CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

ITEM: **DATE: October 3, 2016**

Resolution - Approving Railroad Bridge Construction Agreement
Sugar Creek Conveyance Improvements Phase 1A
Iowa Interstate Railroad Bridge Replacement over Sugar Creek
Iowa Interstate Railroad, Ltd.

FINANCIAL IMPACT:

The cost of the improvements associated with the expansion of the railroad bridge is estimated to be $489,192.00. The finished work will be billed at the actual cost for materials and labor and could vary from the estimate. All costs for these services can be paid from budgeted account no. 660.000.000.5250.490 with the ultimate funding intended to come from tax increment financing revenues.

BACKGROUND:

In 2014 the City contracted with HDR to conduct a flood study of Sugar Creek to determine estimated elevations and recommendations for improving the drainage of Sugar Creek. The study recommended several improvements to Sugar Creek in order to increase conveyance and improve flooding conditions including widening the conveyance area and lengthening the railroad bridge and the Sugar Creek bridge. The Iowa Interstate Railroad indicated they planned to replace the existing railroad bridge over Sugar Creek as part of their routine replacement program. Staff has worked with the Railroad to include lengthening of the railroad bridge in the replacement project. The existing bridge is 114 feet in length and will be replaced at 204 feet. The City's share is approximately 43.6%. The Iowa Interstate Railroad has prepared the attached Bridge Construction Agreement stipulating the Railroad will construct the bridge with the City participating in the additional cost of the bridge extension. The total estimated cost of the bridge replacement is $1,122,000.00. The City's pro rata share is $490,000.

OUTSTANDING ISSUES:

None

RECOMMENDATION:

City Council Adopt:

- Resolution Approving Bridge Construction Agreement.

Lead Staff Member: Duane C. Wittstock, P.E., L.S., City Engineer

STAFF REVIEWS

Department Director	Duane C. Wittstock, City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinki, City Attorney
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	September 26, 2016		
Recommendation	Yes	No	Split

Resolution Approving Railroad Bridge Construction Agreement

WHEREAS, funding is available for the following described public project:

Sugar Creek Conveyance Improvements Phase 1A
Iowa Interstate Railroad Bridge over Sugar Creek
Project No. 0510-065-2015

and,

WHEREAS, the Iowa Interstate Railroad, Ltd. has determined that it will replace the existing bridge over Sugar Creek; and,

WHEREAS, the City of West Des Moines has conducted studies and analysis indicating a need for conveyance improvements along Sugar Creek to reduce flood potential; and,

WHEREAS, the City of West Des Moines has requested the Iowa Interstate Railroad, Ltd. increase the size of the replacement bridge over Sugar Creek to facilitate the conveyance improvements; and,

WHEREAS, the Engineering Services Department has obtained a written agreement from the Iowa Interstate Railroad, Ltd to do the work requested which estimates the following cost to the City of West Des Moines;

Railroad Crossing Upgrade **$489,192.00**

therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that Iowa Interstate Railroad, Ltd. is hereby requested to perform the bridge expansion required for the above named public project.

BE IT FURTHER RESOLVED, that the City Clerk is authorized and directed to enter into an agreement with the Iowa Interstate Railroad, Ltd. for the cost indicated above as payment by the City of West Des Moines for the services indicated.

PASSED AND APPROVED this **3rd** day of **October, 2016.**

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

BRIDGE CONSTRUCTION AGREEMENT

This Bridge Construction Agreement ("Agreement") is made and entered into this ____ day of September, 2016, ("Effective Date") by and between **IOWA INTERSTATE RAILROAD, LTD.**, (RAILROAD) of 5900 6th Street SW, Cedar Rapids, Iowa, 52404 and **CITY OF WEST DES MOINES, IOWA**, (CITY), 4200 Mills Civic Parkway, West Des Moines, Iowa 50265.

WHEREAS, Iowa Interstate Railroad, Ltd. owns and operates on and over a railroad bridge located at railroad Milepost 369.7 (369.7 Bridge), said bridge which crosses Sugar Creek in West Des Moines, Iowa;

WHEREAS, RAILROAD has determined that it will replace its existing 369.7 Bridge with a new structure;

WHEREAS, the 369.7 Bridge is adjacent and parallel to Raccoon River Drive in West Des Moines, Iowa.

