



To: City Council Infrastructure Committee  
 From: Sandy Pumphrey, PE  
 Subject: Presentation – Sanitary Sewer Masterplan  
 Date: May 17, 2015

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**Background:**

The Public Works Department is in the process of updating the Sanitary Sewer Master Plan. The Sanitary Sewer Master Plan will be used to assess the function of the City’s sanitary sewer system, and will aid in the selection of capital improvement projects and policy recommendations. The following proposed milestones and schedule have been established for updating the Sanitary Sewer Master Plan:

<b>Milestones</b>	<b>Status or Schedule</b>
Identify known issues where capital improvement projects may be warranted.	Complete
Select an engineering consultant to complete the Sanitary Sewer Master Plan update.	Complete
Develop professional services agreement.	Complete
Engineering consultant will review and analyze information provided by the City.	Complete
Engineering consultant will complete a modeling update of the City’s sanitary sewer collection system.	Complete
Engineering consultant will submit a draft of the updated Sanitary Sewer Master Plan.	Complete
Final reviews, comments and edits made to Sanitary Sewer Masterplan	06/16
Adopt Sanitary Sewer Master Plan.	07/16

**Project Description:**

The initial formation of the Masterplan document is almost complete. The consultant has presented its final review to Staff and is making final edits to the document prior to full issuance. This Infrastructure Committee meeting will include a more comprehensive presentation on the findings of the Masterplan effort and recommendations going forward. It is anticipated that Staff will return to ask the Infrastructure Committee for a vote of recommendation for full City Council adoption of the Masterplan once the document is complete, likely in June or July.

Staff’s plan is to facilitate an annual update of the finalized Masterplan document in future years.

