



**Programs, Projects & Operations
Subcommittee Meeting
October 11, 2005
7:30 p.m.
Agenda**

Programs, Projects & Operations:

John Conley, Chairman
Rich Tesar, Vice-Chairman
Fred Conley
Rick Kolowski
Joe Neary

Alternate Members: Dorothy Lanphier
Jim Thompson

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

1. Meeting Called to Order – Vice-Chairperson Tesar
2. Quorum Call
3. Adoption of Agenda
4. Proof of Publication of Meeting Notice
5. Nebraska Land Trust Presentation – David Sands
6. Request from Village of Arlington for Water Quality Grant of \$350,000 – Rick Bay and Brett Anderson, NDEQ; and Steve Oltmans
7. Review and Recommendation on Management Agreement with Friends of Heron Haven – Larry Shackman and Ione Werthman, Friends of Heron Haven; and, Jim Becic
8. Review and Recommendation on Second Addendum to Papio Dam Site 13 Purchase Agreement with Lyman Richey Corporation – Paul Woodward
9. Update on HDR Engineering, Inc., Professional Services Contract for Papio Dam Site 13 – Paul Woodward

10. Review and Recommendation on Aerial Photography Agreement with MAPA of Papio Watershed in Washington County – Paul Woodward
11. Review of Final Design for the Elkhorn River/Hwy 64 Public Access – Dick Sklenar
12. Review and Recommendation on FY 2006 Vehicle and Equipment Bids
 - a. Purchase of 2006 Vehicles – Jean Tait
 - (1.) Compact 4x4 Extended Cab Pickup
 - (2.) ¾ Ton 4x4 Regular Cab Longbed Pickup
 - (3.) ¾ Ton 4x4 Extended Cab Longbed Pickup
 - (4.) ¾ Ton Chassis-Cab w/o Service Body 4x4 Utility Truck
 - b. Purchase of 2006 Mack Low-Boy Tractor – Bill Warren
13. Adjourn

Agenda Item 5 – PowerPoint presentation will be given at the PPO Subcommittee Meeting.

Agenda Item 6 – Please see “Attachments” for material regarding Request from Village of Arlington for Water Quality Grant

Agenda Item: 7

Memo to: Programs, Projects & Operations Subcommittee.

From: Jim Becic

Re: Heron Haven - Management Agreement with the Friends of Heron Haven.

Date: 11 October, 2005.

The Audubon Society of Omaha (ASO) decided earlier this year to vacate the approximately 10 acre Heron Haven site, located immediately east of 120th and West Maple Road – a former oxbow of the Papillion Creek and natural wetlands.

The *Friends of Heron Haven* – a Nebraska non-profit corporation has requested that they be allowed to carry out all of the functions previously granted to the ASO, to include operating and managing the building and site for the development of wetlands, wildlife habitat, environmental education, and passive public recreational uses.

The Management Agreement between the Papio-Missouri River Natural Resources District and the Friends of Heron Haven, allows this partnership to continue.

Therefore, it is the staff recommendation that the General Manager be authorized to enter into a Management Agreement between the Papio-Missouri River Natural Resources District and the Friends of Heron Haven for the Heron Haven Wetlands Project subject to changes deemed necessary by the General Manager and approval as to form by the District Legal Counsel.

Agenda Item: 8

Memorandum

To: PPO Subcommittee
From: Paul Woodward, Water Resources Engineer
Date: October 6, 2005
Re: Addendum to Purchase Agreement w/ Lyman Richey Corporation for the Papio Dam Site 13 Project

The enclosed Purchase Agreement with the Lyman Richey Corporation (LRC) to acquire property impacted by the reservoir of Dam Site 13 (NE of 192nd and Dodge) was approved by the Board in December 2004 and executed on March 1, 2005. In addition, a first addendum to the purchase agreement was approved last month and is attached. However, since the original approval, several activities have taken place which altered provisions in the original purchase agreement and proposed easements. Therefore, enclosed for your consideration is a Second Addendum to the Purchase Agreement with LRC along with a Revised Cross-Easements Agreement.

