

**Programs, Projects & Operations
Subcommittee Meeting**

June 10, 2008

6:45 p.m.

(Or immediately following the FEL Subcommittee Meeting)

Agenda

Programs, Projects & Operations:

John Conley, Chairman
Rich Tesar, Vice-Chairman
Fred Conley
David Klug
Rick Kolowski

Alternate Members: Dorothy Lanphier
Jim Thompson

Staff Liaison: Gerry Bowen
Martin Cleveland *
Amanda Grint
Ralph Puls
Dick Sklenar
Paul Woodward

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 Turtle Creek Watershed Structure #2 Rehabilitation Project Bids – Martin Cleveland
7. Review and Recommendation on Waterloo Levee Evaluation Cost Share Agreement – Paul Woodward
8. Review and Recommendation on FEMA Floodplain Mapping Grant Submittals - Amanda Grint and Paul Woodward
 - a. Washington County Floodplain Mapping Project
 - b. Douglas and Sarpy County Floodplain Mapping Project

9. Review and Recommendation on Addition of 17.41 – District Programs – Stormwater BMP Program to District Policy Manual - Amanda Grint
10. 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 and Associates
11. Adjourn

MEMORANDUM

TO: Programs, Projects and Operations Subcommittee

FROM: Martin P. Cleveland

SUBJECT: Turtle Creek Watershed Structure #2
Rehabilitation Project Bids

DATE: June 3, 2008

Attached is a location map for the referenced earthen dam rehabilitation project. This project will rehabilitate a 1962 vintage dam to eliminate risk to development (houses and roads), that are located downstream of the dam.

The bid summary for the rehabilitation project is as follows:

	TOTAL BASE BID FOR Turtle #2
NRCS ENGINEER'S ESTIMATE	\$635,181.00
Negus-Sons, Inc.	\$497,186.04
M.E. Collins Contracting Co. Inc.	\$570,624.50
Vrana	\$558,777.90
Neuvirth's Inc.	\$544,773.62
Yost Excavating	\$523,260.50
Dostals Construction Co. Inc.	\$739,635.10

See attached detailed bid summary for individual items.

Bid was received and the apparent low bidder is Negus-Sons, Inc., with a total base bid of \$ 497,186.04. The Engineer's Estimate of Construction Cost by NRCS is \$ 635,181.00.

This work will be funded via funds included in (account 03 12 4479). The proposed Fiscal Year 2009 budget includes \$1,780,000 in this account for this project and other projects. The Natural Resources Conservation Service will reimburse the District for approximately 65% of the total project costs (right of way and construction).

- **It is Management's recommendation that the Subcommittee recommend to the Board of Directors that the General Manger be authorized to execute a contract with Negus-Sons, Inc., for a total base bid of \$497,186.04 for construction of the Turtle Creek Watershed Structure #2 Rehabilitation Project.**

Memorandum

To: PPO Subcommittee

Re: Waterloo Levee Improvements Design and Certification

Date: June 2, 2008

From: Paul Woodward, Water Resources Engineer

In March of this year, the District Board approved an agreement with the Village of Waterloo to evaluate the existing levee surrounding their community. As anticipated, this evaluation has determined that the existing levee does not meet the federal requirements to be certified and shown on the flood maps as providing protection from the 1% chance annual flood. The conclusions of this study are summarized in the attached report and include preliminary estimates that it may take as much as \$2 million (including design and construction) to bring the levee up to current standards. The enclosed map shows the areas of the levee that need to be raised or improved.

The Village signed an agreement with the Federal Emergency Management Agency (FEMA) to designate the Waterloo levee as a Provisionally Accredited Levee (PAL) beginning on January 15, 2008. The PAL designation requires that all necessary documentation to support the levee accreditation will be submitted by January 15, 2010. This allows 24 months for the Village to study the existing levee and bring the levee into compliance. During the 2-yr period, the levee will be designated on the DFIRM map as providing protection, but will have a note to map users that the levee certification is in process. If the data and documentation is not provided by January 15, 2010, FEMA will issue a map revision which will likely redesignate the Village as a flood-prone area without levee protection.

Since the existing levee does not have the required amount of freeboard, the next step is to design improvements to the levee necessary for it to meet certification requirements. The Village will be considering a contract with JEO Consulting Group, Terracon, and HDR to provide this design up to the construction phase at its meeting on June 9, 2008. The proposed scope of services, see attached, includes updating the hydraulics on the Elkhorn River, additional geotechnical analysis, preliminary and final designs, and construction bidding. The schedule for completing this analysis and design is to have construction plans and bids ready by March of 2009. This will hopefully allow enough time to complete construction and then submit the as-built information necessary for certification with FEMA by January 2010.

The Village submitted the enclosed letter dated May 16, 2008 requesting that the District consider a 50-50 cost share agreement for this design effort. Based on the enclosed agreement, the maximum cost to the District would be 50% of the maximum fee of \$396,580. In addition to financial assistance, District staff is providing technical assistance throughout this certification process. Due to the financial significance of this study and the potential for more funding needed to implement the improvements, the Village will likely finance their portion of the costs.