# Sanitary Sewer Master Plan Update

May 16, 2016

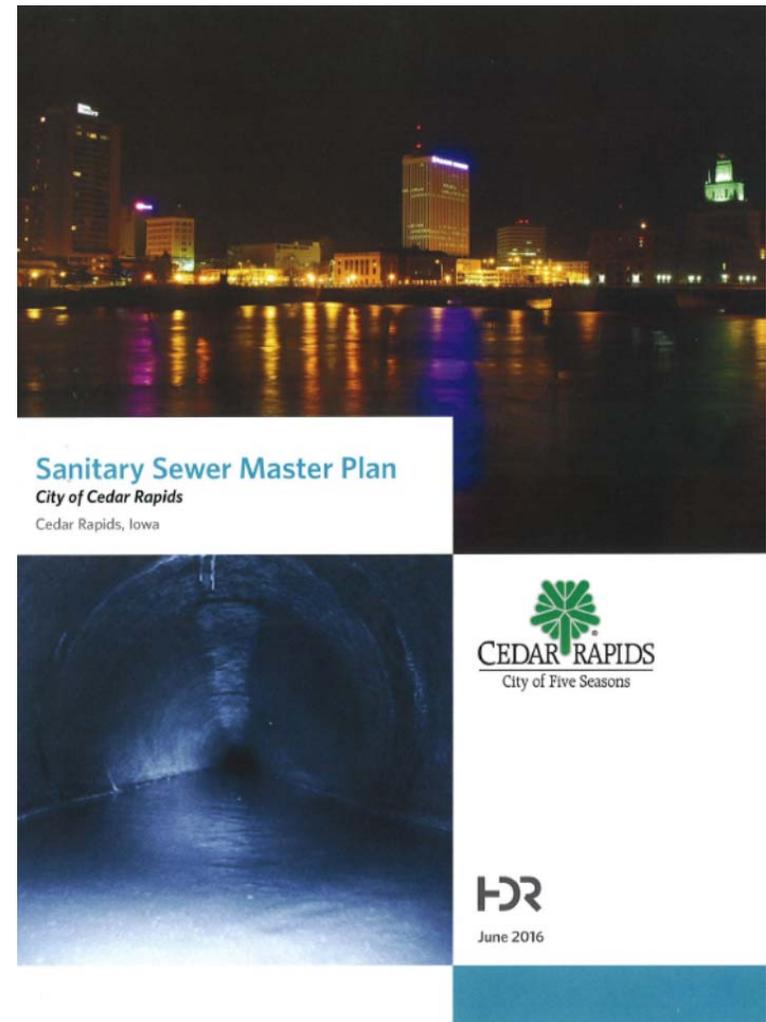


## Objective of the Master Plan

- Initial development of a living Sanitary Sewer Master Plan
- Incorporate the City's vision as reflected in EnvisionCR.
- Develop a Capital Improvements Plan to address known sanitary sewer issues.
- Identify funding needs and develop a financial plan
- Obtain available GIS and other available information to proceed with higher-level hydraulic modeling
- Identify policy and other considerations relative to sanitary sewer master planning.
- Establish the framework for annual updates to expand and improve upon the initial plan.