A summary of the revisions in the Purchase Agreement and Cross-Easements Agreement are as follows:

- The final purchase price was recalculated based on the agreed upon price per acre of \$51,031.75 in the original agreement. Therefore, the final purchase price for 24.77 acres is \$1,264,056.40.
- Several easements previously included in the Pre-Closing Cross Easements Agreement were moved to the Cross-Easements Agreement, including LRC's Temporary Grading and Construction Easement and the NRD's Permanent Channel and Wetland Mitigation Easement. Revisions to the Channel and Wetland Mitigation Easement reflect the NRD's final Channel Mitigation plan submitted to the Corps for the 404 permit.
- In addition, other easements were added to the Cross-Easements Agreement. These easements include the right for Lyman-Richey or the City of Omaha to construct a Parking Lot on the future park property to be used jointly by LRC and the public. This latest plan for the park and future headquarters is shown in the attached drawing prepared by Kirkham Michael on July 18, 2005.

In conclusion, the District would acquire 24.77 acres from Lyman-Richey for the Dam Site 13 project and future regional park. Following this acquisition, the western-most portion of the property would still be sold to Dial for \$544,000 and the rest would be deeded to the City of Omaha or Elkhorn per the Inter-local agreement approved by the Board last month. Ultimately, these revisions don't alter the cost of the Dam Site 13 project as shown in the table below.

EXPENSE ITEM	COST (IN MILLIONS)	DATE DUE
Belgrade Property	3.5	March 15, 2005
HDR Engineering	0.4	0.2 in FY 05, 0.2 in FY 06
Dam Construction	2.4	FY 06
LRC Property	1.3	September 16, 2005
SUB-TOTAL	7.6	
Less Dial Contribution	1.0	December 15, 2005
Less Dial Property Purchase	0.5	
SUB-TOTAL	1.5	
FINAL NRD TOTAL	6.1	

Here is a proposed resolution to authorize the subject:

WHEREAS, on November 18, 2004, this Board of Directors determined that the District's project for purchase of rights-of-way and construction of a multi-purpose flood control dam and reservoir at the site of the formerly-proposed Corps of Engineers' Papillion Creek and Tributaries Lakes Project Dam Site 13, between Dodge and Blondo Streets and west of 192nd Street in Douglas County, would be of general benefit to the District, with only an incidental special benefit, and that such Dam Site 13 project should be carried out with general funds of the District; and,

WHEREAS, on December 9, 2004, this Board of Directors authorized the execution of a purchase agreement with Lyman Richey Corporation providing for the District's voluntary purchase of approximately 25 acres of land for such project, and providing for the exchange of certain easements, for a purchase price to be paid to Lyman-Richey Corporation in the sum of \$1,286,000, such purchase agreement being executed by the parties on or about March 1, 2005; and,

WHEREAS, on September 15, 2005, this Board of Directors authorized the execution of a First Addendum to Purchase Agreement, extending the closing of such purchase to October 28, 2005; and,

WHEREAS, additional modifications to the Purchase Agreement are necessary; and, therefore, a Second Addendum to Purchase Agreement, in the form as presented to this meeting, containing such modifications, including a reduction in the purchase price to be paid Lyman Richey Corporation to \$1,264,056.45, should be authorized and executed.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Papio-Missouri River Natural Resources District hereby confirms that the District's Dam Site 13 project, including, without limitation, the purchase of lands from and an exchange of easements with Lyman-Richey Corporation, will be of general benefit to the District, with only an incidental special benefit, and that such Dam Site 13 project should be carried out with general funds of the District; and, accordingly, resolves that the General Manager should be, and is hereby, authorized and directed to execute for and on behalf of the District the proposed Second Addendum to Purchase Agreement between the District and Lyman-Richey Corporation together with such other and further documents, approved as to form by District legal counsel, that are either part of such Purchase Agreement as modified by such First Addendum and such Second

Addendum, or are documents that the General Manager determines necessary to effectuate the transactions called for by such purchase agreement, as modified by such First Addendum and such Second Addendum.

Memorandum

To: PPO Subcommittee
From: Paul Woodward, Water Resources Engineer
Date: October 3, 2005
Re: Draft Amendment No. 1 to Agreement with HDR Engineering for Dam Site 13 Engineering Services

Last November, the Board approved a contract with HDR Engineering to design and provide construction observation of Dam Site 13. Due to the complexity of this project, work tasks were divided into two phases. Phase I will include all work necessary to design and prepare plans for the dam and water quality basin, while Phase II provides the necessary construction contract administration. The maximum fee estimated for Phase I and II was \$236,956 and \$189,354 respectively.

