




LOWER PLATTE SOUTH natural resources district

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Memorandum

Date: September 14, 2023
To: Urban Subcommittee
From: Mark Lindemann, District Engineer 
Subject: September 2023 Urban Subcommittee Meeting Minutes

The Urban Subcommittee met on Thursday, September 14, at the NRD Office in the large conference room. Subcommittee members participating included John Yoakum- committee chair, Gary Aldridge, Melissa Baker, Larry Ruth, Stacie Sinclair, Susan Seacrest, and Ray Stevens. Others participating included NRD staff Mike Sousek, Mike Murren, Drew Ratkovec, and Mark Lindemann. Mike Boehm with the Pine Lake Association, Ross Lawrence with JEO Consulting Group, Inc., and Travis Figard with E&A Consulting Group, Inc., were also in attendance. Director Yoakum called the meeting to order at 5:30 pm. There were six (6) items the Subcommittee took action on, and a review of the FY23 Measurable Goals and the proposed Measurable Goals for FY24. A quorum was present for the meeting.

A. Consideration of Revising Board Approved Motion for the Pine Lake Association Community Assistance Program Request - Dam Rehabilitation Project [ACTION] – Drew Ratkovec provided the Directors an update of the construction progress for the Pine Lake Association (PLA) dam rehabilitation project and shared photos and a drone video taken by NRD staff earlier in the week. He then referred to his memo dated September 6, 2023, that explains the miscommunications between staff and the PLA regarding the timing of NRD reimbursements for work completed. For CAP projects, the District normally reimburses upon completion of the project, and the PLA is asking the NRD to consider that it be allowed to request reimbursements during construction as pay application requests are submitted by the Contractor and reviewed by the engineer of record. Mike Boehm, with the PLA explained that the financing was set up based on discussions with staff and the understanding that the PLA would be able to request reimbursements during construction and not after final completion. Ratkovec explained that the original motion that approved the PLA's CAP request would require a revision. The Subcommittee discussed the process of typical CAP projects and NRD reimbursement and noted that the PLA CAP project is unique due to the components of the project, a contract over \$ 1 million dollar, and two engineering firms (The Flatwater Group and Hazard Engineering) that are performing construction observation inspection. It was also noted by Directors that this project helps plays a part in the Salt Creek Flood Resiliency. Many commented that in the future there is potential for more projects of larger size and cost and suggested that a formal policy for the Community Assistance Program be developed to provide consistency and minimize risk to the District. The Directors agreed to use the revised motion proposed by Ratkovec with an amendment stating that the District will hold \$100,000 of reimbursement funds until the Nebraska Department of Natural Resources Construction Certification for Dams is received.

It was moved by Stevens, seconded by Seacrest, and approved by the Subcommittee (6-1, Aldridge Voting No) to revise the original approved motion and recommend that the Board of Directors approve that the Pine Lake Association be reimbursed through the Community Assistance Program for the Dam Rehabilitation Project while the construction phase is ongoing as the contractor submits payment requests. All payment requests shall be reviewed and approved by the Engineer of Record. The final NRD reimbursement payment will be contingent upon the dam rehabilitation construction meeting the requirements of the project plans and specifications and the Nebraska Department of Natural Resources Construction Certification for Dams. The Pine Lake Association shall be responsible for all permits, construction plans and specifications, construction observation, certification of work, and the operation and maintenance of this project, pending Legal Counsel review. The cost-share amount will be 50% of the total eligible costs for construction and construction observation of \$1,122,231.41, not to exceed \$561,115 of NRD funds, with the final \$100,000 to be held by the District until the Nebraska Department of Natural Resources Construction Certification for Dams is received.

B. Consideration of Bids for the South Salt Creek Watershed Master Plan Project #6 [ACTION] – Murren provided a narrative for the stream stability project on Salt Creek and its tributary located in Wilderness Park. Professional services from Intuition and Logic Engineering, Inc. were approved by the Board in April of 2023, and the acquiring of landrights for construction access and future maintenance were approved in January of 2023. The invitation for construction bids were advertised on August 2nd, 9th, and 16th, and a mandatory pre-bid meeting was held on August 23, 2023. Bids were opened on September 6th, at 1:00 pm. The NRD received two (2) bids from contractors, with the low bid of \$728,885, from Yost Excavating, Inc. The second bid was by H.R. Bookstrom Construction Inc. was \$1,387,836. It was noted that the engineering estimate was \$769,100. Yost Excavating has performed similar work for the NRD on South Salt Creek #3 and #4, and meets the qualifications for the project. Mark Meyer, with Intuition & Logic, has reviewed the bids, Contractor and Subcontractor qualifications, and has recommended awarding the Project to Yost Excavating, Inc. for the low bid of \$728,885. See the attached recommendation memo from Intuition & Logic and summary of the bids.

It was moved by Stevens, seconded by Seacrest, and approved by the Subcommittee (7-0) to recommend that that the Board of Directors approve the low bid of \$728,885, by Yost Excavating, Inc., for the South Salt Creek Master Plan Project #6.

C. Consideration of a Professional Services Agreement Amendment #1 with Intuition & Logic Engineering, Inc. for Construction Management Services for the South Salt Creek #6 Watershed Master Plan Project [ACTION] – Murren noted that the previous discussed item for the construction project on South Salt Creek will require construction management and site observation services to ensure proper construction methods, the project is built to the requirements of the plans and specifications, and that the vegetation is planted and established successfully. The NRD has asked Intuition and Logic Engineering, Inc., the engineer of record for the project, to provide a proposal (Amendment #1 to existing contract) for these services. The fee for these services is at a total cost not to exceed \$83,402.