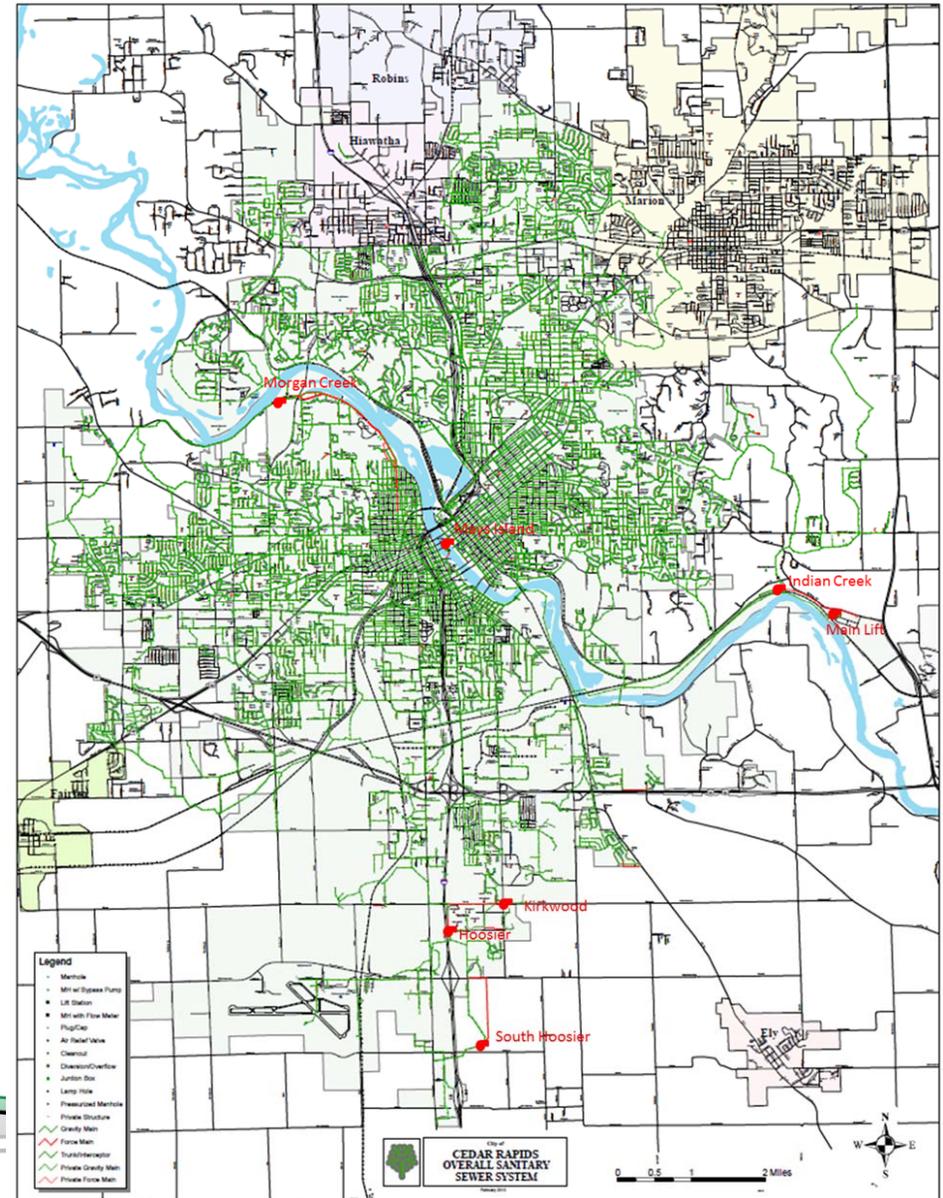
# Sanitary Sewer Master Plan Sections

- Executive Summary
- TM 1.0 Existing System
- TM 2.0 Historic & Planned Improvements
- TM 3.0 Hydraulic Modeling
- TM 4.0 Capital Improvements Needs
- TM 5.0 Policy & Other Considerations
- TM 6.0 Financial Needs



## TM1.0 - Existing Conditions

- Multiple Assets
  - 660 miles of public sewer
  - 7 public lift stations
  - 50 miles private sewer
  - Multiple private lift stations
- Intended to:
  - Convey City's residential, commercial, and industrial wastewater without overflows or backups
  - Serve Robins, Hiawatha, Marion, Palo



# TM2.0 - Historic & Planned Improvements

- 1984 Sewer System Evaluation
- 1998 Sanitary Sewer Masterplan – project resulting
  - South East Interceptor River Crossing (Siphon)
  - Sanitary Sewer Overflow Pumps
  - Ellis Rd NW Force Main
  - Morgan Creek Lift Station
  - Indian Creek Main – Phases 1,2 & 3
  - Main Interceptor Repair
  - Prairie Creek Main
  - Annual Rehabilitation and Replacement
  - Other Ongoing CIP projects
- FEMA Projects since 2008
  - 34 projects let
  - \$51m in FEMA-funded construction.
  - Over 43 miles of sanitary sewer has been replaced (13 miles) or lined (30 miles) of the 68 miles that was impacted and evaluated.

# TM2.0 - Historic & Planned Improvements

## Ongoing Projects

- Phases 1 and 2 Prairie Creek Sewer
- Indian Creek Sewer Rehabilitation – Lower Segment
- Annual Rehabilitation and Replacement

