

**Programs, Projects & Operations
Subcommittee Meeting
November 16, 2004
8:00 p.m.
Agenda**

Programs, Projects & Operations:

John Conley, Chairperson
Rich Jansen, Vice-Chairperson
Tim Fowler
Joe Neary
Rich Tesar

Alternate Members: Dick Connealy

Staff Liaison: Gerry Bowen
Jerry Herbster
Ralph Puls
Paul Woodward *

1. Meeting Called to Order – Chairperson John Conley
2. Quorum Call
3. Adoption of Agenda
4. Proof of Publication of Meeting Notice
5. Review and Recommendation on Construction Bids for Washington County Rural Water #2 Pump Station for City of Blair – Chris Koenig, HGM Associates and Dick Sklenar
6. Review and Recommendation on Construction Bids for Washington County Rural Water #2 Distribution System Contract – Chris Koenig, HGM Associates and Dick Sklenar
7. Review and Recommendation on City of Omaha Urban Drainageway Request for Additional Funds for Regency Storm Sewer Project – Gerry Bowen and Kirk Pfeffer, City of Omaha
8. Review and Recommendation on Agreement with the City of Blair for Flood Mitigation Planning and Mapping Assistance – Paul Woodward
9. Review and Recommendation on Public/Private Agreement for Dam Site 13 (192nd and Dodge Streets) with Dial Realty Co. – Bob Welstead, Dial Realty Co.; Larry Foster, City of Omaha; Steve Oltmans, Marlin Petermann and Paul Woodward
10. Other Items of Interest
11. Adjourn

MEMORANDUM

TO: Programs, Projects and Operations Subcommittee

FROM: Dick Sklenar

SUBJECT: Bid Opening for Blair Pump Station

DATE: October 20, 2004

Bids were opened on October 13, 2004 regarding the future construction of a pump station for the City of Blair that will supply water to the current water tower that is under construction along Highway 133. This component is necessary in order to develop the District's Washington County Rural Water System #2. Two pressure reducing vaults are also included in this bid as well. Five bids were received and they are as follows:

FIRM	SUBMITTED BID	SUBMITTED BID BOND
1. Judd Brothers	\$266,960.00	yes
2. Eriksen Construction	\$260,416.00	yes
3. Dobson Brothers Construction	\$301,935.00	yes
4. General Excavating	\$288,830.00	yes
5. Pospichal Construction	\$257,646.90	yes

The engineers estimate, (HGM Associates, Inc.), of probable cost for the pump station and appurtenances was \$250,415.00. It is their recommendation that the contract be awarded to Pospichal Construction (see letter of recommendation attached). As indicated in our agreement with the City of Blair, the City is expected to pay 100 percent of the final contract amount. The City also concurs that the contract be awarded to Pospichal Construction.

It is recommended that the Subcommittee recommend to the Board of Directors that a contract for the construction of South Reservoir Pump Station for the City of Blair be awarded to Pospichal Construction in the amount of \$257,646.90.

MEMORANDUM

TO: Programs, Projects and Operations Subcommittee

FROM: Dick Sklenar

SUBJECT: Bid Opening for Washington County Rural Water System No. 2

DATE: November 1, 2004

Bids were opened on October 27, 2004, regarding construction of the distribution system for the District's Washington County Rural Water System No. 2. There was a great deal of interest by contractors to bid on this work and they are as follows:

NAME OF FIRM	SUBMITTED BID	SUBMITTED BID BOND
1. Roloff Construction	\$3,263,204.61	Yes
2. Penro Construction	\$3,060,110.78	Yes
3. Heimes Construction	\$3,713,799.83	Yes
4. Eatherly Constructors Inc.	\$2,812,693.45	Yes
5. Luxa Construction	\$3,469,133.41	Yes
6. Carstensen Construction	\$3,452,505.06	Yes
7. BRB Constructors	\$2,535,255.26	Yes

The engineers estimate (HGM Associates Inc.), of probable cost for the distribution system was \$2,797,271.61. It is their recommendation that the contract be awarded to BRB Constructors (see letter of recommendation attached).

It is recommended that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute a contract for construction of the distribution system for Washington County Rural Water System No.2 with BRB Constructors in the amount of \$2,535,255.26.

Memo

To Programs, Projects, and Operations Subcommittee

Subject: Regency Storm Sewer Project – Request for Additional Funds

Date: November 5, 2004

From: Gerry Bowen

On April 10, 2003, the Board approved a request from the City of Omaha for the Regency Storm Sewer Project under the Urban Drainageway Program. The project will stabilize the outlet of a large storm sewer into the Big Papillion Creek approximately ¼ mile north of Pacific Street. Currently, erosion in this area threatens the NRD's Big Papillion Creek Channel Project, and when installed, will stabilize this reach of the creek.

The cost estimate at the time of approval was \$204,000. Consequently, the NRD approved cost share in the amount of \$122,300 ($\$204,000 \times 0.60$). This amount was budgeted in FY 2004, and carried over into the FY 2005 Budget.

The City recently opened bids on the project and the lowest bid received on the project \$431,150 from Kiewit Western Company (see attached letter). The City is requesting an increase in cost share funds from \$122,300 to \$258,690 ($\$431,150 \times 0.60$), or \$136,390. It is intended that this request will be funded in the FY 2006 Budget.

