

**Programs, Projects & Operations
Subcommittee Meeting**

October 12, 2010

6:35 p.m.

(Or immediately following the FEL Subcommittee Meeting)

Agenda

Programs, Projects & Operations:

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

Alternate Members:	Gus Erickson	Staff Liaison:	Gerry Bowen
	Tim Fowler		Martin Cleveland
			Amanda Grint
			Ralph Puls*
			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 Request from Village of Waterloo regarding Elkhorn River Public Access – Highway 64 – John Winkler and Stan Benke, Waterloo Chairman of the Board
7. Update on the Waterloo Levee Construction – Amanda Grint and Mark Augustine, JEO Consulting
8. Review and Recommendation on Keystone East Trail Project – Request for Increased Funding – Gerry Bowen, Melinda Pearson and Dennis Bryers, City of Omaha
9. Review and Recommendation on Missouri River Trail – N.P. Dodge Park to Douglas/Washington County Line Professional Services Contract Amendment – Jim Becic, and Dennis Wilson and John Krager, HGM Associates, Inc.
10. Review and Recommendation on Amendment to Olsson Associates Professional Services Contract for Pigeon/Jones Watershed Project – Ralph Puls and Paul Woodward, Olsson Associates
11. Review and Recommendation on FY 2011 Long Range Implementation Plan – Gerry Bowen
12. Review and Recommendation on Bids for District Vehicles – Jean Tait
13. Adjourn

6. Review and Recommendation on Request from Village of Waterloo regarding Elkhorn River Public Access – Highway 64

Letter from Village of Waterloo is posted under PPO Agenda Item 6.

Staff recommendation memo will be posted as soon as available.

7. Update on the Waterloo Levee Construction

Bid tab is posted under PPO Agenda Item #7.

Memorandum

To: Programs, Projects and Operations Subcommittee

Subject: Keystone East Connector Trail

Date: October 1, 2010

From: Gerry Bowen

The Keystone East Connector Trail, a joint project of the City of Omaha and the NRD runs from the Keystone Trail at Karen Park (63rd and Buckingham) to the Field Club Trail (34th & Vinton Street). Phase 1 of the project (Karen Park to 42nd & D Street) has been approved for federal funding under the Transportation Enhancement Program administered by the Nebraska Department of Roads, with oversight by the Federal Highway Administration. The City was approved for \$500,000 in TE funds in 2007. The NRD committed \$200,000 to Phase 1 (estimated cost \$1.5 million), and agreed to fund Phase 2/3 design and construction (estimated cost \$3.7 million).

In addition, the City received a grant from the Peter Kiewit Foundation for \$315,000 (grant approved in 2008) to help fund the project.

As you may be aware, Phase 1 of the project has been delayed due to the change in procedures in how TE funds are administered in the state.

The Kiewit Foundation is also concerned about the project schedule and has indicated that the funding may be withdrawn if progress is not made.

With this in mind, the City has decided to forego the federal funding (and all the procedures associated with obtaining those funds) and decided to build the project on their own (see attached letter). In so doing, the City needs to replace the \$500,000 in federal funds. They have requested that the NRD contribute this amount, in addition to the \$200,000 already authorized.

They propose that \$500,000 of the funds dedicated to Phase 2/3 in the District's FY 11 Budget be reallocated to Phase 1. Management recommends approval of allocating the additional funds to the City of Omaha for Phase 1, but based upon the City's proposed schedule, does not believe an adjustment to the FY 11 Budget is necessary. The entire \$700,000 could be budgeted in FY 12 and be available on July 1, 2011.

- **It is recommended that the Subcommittee recommend to the Board that the approve the City of Omaha's request for an increase in funding from \$200,000 to \$700,000 for Phase 1 of the Keystone East Connector Trail Project, and that these funds be included in the FY 12 Budget.**

Memorandum

To: Programs, Projects and Operations Subcommittee

Re: Missouri River Trail – N.P. Dodge Park to Douglas/Washington County Line Professional Services Contract Amendment

Date: October 4, 2010

From: Jim Becic

The engineering and consulting firm HGM Associates, Inc, was selected by the P-MRNRD Board in April of 2004, to provide professional engineering services necessary to plan and design the approximately 2.8 mile Missouri River Trail – following John J, Pershing Road and North River Drive from N. P. Dodge Park, north to the Washington County Line at Dutch Hall Road.