Currently, the design and plans have been completed for the structure and HDR has received approval from the State Department of Natural Resources for the design of the dam (the actual storage permit from DNR has not yet been issued due to legal delays at DNR). At the same time, HDR has been providing services to assist Hayes Environmental and the District in securing the 404 permit from the Corps of Engineers. Originally, it was anticipated that HDR's involvement with obtaining the 404 permit would be limited to preparing the necessary mitigation plans. However, services allocated under this task have been exceeded during multiple responses to the Corp's request for additional information beyond what could be provided by Hayes Environmental.

This additional work required during the 404 permitting process is the primary reason for the draft Amendment No. 1 to the original scope of work which is enclosed for your information. The cost of these additional services documented in Amendment No.1 is \$19,699. As of August 20, 2005, HDR has invoiced the District for \$241,280.29, an amount which exceeds that set aside for Phase I. However, it is still possible that services required for Phase II will be less than estimated, and the difference may account for the additional services already provided.

In summary, HDR has provided additional services in assisting the District and Hayes Environmental in the 404 permitting process. At this time, however, District staff is recommending that no action be taken to amend the original contract with the anticipation that services required for Phase II will be less than estimated.

Agenda Item: 10.

Memorandum

To: PPO Subcommittee
From: Paul Woodward, Water Resources Engineer
Date: October 3, 2005
Re: Agreement with MAPA to Obtain Contours in Washington County

In 2003, the Board approved an agreement with MAPA to assist in funding the acquisition of new aerial photography in all of Douglas, Sarpy, and Washington Counties and topography (2 foot contours) in all of Douglas and Sarpy County. This digital data has been produced by Horizons, Inc out of Rapid City, South Dakota and is now available for use. However, new topography (2 foot contours) was not acquired for Washington County at that time due to additional funding required to meet FEMA standards for the West Papillion Creek and Tributaries Floodplain Remapping project.

Therefore, a new agreement between the District and MAPA is attached and would commit the NRD to pay \$56,175.00 from this year's budget to obtain topography (2 foot contours) in the portion of Washington County within the Papillion Creek Watershed. MAPA's contract with Horizons, Inc will be extended to cover this additional work. Topography produced as a result of this project is vital to the Dam Site 1 & 3C Preliminary Design Study, future floodplain mapping projects, and the Papio Creek Watershed Partnership studies.

Management recommends that the Subcommittee recommend to the Board that the General Manager be authorized to execute the Interlocal Agreement with the Metropolitan Area Planning Agency to obtain contours within the Papillion Creek Watershed in Washington County for the sum of \$56,175.00, as approved to form by District legal counsel.

MEMORANDUM

TO: Programs, Projects, Operations Subcommittee

SUBJECT: Review of Final Design for the Elkhorn River/HWY 64 Public Access

FROM: Dick Sklenar, Project Manager

DATE: October 3, 2005

Attached is the site layout plan regarding the final design for the Elkhorn River public access near Waterloo, NE. The tentative schedule is for bids to be requested during late Fall with an award for development of the project at the District's Board of Directors meeting in either November or December. Total cost of this project will be in the vicinity of \$200,000.00 which will consist of site grading, a gravel parking lot, restroom facilities, canoe ramp and docking facility, fencing and signage.

Approval of the plan has already been accepted by the Village Board of Waterloo and their planning board. The Nebraska Game and Parks Commission will also need to consent on the final design before the initiation of construction activities. As you may recall the Village of Waterloo has agreed to maintain the site in the years ahead so long as motorboats (particularly airboats) are not allowed at this location.

Completion of the project will most likely occur in early spring of 2006 due to the fine grading and seeding that will be needed.

Agenda Item: 12.a.

MEMORANDUM

TO: Programs, Projects and Operations Subcommittee
FROM: Jean Friends Tait, Purchasing Agent
DATE: October 3, 2005
Re: Purchase of 2006 Vehicles

In conjunction of the approval of the FY 2006 budget, request for bids for the purchase of FY 2006 District Vehicles were received and opened on October 3, 2005 at 2:00 p.m. in the District Office. The bid summary sheets are attached for your review. The recommendations are as follows:

- A. One – 2006, Compact/Mid-Size, 4-Wheel Drive, Extended Cab Pickup Truck, (Bid Item A): The staff recommends that the low and best bid of \$12,467 from Gregg Young Chevrolet be accepted with trade-in of the District's 2001 Ford F-150 Pickup Truck, serial #1FTZR182X1KF74399.
- B. One – 2006, ¾ Ton, 4-Wheel Drive, Pickup Truck (Bid Item B): The staff recommends that the low bid and best bid of \$10,960.80 from Atchley Ford be accepted with trade-in of the District's 2002 Chevrolet ¾ Ton, Pickup Truck, serial #1GCHK24U72Z201172.
- C. One – 2006, ¾ Ton, Extended Cab, 4-Wheel Drive, Pickup Truck (Bid Item C): The staff recommends the low and best bid of \$14,176.80 from Atchley Ford be accepted with trade-in of the District's 2000, Ford F-250 Pickup Truck, serial #1FTNX21L4YRC85306.
- D. One – 2006, ¾ Ton, Chassis-Cab, Pickup Truck (Bid Item D): The staff recommends the low and best bid of \$11,449 from Lee Sapp Ford be accepted with trade-in of the District's 2001 Chevrolet, ¾ Ton, Pickup Truck w/box serial # 1GCHK24U91E228055.

The vehicles bids come to an expensed total of \$49,053.60. Budgeted amount for this equipment is \$86,000.

The staff's recommendation is to accept the low and best bids submitted for the vehicles.

Bid "A" Summary

2006, Compact/Mid-Size, Extended Cab, 4-Wheel Drive, Pickup Truck

Opening: October 3, 2005

2:00 p.m.

Dealer/Make	<u>Atchley*</u> Ford	Superior Honda	<u>Gregg Young</u> <u>Chevrolet</u>	<u>Lee Sapp Ford</u>	Copple Chevrolet
A. Total Price	\$18,454	\$25,975	<i>\$17,467</i>	\$18,296	\$17,717.35
B. Total Price with trade in 2001 Ford F150 Pickup Serial # 1FTZR182X1KF74399	\$12,459*	\$25,975 no trade-in	<i>\$12,467</i>	\$13,296	\$13,017.35
C. Trade in allowance	\$5,995	\$0	<i>\$5,000</i>	\$5,000	\$4,700
D. Delivery Date	60 days	60 days	<i>60 days</i>	60 days	60 days
E. Warranty	3 yr/36,000	3 yr/36,000	<i>3yr/36,000</i>	3yr/36,000	3yr/36,000
F. Vehicle Type	Ranger	Ridgeline	<i>Colorado</i>	Ranger	Colorado

**Atchley Ford submitted a bid deviation on spare tire (temp), a bid difference of \$8 between low and next low bid.*

Staff recommends the low and best bid of \$12,467 submitted by Gregg Young for a 2006 Chevrolet Colorado with trade-in of the District's 2001 Ford F150 Pickup Truck.

Bid "B" Summary
2006, ¾ Ton, 4-Wheel Drive, Pickup Truck

Opening: October 3, 2005
2:00 p.m.

Dealer/Make	<u>Atchley Ford</u>	Gregg Young Chevrolet	<i><u>Lee Sapp Ford</u></i>	<i><u>Copple Chevrolet</u></i>
A. Total Price	\$21,460.80	\$22,726	\$22,987	\$21,580.13
C. Total Price with trade in 2002 Chevrolet ¾ Ton Pickup Truck Serial # 1GCHK24U72Z201172	\$10,960.80	\$15,726	\$12,987	\$12,780.13
D. Trade in allowance	\$10,500	\$7,000	\$10,000	\$8,800
F. Delivery Date	60 days	60 days	60 days	60 days
G. Warranty	3yr/36,000	3yr/36,000	3yr/36,000	3yr/36,000
F. Vehicle Type	F-250	Silverado	F-250	Silverado

Staff recommends the low and best bid of \$10, 960.80 submitted by Atchley Ford for a 2006 Ford F-250 with trade-in of the District's 2002 Chevrolet, ¾ Ton, Pickup Truck.

Bid "C" Summary

2006, ¾ Ton, Extended Cab, 4-Wheel Drive, Pickup Truck

Opening: October 3, 2005
2:00 p.m.