Management recommends that the subcommittee recommend to the Board that the City of Omaha request for an increase in funds for the Regency Storm Sewer Project from \$122,300 to \$258,690 be approved, and that the additional \$136,390 be included in the FY 2006 Budget.

Memorandum

To: PPO Subcommittee
From: Paul Woodward, Water Resources Engineer
Date: November 8, 2004
Re: Flood Mitigation Planning and Mapping Assistance for Blair

The District received the enclosed application from the City of Blair for financial and technical assistance from the District to prepare a flood mitigation plan and revise their existing floodplain map. An agreement between Blair and the NRD has been drafted and is enclosed for your consideration. Major provisions of this agreement are as follows:

- Blair would retain an engineering consultant to perform the study and prepare the flood mitigation plan. The attached draft scope of work has been prepared by Blair for this project and any changes are subject to the District's approval.
- The District will cost-share 50/50 with Blair on project costs not covered by federal or state funding up to a maximum of \$25,000.

As required by the District's program, Blair has also worked with the Department of Natural Resources to secure Flood Mitigation Assistance from the state to develop an All-Hazards Mitigation Plan. A copy of an agreement for this funding is also attached.

In summary, the District would provide financial assistance for 50% of the non-federal and non-state (local) cost up to a maximum of \$25,000 to prepare a flood mitigation plan and revise floodplain maps within the corporate limits of Blair.

Management recommends that the Subcommittee recommend to the Board that the General Manager be authorized to execute the Agreement with the City of Blair for Flood Mitigation and Mapping Assistance not to exceed \$25,000.

Memorandum

To: PPO Subcommittee
From: Paul Woodward, Water Resources Engineer
Date: November 8, 2004
Re: Dam Site 13 Agreement with Dial Realty Development Corp.

District staff and legal counsel have recently worked with representatives of Dial Realty Development Corporation (Dial) to develop the enclosed agreement for your consideration. This agreement defines the cooperation between the District and Dial to construct the proposed Dam Site 13 on the property west of 192nd between Dodge and Blondo Streets.

The following is a summary of the provisions in the agreement:

- Dial has a written option to purchase the entire development land including that needed for the dam and reservoir for \$53,871.00 per acre.
- The cost for an entire site survey of both the Dial Land and the proposed reservoir of Dam Site 13 will be equally split by Dial and the NRD.
- Dial shall obtain a written option from the original sellers to the NRD to purchase approximately 65 acres for the dam and reservoir at a cost of \$53,871.00 per acre.
- By December 1, 2004, Dial will retain its own engineer to design the development separately with plans subject to review and approval by the NRD.
- By December 15, 2004, the NRD will retain HDR Engineering, Inc. to design the dam and provide construction observation for an estimated fee of \$400,000.
- The NRD will obtain all necessary permits for its project as well as a joint Section 404 permit from the Corps of Engineers for both the NRD and Dial projects.
- By July 1, 2005, Dial will employ a single contractor, subject to approval by the NRD, to construct both the dam and the development. Such contractor will construct the dam according to project plans and specifications from the District's engineer, furnish certificates of all bonds or insurance certificates required by the District, and provide a 1 year warranty on any work performed for the District. In addition, all payments to the contractor or construction change orders which may impact the dam or reservoir are subject to the District's approval. Both the NRD's and Dial's engineers will provide construction observation with open communication of all related construction activities.
- By March 15, 2005, a closing will be held at which time Dial and the NRD will fulfill their respective option agreements to purchase the property. In addition, Dial will grant the District permanent easements to: (1) flow water and sediment on all Dial land below the top of dam, and (2) prohibit the placement of fill or structures below the regulated flood pool.
- Dial and the SID will contribute \$1,000,000 to the NRD on or before the earliest of the following dates: (1) December 15, 2005, (2) 90 days after the SID is formed, or (3) on the date construction of the dam is substantially complete.
- At the time of construction, the NRD shall pay Dial \$2,350,000 which includes \$960,000 for 320,000 cubic yards of cut needed for embankment fill and \$1,390,000 for all other project costs including spillway pipe, drains, seeding, etc. Any embankment fill required above 320,000 cubic yards or any unit costs above \$1,390,000 will be at the sole expense of the NRD. However, the NRD will only pay 20% of the difference for any contract unit costs totaling less than \$1,390,000.

- If Dial or its contractor should fail to perform the work outlined in the agreement, the NRD has the right to take over Dial's permits and contracts to finish the completion of the dam and reservoir.
- Public access will be available on all NRD project land. In addition, the NRD will operate and maintain the dam. It is anticipated that the City of Omaha or the City of Elkhorn will develop and maintain any trail or recreational facilities in the future.

In summary, the NRD would agree to pay Dial \$2,350,000 for construction plus an estimated \$3.5 million for approximately 65 acres of land on which to build Dam Site 13. Dial would in return pay the NRD \$1 million to offset land costs for its proximity to the dam and lake as shown in the table below.

EXPENSE ITEM	COST (IN MILLIONS)	DATE DUE
Land Rights	3.5	March 15, 2005
Engineering	0.4	0.2 in FY 05, 0.2 in FY 06
Construction	2.4	FY 06
SUB-TOTAL	6.3	
Less Dial Contribution	1.0	December 15, 2005
FINAL NRD TOTAL	5.3	

Management recommends that the Subcommittee recommend to the Board that the General Manager be authorized to execute the enclosed Agreement between the District and Dial Realty Development Corp to build Dam Site 13, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Council.