

**TO:** Michael C. Van Milligen, City Manager

**FROM:** Gus Psihoyos, City Engineer

**DATE:** August 13, 2015

**SUBJECT:** Upper Bee Branch Creek Restoration Project  
Upper Bee Branch Creek Mississippi River Trail (MRT)  
Iowa DOT Project No. SB-IA-2100(675)—7T-31  
(CIP#7201654 & 3401654)

### **INTRODUCTION**

The purpose of this memorandum is to seek preliminary approval of the plans, specifications, form of contract, and estimated cost and setting September 8, 2015 as the date of a public hearing for the Upper Bee Branch Creek Mississippi River Trail Project.

### **BACKGROUND**

The City of Dubuque was awarded National Scenic Byways grant funding of \$1,000,000 in August 2011 for the Bee Branch Creek Mississippi River Trail (MRT) that is part of the Upper Bee Branch Creek Restoration Project. The current on-street bike route of the national Mississippi River Trail will be converted to an off-road bike/hike trail that will be located in the linear park along the daylighted Bee Branch Creek. The Bee Branch Creek MRT Route will incorporate bike/hike trails, lighting, benches, trees, sustainable landscaping, parking, a waterfall overlook, and an amphitheatre/outdoor classroom.

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), enacted in 2005, continued the National Scenic Byways Program. Federal regulations provide that federal funds for the National Scenic Byways Program are to be administered by the Iowa Department of Transportation.

Iowa Code Sections 306A.7 and 307.44 provide for the City of Dubuque and the Iowa Department of Transportation to enter into agreements with each other for the purpose of financing transportation improvement projects in Iowa with Federal funds. The City of Dubuque proposed the Upper Bee Branch Creek Restoration Project as a National Scenic Byway (NSB) project for funding under Sec. 162 of Title 23, United States Code.

State Recreational Trail (SRT) funding is available per Iowa Code Chapter 465B and the City of Dubuque’s application to use these funds was approved by Transportation Commission Order No. PPM-2012-12 on October 11, 2011. The funding will be used in conjunction with the National Scenic Byways funds to construct the Bee Branch Creek Mississippi River Trail.

The Department of Transportation has provided an agreement for the \$1,100,000 in National Scenic Byways/State Recreational Trail grant funding.

Due to both the National Scenic Byways and State Recreational Trails grants being administered through the Iowa Department of Transportation for the Upper Bee Branch Creek Restoration Project, the Iowa Department of Transportation has provided one agreement that encompasses both grant funding requirements

**DISCUSSION**

The Upper Bee Branch Creek Restoration Project (Phase 7 of the Bee Branch Watershed Flood Mitigation Project) will be constructed through multiple contracts. The Upper Bee Branch Creek Mississippi River Trail (MRT) is the third contract.

The improvements associated with this contract are to convert the current on-street bike route of the National Mississippi Trail to an off-road bike/hike trail that will be located in the linear park along the daylighted Bee Branch Creek. The Bee Branch Creek MRT Route will incorporate bike/hike trails, lighting, benches, trees, sustainable landscaping, parking, a waterfall overlook, and an amphitheatre/outdoor classroom.

Due to the use of National Scenic Byways and State Recreation Trails funding to help fund the improvements, the project must be let through the Iowa Department of Transportation (Iowa DOT) who administers these funds on behalf of the federal and state governments respectively.

**PROJECT SCHEDULE**

The schedule for the Upper Bee Branch Creek Mississippi River Trail (MRT).is as follows:

Preliminary Approval of plans, specifications, form of contract, and estimated cost; Setting of Public Hearing	August 17, 2015
Advertisement for Bids (Iowa DOT)	August 18, 2015
Publish Notice of Public Hearing (Iowa DOT)	August 21, 2015
Public Hearing on Plans & Specifications	September 8, 2015
Bid Letting (Iowa DOT)	September 15, 2015
Award Construction Contract (Subject to Iowa DOT Approval)	September 21, 2015
Completion Date	Completed Summer 2016

Local projects bid through the Iowa DOT are advertised by the Iowa DOT. But it has been the City's standard practice to proceed through the bidding process at the local level mirroring the Iowa DOT bidding schedule. While the City does not advertise for bids, or distribute plans and specifications, the City still holds a public hearing to consider the plans, specifications, form of contract, and estimated cost for the project.

Following the public hearing, a request to award the contract will be sent to the City Council for their consideration. The City's award would be subject to Iowa DOT approval. This process is in full compliance with the Iowa Code public bidding requirements.

**RECOMMENDATION**

I recommend preliminary approval of the plans, specifications, form of contract, and estimated cost and setting September 8, 2015 as the date of a public hearing for the Upper Bee Branch Creek Mississippi River Trail Project.

**BUDGET IMPACT**

The estimate of probable costs for the Upper Bee Branch Creek Mississippi River Trail (MRT) is as follows:

<b>Fund Source Description</b>	<b>Estimate</b>
Construction	\$2,125,776
Contingency	106,289
Engineering	<u>334,810</u>
<b>Total Project Cost</b>	<b><u>\$2,566,875</u></b>

The project will be funded by the Fiscal Year 2016 appropriation in the amount of \$43,359,000 for the Bee Branch Creek Restoration Project – Phase 4 and Phase 7 of the Bee Branch Watershed Flood Mitigation Project [CIP#7201654].

Project funding includes \$1,000,000 from a National Scenic Byways grant, \$250,000 from a RECAT grant, and \$100,000 from a State Recreation Trails grant.

**REQUESTED ACTION**

I respectfully request adoption of the attached resolutions preliminarily approving the plans, specifications, form of contract, and estimated cost and setting September 8, 2015 as the date of a public hearing for the Upper Bee Branch Creek Mississippi River Trail Project.

Attach.

Prepared by Deron Muehring, Civil Engineer II

Cc: Barry Lindahl, City Attorney

Teri Goodmann, Assistant City Manager  
Jenny Larson, Budget Director  
Ken TeKippe, Finance Director  
Marie Ware, Leisure Services Manager  
Don Vogt, Public Works Director  
Laura Carstens, Planning Services Manager  
Steve Brown, Project Manager  
Deron Muehring, Civil Engineer II  
Randy Gehl, Public Information Officer  
Kristin Hill, Bee Branch Communications Specialist  
Debra Arp, Grant Program Administration Team Leader, Iowa DOT  
Mary Stahlhut, Iowa Byways Program Manager, Iowa DOT