It was moved by Stevens, seconded by Baker, and approved by the Subcommittee (7 – 0) to recommend that the Board of Directors approve the Professional Services Agreement Amendment #1 with Intuition & Logic Engineering, Inc., for Construction Management and Observation Services for the South Salt Creek Watershed Master Plan Project #6, at an amount not to exceed \$83,402, pending legal counsel review.

D. Consideration of a Professional Services Agreement with JEO Consulting Group for the Salt Creek Levee Sheet Pile Toe Repair Project Near North 19th Street (STA. 309+00L – 312+00L). [ACTION] – Lindemann displayed a location map of the Salt Creek Levee upstream of the Theresa Street Wastewater Treatment Plant on the left bank. It was explained that in the late 1990's bank stabilization and installation of sheet pile at the riverward bank toe was constructed on the left bank. NRD staff has observed a portion of the sheet pile appears to have buckled (photo shown). The sheet pile depths are estimated to be between 8 and 12 feet below ground surface. The bank above the sheet pile currently remains stable, but repairs are required to prevent future instability. JEO was asked to provide a proposal to investigate the failure and develop and design, permit, and prepare plans for the repair. The fee for the proposal is at a cost not to exceed \$120,123. Lindemann noted that an extra \$15,000 of the proposal for a geotechnical investigation and additional analysis will likely not be needed, based on JEO's conversations with the U.S. Army Corps of Engineers (USACE). Ross Lawrence with JEO was present to answer questions from the Directors.

It was moved by Baker, seconded by Sinclair, and approved by the Subcommittee (5 - 0, 2 Absent) to recommend that the Board of Directors approve the Professional Services Agreement with JEO Consulting Group, Inc., in an amount not to exceed \$120,123 for Salt Creek Levee Sheet Pile Toe Repair Project Near N. 19th Street (Station 309+00L – 312+00L).

E. Consideration of a Professional Services Agreement with E&A Consulting Group, Inc., for the Salt Creek Levee Drainage Structure Replacement Project Near Charleston Street (STA. 238+90R) [ACTION] – Lindemann noted that the next item for action is also on the Salt Creek Levee System. It was explained that the NRD regularly has all drainage structures on the levee video inspected and a report is prepared to inform on condition of the structures. The report is used to assist in the programming of repair and replacement projects to keep the levee system operational as intended. The last report was received in May of 2022. To date the NRD has addressed nine of these structures. Four are currently in design or permitting stages and the remaining have either been removed, repaired, or replaced. The next structure on the priority list is located at Station 238+90R, near the Nebraska School Activities Association (NSSA). The location of the structure was presented to the Directors. The drainage structure is an 18-inch reinforced concrete pipe (RCP) and inspections of this structure indicate a need for total replacement. E&A Consulting Group, Inc. has been asked to provide a proposal for professional services for the design, permitting, and plan preparation. The total cost of E&A's proposal is at a total cost not to exceed \$61,925. If this project is considered maintenance by the USACE, the total fee will be reduced by \$9,800, as soil borings and a 408 submittal will not be required. Travis Figard, with E&A was present to answer Director's questions.

It was moved by Seacrest, seconded by Stevens, and approved by the Subcommittee (6 – 0) to recommend that the Board of Directors approve the Professional Services Agreement with E&A Consulting Group, Inc., in an amount not to exceed \$61,925 for the Salt Creek Levee Drainage Structure Replacement Project near Charleston Street (STA. 238+90R).

F. Consideration of a Professional Services Agreement with Olsson for the Oak Creek Mitigation Site Downstream of Interstate 80 [ACTION] – Lindemann gave the status of the Antelope Creek 40th to Scott Avenue bank repair project and provided background on the mitigation site at Oak Creek, that was established to satisfy the requirements of the 404 permit. A map of the location was presented. He noted that maintenance staff had been working to prepare the site for seeding, and seeding has recently been performed. Monitoring and reporting is expected to start in October of 2023 and is required by the USACE

for a period five (5) years to determine successful establishment. Olsson's proposal for monitoring and reporting services at a cost not to exceed \$24,000.

It was moved by Ruth, seconded by Seacrest, and approved by the Subcommittee (6 – 0) to recommend that the Board of Directors approve the Professional Services Agreement with Olsson, in an amount not to exceed \$24,000 for Monitoring and Reporting of the Oak Creek Mitigation Site.

G. Review of FY21 Measurable Goals and acceptance of FY22 Measurable Goals for inclusion in the FY2022 Long Range Implementation Plan. –Lindemann noted that Finance and Planning has reviewed and accepted the FY23 12-month review and proposed FY24 Measurable Goals yesterday (September 13th), and that no action needs to be taken by the Urban Subcommittee. The FY23 12-month review of Measurable Goals were reviewed and the proposed FY2024 Measurable Goals for inclusion into the FY24 Long Range Implementation Plan were also discussed. The focus of the Urban FY24 Measurable Goals is on completing Community Assistance Program projects, Salt Creek Levee projects, the South Salt Creek #6 master plan project, and the Deadmans Run Flood Reduction project.

Meeting adjourned at 6:53 pm.

Enclosures

cc: Dave Landis
Steve Seglin
Corey Wasserburger