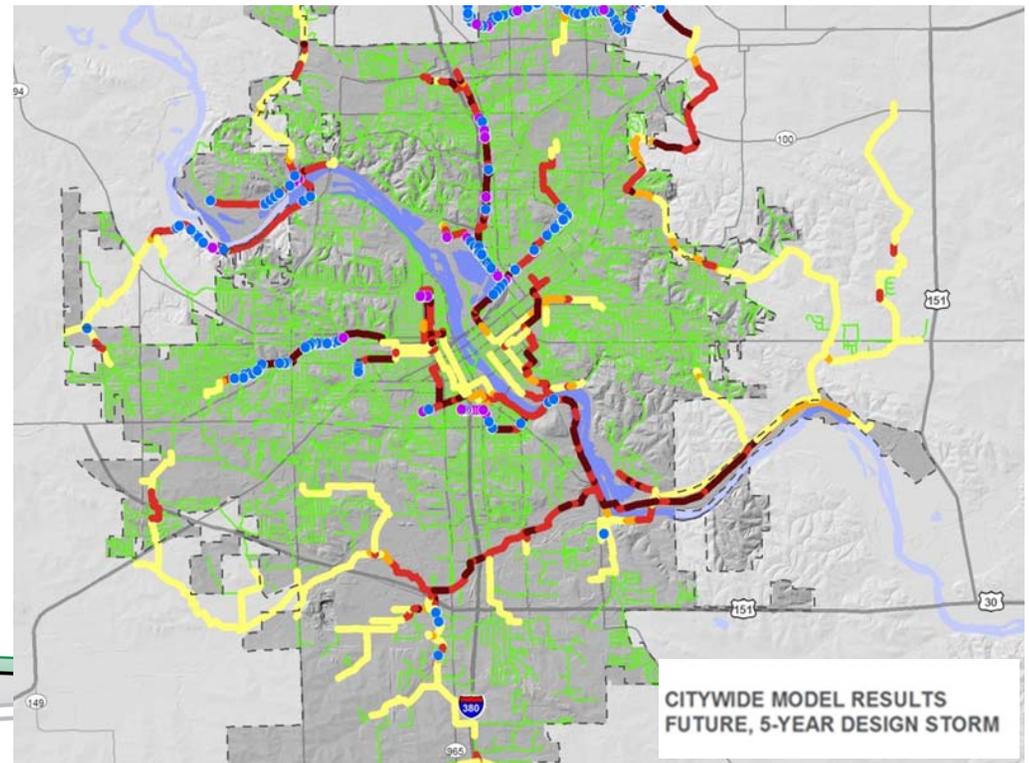
## Future Projects

- Phases 3 & 4 - Prairie Creek Sewer
- Phase 4 and Beyond Indian Creek Sewer
- I/I Reduction (Lennox & Grande and other)
- Private Lift Station Upgrades

# TM3.0 - Hydraulic Modeling: *Macro Modeling*

## Conclusions

- Reduce current infiltration and inflow
- Mitigate future infiltration and inflow
- Otherwise, Significant Capital Expenditures
  - West Side Interceptor
  - East Side Interceptor System
  - Main Interceptor



# TM3.0 - Hydraulic Modeling: *Recommended Refinements*

- Additional as-built & field survey data
- Better define diversion locations
- Review and refine lift station inputs
- Refine base flows with water meter data
- Refine wet weather flows with secondary flow meter data
- Additional validation
  - secondary flow meters
  - extreme dry weather conditions
  - elevated Cedar River levels
  - additional wet weather storm events.
- Better allocate population & employment to targeted growth areas
- Refine GWI and RDII for targeted growth areas.
- Include smaller pipes (down to 6- or 8- inch)
- Simulate impacts of I/I reduction.

# TM4.0 - Capital Improvements Needs

- Goals (in order of priority)
  - Trunk sewer capacity
  - Infiltration and inflow (I&I) reduction
  - System maintenance
  - Collaboration with other projects
  - Service extensions to new growth areas
- Prioritization Criteria
  - Benefit – regulatory, overflow reduction, area impact
  - Related Project –part of a broader, already funded project
  - Project Type –regulatory, flow reduction, reduced maintenance, extend service life
  - Funding Achieved – available funding, outside funding sources

## TM4.0 - Capital Improvements Needs

### Current 5 year Needed Funding

- \$38.6 million
  - \$17.5 million rate revenue
  - \$15.5 million revenue bonds
  - \$3.4 million developer contributions
  - \$1.7 million TIF funds
  - \$0.6 million reserve funds

## TM4.0 - Capital Improvements Needs

### Additional CIP Needs

- Additional Rehab and Renewal to meet long term goals
- I&I reduction program to reduce pumping, treatment and expansion costs at WPC.
- Additional Flow Monitors
- Improvements consistent with Envision CR (e.g. lift stations, gravity sewer extensions)