An amended professional services contract with HGM Associates, Inc. for both the Design and Construction Engineering for Phase 1 and 2 of the Missouri River Trail project was signed in February of 2005 for a maximum not to exceed amount of \$589,879. Phase 1 construction was completed in 2006 and Design and Construction Engineering fees totaled \$195,526. HGM completed the Design Engineering for Phase 2 and was paid a total of: \$203,982.53 as of September of 2006. To date, Construction Engineering costs (which include bid document preparation, special provisions, etc.) of \$34,568.15 of the estimated \$195,612 needed for Phase 2 have also been billed and paid. So, total professional services costs to date are \$434,076.68 leaving \$155,802.32 to complete the project. However, considerable expense has been incurred by HGM over the past four years (attached 1 October, 2010 correspondence) for which they are seeking reimbursement.

In 2007, the estimated Phase 2 project cost estimate was approximately \$3.0 million and the project was to be cost shared under the federal Transportation Enhancement (TE) program through the Nebraska Department of Roads (NDOR) at their maximum amount of \$500,000 or approximately 17 percent of the total project cost. The District's cost would be nearly \$2.5 million. Since 2006, the Phase 2 project cost estimates have increased to over \$4.8 million.

Since 2007, and prior to receiving final design approval and project bid letting by the NDOR, significant changes in the TE program took place. These changes put virtually every trail project in the state on hold for nearly four years and initiated substantial alterations in the program requirements. In those four years, HGM provided all of the additional information and materials requested by NDOR and Federal Highway Administration (FHWA) as detailed in the attached 1 October, 2010 letter to the General Manager. These additional materials included re-design, meetings, NEPA document revisions and multiple comment responses.

This additional work by HGM was always thought to be just one more “simple response” to be submitted and then we would receive approval to proceed. Over time, these piecemeal requests from FHWA/NDOR for more work to be submitted, added up. The bulk of this work was completed in the past 10 months at an accelerated rate, in order to take advantage of the promised larger cost share amount following the Transportation Summit held earlier this year in Lincoln. The deadline for final project approvals by both the NDOR as well as FHWA was finally set at 24 September, 2010.

The additional costs being requested, incurred by HGM over these past four years for Engineering Services (plan modifications, coordination and review, etc.) was \$195,446 and Environmental Services (NEPA, EA, etc.) amounted to another \$104,017, totaling \$299,463. HGM is also requesting an additional \$49,962 which reflects increases in both man-hour rates and project scope for future Construction Engineering services. These additional costs of \$299,463 and \$49,962 would increase the original estimate for Phase 1 and 2 Professional Services from \$589,879 to \$938,304. Management is recommending that these increases be approved.

Now the good news. All comments and concerns by FHWA and the NDOR were adequately addressed by HGM and the deadlines were met with time to spare. This resulted in Phase 2 of the project being approved late last month and with an 80% cost share (up from 17%) and with no maximum amount (previously \$500,000). This means that even though the itemized, additional costs incurred by HGM to get the District to this final “approval”, results in an original service estimate increase request of \$349,425, the District’s portion for the Phase 2 project at the new 80% project cost share rate will reduce the District’s out of pocket, local taxpayer portion from approximately \$2.5 million (2006 cost estimate) to approximately \$1.4 million.

Bid letting is currently scheduled by the NDOR for 21 October, 2010. Prior to awarding a construction contract, a supplemental agreement reflecting the new cost sharing agreement with NDOR will need to be executed to reflect the 80% cost share arrangement. Management is recommending authorization to sign that agreement when it becomes available.

- **Management recommends that the Programs, Projects and Operations Subcommittee recommend to the Board that the General Manager be authorized to execute the proposed addendum to the February 10, 2005 Amended Professional Services Agreement between the Papio-Missouri River Natural Resources District and HGM Associates Inc., to complete the final design, right of way acquisition and construction services for the Missouri River Trail (N.P. Dodge Park North to Douglas /Washington County Line) Project for a not to exceed amount of \$938,304; and further that the General Manager be authorized to execute a supplemental agreement with NDOR, both subject to changes deemed necessary by the General Manager and approved as to form by the District Legal Counsel.**

Memorandum

To: Programs, Projects and Operations Subcommittee

Re: Pigeon/Jones Site #15 Final Design for Professional Services,
Request for Contract Amendment

Date: October 6, 2010

From: Ralph Puls, Land/Water Programs Coordinator

In June 2010, the Nebraska Department of Environmental Quality (NDEQ) approved the District's request for a Section 319 Grant pursuant to the Federal Clean Water Act and the Nebraska Nonpoint Source (NPS) Management Program with the funds being provided by the U.S. Environmental Protection Agency (EPA). The grant is for continuance of the water quality improvements planned for the Pigeon/Jones Creek Watershed Site #15. The grant is in the amount of \$112,500.00 which represents 60% of the cost to implement water quality related measures in the watershed. The District's contribution will be 40% of the costs, \$75,000.00.

