project be levied against benefited parcels in the total amount of \$15,000 for calendar year 2012.**

## Agenda Item: 10.

### MEMORANDUM

TO: Programs, Projects and Operations Subcommittee

FROM: Martin P. Cleveland

SUBJECT: Missouri River Levee System Units R613 and R616  
Cooperation Agreements with US Army Corps of Engineers  
Rehabilitation of Project

DATE: January 25, 2012

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Enclosed are two cooperation agreements (one for R613 Levee and one for R616 Levee) between United States of America (USA) Corps of Engineers and the District for the rehabilitation of the referenced project. The District requested rehabilitation assistance of the US Army Corps of Engineers on October 20, 2011 to repair 2011 Missouri River flood damage to District levees.

The District will not incur any expenses, other than staff time and potential right-of-way acquisition costs later in 2012. The Corps deadline for fast track construction and funding necessitated management execution of agreements prior to February Board of Directors review.

**It is the Management recommendation that the Programs, Projects and Operation Subcommittee recommend to the Board that the Cooperation Agreements with US Army Corps of Engineers for the rehabilitation of the Missouri River Levee System Units R613 and R616 be ratified.**