# TM4.0 - Capital Improvements Needs

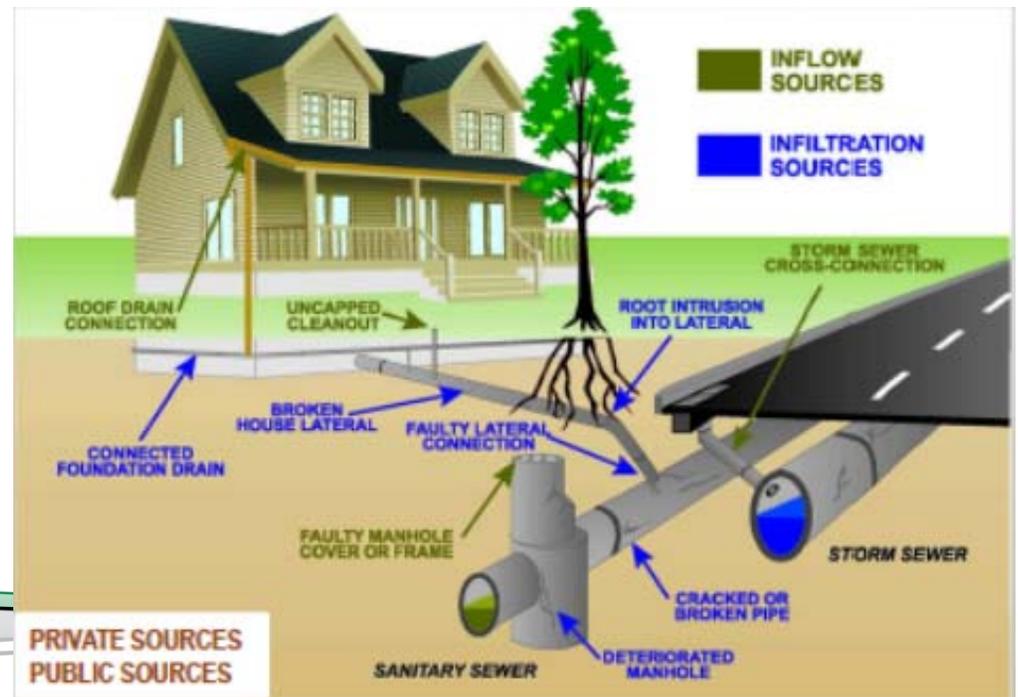
5 Year CIP  
proposed project  
expenditures

Blue – Trunk Sewer
Grey – I&I Reduction
Yellow – Maintenance
Green – Project Collaboration
Orange – Service Extension

Project Name	
Prairie Creek Fr J St - River	\$ 1,000,000
1st Ave Fr 27 to 40	\$ 320,000
Northwood Dr fr Glass - 42nd	\$ 10,000
16th Av fr 4th to 5th	\$ 110,000
I and I Reduction Prog	\$ 3,800,000
TIF-Waconia Ave Fr ADM - E	\$ 2,000,000
Prairie Creek Fr 6th - J St	\$ 10,000,000
Edgewood Rd (West of) S/o Prairie Creek	\$ 2,400,000
FY Recurring Misc Sanitary Swr	\$ 1,250,000
Lift Station Improvements	\$ 950,000
Sanitary Sewer Master Plan	\$ 250,000
Backwater Valve Program	\$ 100,000
Indian Crk Fr Otis - Dry Crk	\$ 5,000,000
FY Recurring Lining Project	\$ 5,000,000
C Av (N/o) E/o 4th St	\$ 2,000,000
FY Recurring Replace Project	\$ 4,000,000
FY Recurring Manhole Project	\$ 400,000
<i>Total</i>	\$ 38,590,000

# TM5.0 - Policy Considerations

- Challenges
  - Peak flows
  - Extraneous infiltration and inflow (I/I) from local precipitation
  - Flows trending down pre-flood; Flow trending up post flood
  - Financial cash flow of system maintenance.