- **It is management's recommendation that the subcommittee recommend to the Board of Directors that the General Manager be authorized to execute an interlocal agreement, up to a maximum District contribution of \$198,290, with the Village of Waterloo for the design of improvements to their flood control levee.**

Memorandum

To: PPO Subcommittee

Re: Cooperating Technical Partners Grant Application and Agreements for Floodplain Mapping update in Washington County

Date: May 30, 2008

From: Amanda Grint, Stormwater Management Engineer

In August 2006, the Board approved a floodplain map scoping project agreement and grant application with FEMA to study and determine what floodplains need updating in Douglas, Sarpy, Washington and Dakota County. This effort is part of an ongoing Cooperating Technical Partner (CTP) program with FEMA to create and maintain accurate, up-to-date flood hazard data within the District.

To complete this scoping, the District hired HDR Engineering in February 2007. Since February, HDR, District staff and FEMA have held initial meetings with all the communities and counties to receive their input on what local needs they have for new or updated floodplain maps. In addition, FEMA currently has federal grant dollars available to complete work in Washington County. Therefore, based on a prioritized list of needs for Washington County, HDR prepared the attached County Map and Mapping Activities Statement (MAS) which outlines the work to be completed by the District in return for receiving the grant from FEMA. The result of this proposed project will be a county-wide Digital Flood Insurance Rate Map (DFIRM) and Flood Insurance Study (FIS) report for Washington County including the following updates:

- Inclusion of Approximate Zone A restudy being performed by the Corps of Engineers on all streams except the Missouri River.
- Inclusion of updated floodplain analysis performed by the Corps of Engineers on the Missouri River.
- Inclusion of all letters of map revision previously approved by FEMA which are visible at the published map scale.

In order to fund this project, FEMA requested that the District submit an application to receive CTP Grant funds on line, see attached forms. Based on Time and Cost Estimates for the Washington County project, the anticipated funding from the grant is \$169,100 with local funds from the District estimated at \$40,400, a cost-share of about 19%. However, District staff has also been working with the communities within Washington County and it is anticipated that one or more may contribute to a detailed study of their community as part of the District's Floodplain Mapping Assistance program. Applications for Federal funding will be completed online.

It is estimated that this project would start In October 2008 once FEMA has allocated their funding and the NRD has selected a contractor to provide the necessary professional services. A proposed schedule is attached.

- **It is recommended that the Subcommittee recommend to the Board that the following resolution be adopted:**

BE IT RESOLVED by the Board of Directors of the Papio-Missouri River Natural Resources District, that the District should apply to the Federal Emergency Management Agency (FEMA) under the FEMA Cooperating Technical Partners (CTP) Program, for CTP grants in the maximum obtainable amount (presently estimated to be \$169,100) towards the cost of activities needed to produce digital floodplain maps for Washington County, and should apply for technical assistance, training, data and other assistance available from FEMA under the CTP Program to support such mapping activities; and, be it further resolved, that the General Manager of the District is hereby authorized to carry out the Washington County Floodplain Mapping project and to execute, for and on behalf of the District, Applications for Federal Assistance for such FEMA CTP grants, a CTP Cooperative Agreement with FEMA, CTP Mapping Activity Statements, and such other applications, assurances, certificates, reports and other documents, and amendments thereto, as the General Manager determines necessary to obtain such CTP grants and other mapping activity assistance from FEMA.

Memorandum

To: PPO Subcommittee

Re: Cooperating Technical Partners Grant Application and Agreements for Floodplain Mapping update in Douglas and Sarpy Counties

Date: May 30, 2008

From: Paul Woodward, Water Resources Engineer

In August 2006, the Board approved a floodplain map scoping project agreement and grant application with FEMA to study and determine what floodplains need updating in Douglas, Sarpy, Washington and Dakota County. This effort is part of an ongoing Cooperating Technical Partner (CTP) program with FEMA to create and maintain accurate, up-to-date flood hazard data within the District.

To complete this scoping, the District hired HDR Engineering in February 2007. Since then, HDR, District staff and FEMA have held meetings with all the communities and counties to receive their input on what local needs they have for new or updated floodplain maps. Based on a prioritized list of needs for Douglas and Sarpy Counties, HDR prepared the attached County Maps and Mapping Activities Statement (MAS) which outlines the work to be completed by the District in return for receiving the grant from FEMA. The result of this proposed project will be county-wide Digital Flood Insurance Rate Maps (DFIRM) and Flood Insurance Study (FIS) report for Douglas and Sarpy Counties including the following updates:

- Inclusion of new base flood elevations for the Missouri River along with Carter Lake.
- Papillion Creek, Big Papillion Creek, Little Papillion Creek, and their tributary streams up to 1 square mile of drainage area will be remapped or newly mapped as Zone AE with base flood elevations corresponding to the current and future one-percent annual chance flood (100 –year). A total stream length of 112 miles is estimated for this creek system. This will include tributaries such as Cole Creek, Saddle Creek and Mud Creek.
- West Papillion Creek and its tributary streams not previously updated in 2008 and draining up to 1 square mile of drainage will be newly mapped as Zone AE. A total stream length of 38 miles is estimated for this creek system. This includes tributaries upstream of Zorinsky Lake and Wehrspann Lake.