Dealer/Make	<u>Atchley Ford</u>	Gregg Young	<u>Lee Sapp Ford</u>	<u>Copple Chevrolet</u>
A. Total Price	\$23,176.80	\$25,182	\$22,545	\$23,960.65
D. Total Price with trade in 2000, Ford F250 Pickup Truck Serial # 1FTNX21L4YRC85306	\$14,176.80	\$18,182	\$15,045	\$16,460.65
E. Trade in allowance	\$9,000	\$7,000	\$7,500	\$7,500
H. Delivery Date	60 days	60 days	60 days	60 days
I. Warranty	3yr/36,000	3yr/36,000	3yr/36,000	3yr/36,000
F. Vehicle Type	F-250	Silverado	F-250	Silverado

Staff recommends the low and best bid of \$14,176.80 submitted by Atchley Ford for a 2006 Ford F-250 with trade-in of the District's 2000 Ford F250 Pickup Truck.

Bid "D" Summary
2006, ¾ Ton, Chassis-Cab, Pickup Truck

Opening: October 3, 2005
2:00 p.m.

Dealer/Make	Gregg Young Chevrolet	<i>Lee Sapp Ford</i>	<u>Copple Chevrolet</u>
A. Total Price	\$21,995	\$20,449	\$21,933
E. Total Price with trade in 2001 Chevrolet ¾ Ton Pickup Truck w/box Serial # 1GCHK24U91E228055	\$16,495	\$11,449	\$14,633
F. Trade in allowance	\$5,500	\$9,000	\$7,300
J. Delivery Date	60 days	60 days	60 days
K. Warranty	3yr/36,000	3yr/36,000	3yr/36,000
F. Vehicle Type	Silverado	F-250	Silverado

Staff recommends the low and best bid of \$11,449 submitted by Lee Sapp Ford for a 2006 Ford F-250 with trade-in of the District's 2001 Ford F150 Pickup Truck.

Agenda Item: 12.b.

MEMORANDUM TO: Programs, Projects and Operations Subcommittee
SUBJECT: Sole-Source Request "Mack" Low-Boy Tractor
DATE: October 3, 2005
FROM: Bill Warren, Assistant Operations & Maintenance Superintendent

In conjunction of the approval of the FY 2006 budget, request for bids for the purchase of a sole-source request of a 2006, Mack, Low-Boy Tractor was received and opened on October 3, 2005 at 2:00 p.m. in the District Office. The bid summary sheet is attached for your review. Staff and management believe it is in the best interest of the District to purchase the sole-source brand of "Mack" for the Low-Boy tractor for the following reasons.

1. The District current owns three pieces of Mack equipment (2 dump trucks and 1 low-boy tractor). This equipment has performed outstandingly with minimal maintenance.
2. All components of said equipment are "Mack" parts; which is essential for sound operation and performance.
3. The Mack equipment seems to perform best with the terrain in which the equipment is used. Just as with the John Deere Tractors that the Board has approved sole-sourcing in the past, the Mack operates both most efficiently and safely in our field conditions.
4. The District has used the Ford trucks in the past and incurred excessive maintenance and repairs. We also had a Freight Liner brand low-boy tractor which also required excessive maintenance and repairs in every day use.
5. Most of the major construction fleets in the Omaha area utilize the "Mack" brand, which shows the brand reliability.
6. There are three Mack dealers in Nebraska/Iowa which allows competitive bidding as is required.

The board has, in the past, allowed sole-source purchase of tractors (specifically John Deere Tractors) due to efficiency and safety issues, as is in the case of this piece of equipment. Budgeted amount for this equipment is \$86,500. **It is staff's recommendation to follow the Board's lead to purchase a sole-source brand. Staff recommends the purchase the Mack Low-Boy Tractor from Wise-Mack, Inc., for a cost of \$74,855, with trade-in of the 1980, Mack, Low-Boy Tractor and the 1973, Ford Flat Bed Truck.**

Bid "E" Summary
2006, Mack, Low-Boy Tractor

Opening: October 3, 2005
2:00 p.m.

Company	<u>Wise-Mack</u>	Rees Mack	Housby Mack
A. Total Basic Price	\$90,355	\$87,416	\$102,650
B. Total Price w/Trade-in 1980 Mack Low-Boy R612ST #5488 1973 Ford Flat Bed Tandem Axel Truck LN800 #T88VS51367	\$74,855	\$79,816	\$90,650
C. Trade-in allowance	\$15,500	\$7,600	\$12,000
D. Make/Mode	CHN-613	CHN-613	CHN-613

Staff recommends the low bid of \$74,855 submitted by Wise-Mack for the 2006, Low-Boy Tractor with trade-in of the District's 1980 Mack, Low-Boy Tractor and the 1973 Ford Flat Bed Tandem Axel Truck.