The grant request was the result of the efforts of citizens who served on a Watershed Advisory Council (WAC) and who developed a Community Based Watershed Management Plan (CBWMP) with the assistance of a Technical Advisory Team (TAT). The goal of the group was to develop a plan to improve the water quality in Pigeon/Jones Creek Recreation Site #15 once it is constructed. The need to control sediment in the watershed in order to improve water quality was emphasized in the plan. When developing the CBWMP, the group relied in large part on the Pigeon/Jones Watershed plan that had been developed in 2002 by the Natural Resources Conservation Service and the P-MRNRD and that subsequently was approved for implementation by the District Board of Directors. Part of the grant request was for funds to hire a Watershed Coordinator for a two-year period. That position was filled in September 2010. The remainder of the grant funds will be used for the design of three of the structures identified in the original P/J Watershed plan. Two of the structures will be road structures and the third will be a grade control weir located on a tributary of Jones Creek. A second grant application has been submitted to the NDEQ for funds to construct the three structures.

Olsson Associates has assisted and provided guidance in the development of the Citizen Based Watershed Management Plan and with the application for the Section 319 grant. It is proposed that an amendment be made to the existing contract with Olsson Associates to provide the professional services necessary to complete the design and to support the construction bid process. The cost for these services is estimated to be \$117,500.00 with 60% (\$70,500) provided through the Section 319 grant and 40% (\$47,000) provided by the District. A breakdown of the professional services to be provided and the costs are shown in the attached proposal by Olsson Associates.

- **Staff recommends that the subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the professional services contract amendment with Olsson Associates for the Pigeon/Jones Watershed Site #15 project, bringing the total not to exceed maximum amount of the contract to \$1,213,103.00, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.**

Memorandum

To Programs, Projects and Operations Subcommittee
Subject: Fiscal Year 2010 Long Range Implementation Plan
Date: September 30, 2010
From: Gerry Bowen

State statutes (see below) require NRDs to prepare and submit a “Long Range Implementation Plan” (LRIP) each year. A current LRIP needs to be on file with the state to make the District eligible for certain state cost share programs.

“2-3277 - Districts; long-range implementation plans; prepare and adopt; contents; review; filing; department; develop guidelines. Each district shall also prepare and adopt a long-range implementation plan which shall summarize planned district activities and include projections of financial, personnel, and land rights needs of the district for at least the next five years and specific needs assessment upon which the current budget is based. Such long-range implementation plan shall be reviewed and updated annually. A copy of the long-range implementation plan and all revisions and updates thereto as adopted shall be filed with the department, the Governor’s Policy Research Office, and the Game and Parks Commission on or before October 1 of each year. The department shall develop and make available to the districts suggested guidelines regarding the general content of such long-range implementation plans.

Source: Laws 1978, LB 783, §3; Laws 1979, LB 412, §3; Laws 2000, LB 900 §61. Operative date July 1, 2000.”

The draft LRIP is intended to summarize the current year’s budgeted revenues (Table 7) and expenditures (Table 3) in terms of the various programs and projects and the intended accomplishments during the fiscal year. It also projects the financial and personnel needs for these projects and programs for the next five fiscal years.

- **Management recommends that the Subcommittee recommend to the Board that the Fiscal Year 2011 Long Range Implementation Plan be approved.**

MEMORANDUM

TO: Programs, Projects and Operations Subcommittee

RE: Purchase of 2011 District Vehicles

DATE: September 27, 2010

FROM: Jean Friends Tait, Purchasing Agent

In conjunction of the approval of the FY 2011 budget, request for bids for the purchase of District vehicles were received and opened on September 24, 2010 at 10:00 a.m. in the District's Office. The bid summary sheets are attached for your review. All submitted bids reflected on the bid summary sheet met required specifications.

The 2011 vehicles come to an expensed total of \$ 60,939 which is below the budgeted amount of \$79,500.

- **Staff recommendation is as follows:**

Bid Item A – 2011, Crossover, AWD Vehicle: The staff recommends that the low and best bid of \$ 22,733 submitted by Sid Dillon be accepted.

Bid Item B – 2011, ¾ Ton, 4WD, Extended Cab Pickup Truck with Tow Package: The staff recommends that the low and best bid of \$ 23,270 submitted by Woodhouse Ford be accepted.

Bid Item C – 2011, ½ Ton, 4WD, Extended Cab, Pickup Truck with Tow Package: The staff recommends that the low and best bid of \$ \$14,936 from Sid Dillon be accepted with trade-in of the District's 2006, Ford, F250 Regular Cab, 4WD, Pickup Truck, serial number 1FTNF21506EC02470.