WHEREAS, CITY owns and operates Raccoon River Drive, a public road which crosses Sugar Creek via a bridge (Sugar Creek Bridge);

WHEREAS, CITY wishes to replace its existing Sugar Creek Bridge with a larger structure;

WHEREAS, CITY has requested RAILROAD increase the size of the replacement 369.7 Bridge in order to facilitate CITY's plans to replace the Sugar Creek Bridge;

WHEREAS, RAILROAD is amenable to CITY's request and the parties have negotiated this Agreement to provide for the construction of the 369.7 Bridge in such a manner to accommodate the CITY's plans for the Sugar Creek Bridge.

NOW, THEREFORE, THE CITY AND RAILROAD DO HEREBY AGREE AS FOLLOWS:

SECTION 1. Bridge Construction to be Performed by Railroad.

The RAILROAD's Consultant has prepared plans and specifications relative to the construction of the 369.7 Bridge, attached hereto as Exhibit A and incorporated herein by this reference ("Project"). RAILROAD agrees to construct the Project with its own forces, contractors, or a combination thereof.

SECTION 2: Reimbursement for Project.

RAILROAD's existing 369.7 Bridge is 114-ft in length. Pursuant to the CITY's request, the replacement 369.7 Bridge shall be 204-ft in length. CITY agrees to reimburse RAILROAD for those costs associated with this additional construction in an amount totaling Forty Three and

Six-Tenths percent (43.6%) of RAILROAD's Project costs incurred. Project costs include any reasonable costs incurred by the RAILROAD to facilitate design and construction of the 369.7 Bridge including engineering, materials, contract labor, RAILROAD labor, and other items reasonably related to the Project.

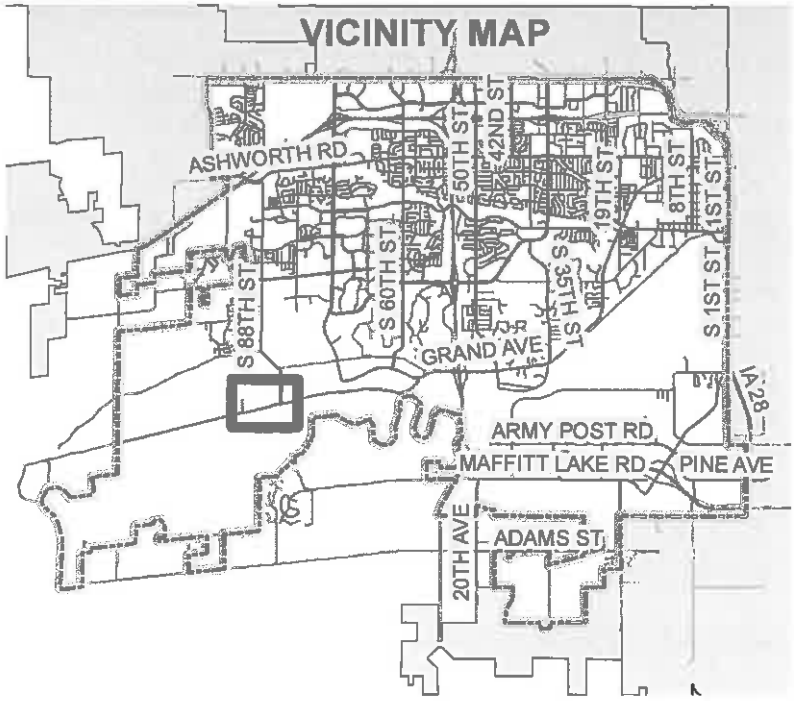
Upon completion of the Project, RAILROAD will submit to CITY documents confirming the actual cost of the Project, including either copies of requests for payment and amounts paid to contractor(s) or invoices of RAILROAD's costs, as applicable; CITY to provide reimbursement to RAILROAD within thirty days of RAILROAD's submission.

SECTION 3. **Cost Estimate for Bridge Construction.**

The estimated cost for the proposed 369.7 Bridge is $1,122,000.

WHEREFORE, the parties have executed this Agreement as of the date written above.

IOWA INTERSTATE RAILROAD, LTD.	**CITY OF WEST DES MOINES, IOWA**
By:_____	By:_____
Attest:_____	Attest:_____
Date:_____	Date:_____



LEGEND

PROJECT LOCATION ———

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THE CITY OF WEST DES MOINES

PROJECT:	**Sugar Creek Conveyance Improvements Phase 1A**		
LOCATION:	**Iowa Interstate Railroad Bridge Replacement**		
DRAWN BY: BJM	DATE: 9/27/2016	PROJECT: 0510-065-2015	SHT. 1 of 1