Congress has provided funding to the U.S. Army Corps of Engineers Omaha District (USACE) to complete this project. A total of \$1.9 million will be allocated for the project with \$900,000 being distributed in fiscal year 2008 and the remainder over the next two fiscal years. Based on Time and Cost Estimates for the Douglas and Sarpy Counties project, the total estimated cost is \$2,423,400 and the anticipated funding from FEMA is \$375,000, and will be used to cover technical reviews of the data prepared by the USACE. USACE funding will be \$1.9 million dollars and the additional funds, if needed, in the amount of \$148,400 would be funded by the District through an agreement with the USACE.

This project has begun as of May 1, 2008 and a proposed schedule is attached.

- **It is recommended that the Subcommittee recommend to the Board that the following resolution be adopted:**

BE IT RESOLVED by the Board of Directors of the Papio-Missouri River Natural Resources District, that the District should apply to the Federal Emergency Management Agency (FEMA) under the FEMA Cooperating Technical Partners (CTP) Program, for CTP grants in the maximum obtainable amount (presently estimated to be \$375,000) towards the cost of activities needed to produce digital floodplain maps for Douglas and Sarpy Counties, and should apply for technical assistance, training, data and other assistance available from FEMA under the CTP Program to support such mapping activities; and, be it further resolved, that the General Manager of the District is hereby authorized to carry out the Douglas and Sarpy Counties Floodplain Mapping project and to execute, for and on behalf of the District, Applications for Federal Assistance for such FEMA CTP grants, a CTP Cooperative Agreement with FEMA, CTP Mapping Activity Statements, and such other applications, assurances, certificates, reports and other documents, and amendments thereto, as the General Manager determines necessary to obtain such CTP grants and other mapping activity assistance from FEMA.

Memorandum

To: PPO Subcommittee
Re: New District Program 17.41 – Stormwater BMP Program
Date: June 2, 2008
From: Amanda Grint, Stormwater Management Engineer

A cost share program is proposed to provide technical and financial assistance to local governmental entities for the installation of innovative best management practices to control stormwater runoff and improve water quality.

The attached description provides the details and criteria for the proposed program. The three categories for eligible projects will be

- Water quality projects
- Stormwater management measures
- Innovative erosion and sediment control measures

It is proposed that a budget of \$50,000 be set aside in fiscal year 2009 for eligible projects. The program will provide a 50% cost share up to \$10,000 per project.

This program, if approved, is expected to be advertised to local communities after adoption of the FY 2009 budget and funds are anticipated to be distributed throughout FY 2009.

- **Management recommends that the subcommittee recommend to the Board of Directors that the District adopt District Program 17.41, Stormwater BMP Program, in accordance with the proposed criteria and program guidelines.**

Memorandum

To: Programs, Projects, and Operations Subcommittees

Subject: MoPac Trail (Hwy. 50 to Lied Bridge) Engineering Fees – Contract with Ehrhart Griffin and Associates

Date: May 29, 2008

From: Gerry Bowen

We have received a request from Ehrhart Griffin and Associates for an increase in engineering fees for the Mopac Trail (Hwy. 50 to Lied Bridge). The request letter is attached. The original contract amount was \$238,046.45. The total amount of the fee increase is \$85,860.23, resulting in a new not-to-exceed contract amount of \$323,906.68.

The additional fees resulted when significant design changes were necessary to accommodate landowner concerns about drainage issues remaining after the Nebraska Department of Roads paved Highway 31. After initial discussions with landowners, it became apparent that these design changes would be necessary to avoid acrimonious and lengthy land acquisition negotiations on the project. It was decided that accommodating the desires of the landowners was a worthwhile gesture. In some cases, the design required changes in the right-of-way necessary for the project. Revision of some of the legal descriptions was also an additional service.

The design changes noted above did not occur all at once, but as negotiations with each landowner occurred. The end result was the cumulative situation described above. Design changes affected six of the thirteen landowners.

As a result, all of the parcels were obtained through negotiation, without the use of eminent domain. (Note: The right-of-way on parcels owned by the Bureau of Education Lands and Funds were obtained by eminent domain as required by state law.)

Since the project is now under final review by NDOR, the only remaining engineering expense will be bidding and construction observation for the project.

- **It is recommended that the Subcommittee recommend to the Board that the General Manager be authorized to amend the professional services contract with Ehrhart Griffin and Associates to increase the “not-to-exceed” amount from \$238,046.45 to \$323,906.68.**