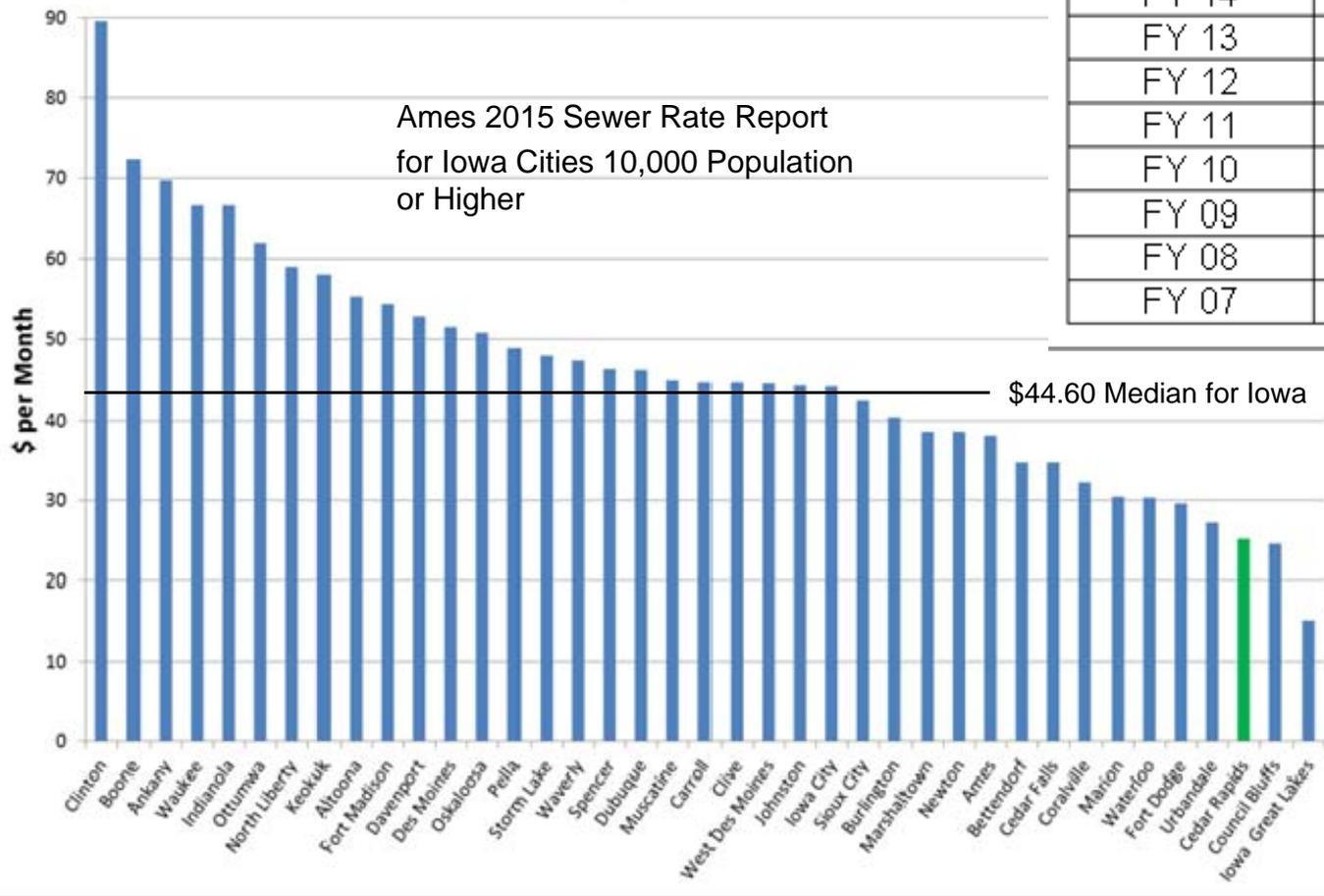


# TM6.0 - Financial Needs

Fiscal Year	Amount/Month	% Increase
FY 16	\$25.92	2.7
FY 15	25.24	2.3
FY 14	24.68	3.0
FY 13	23.96	4.4
FY 12	22.95	0.7
FY 11	22.80	3.5
FY 10	22.03	11.2
FY 09	19.81	12.2
FY 08	17.65	8.5
FY 07	16.27	7.0

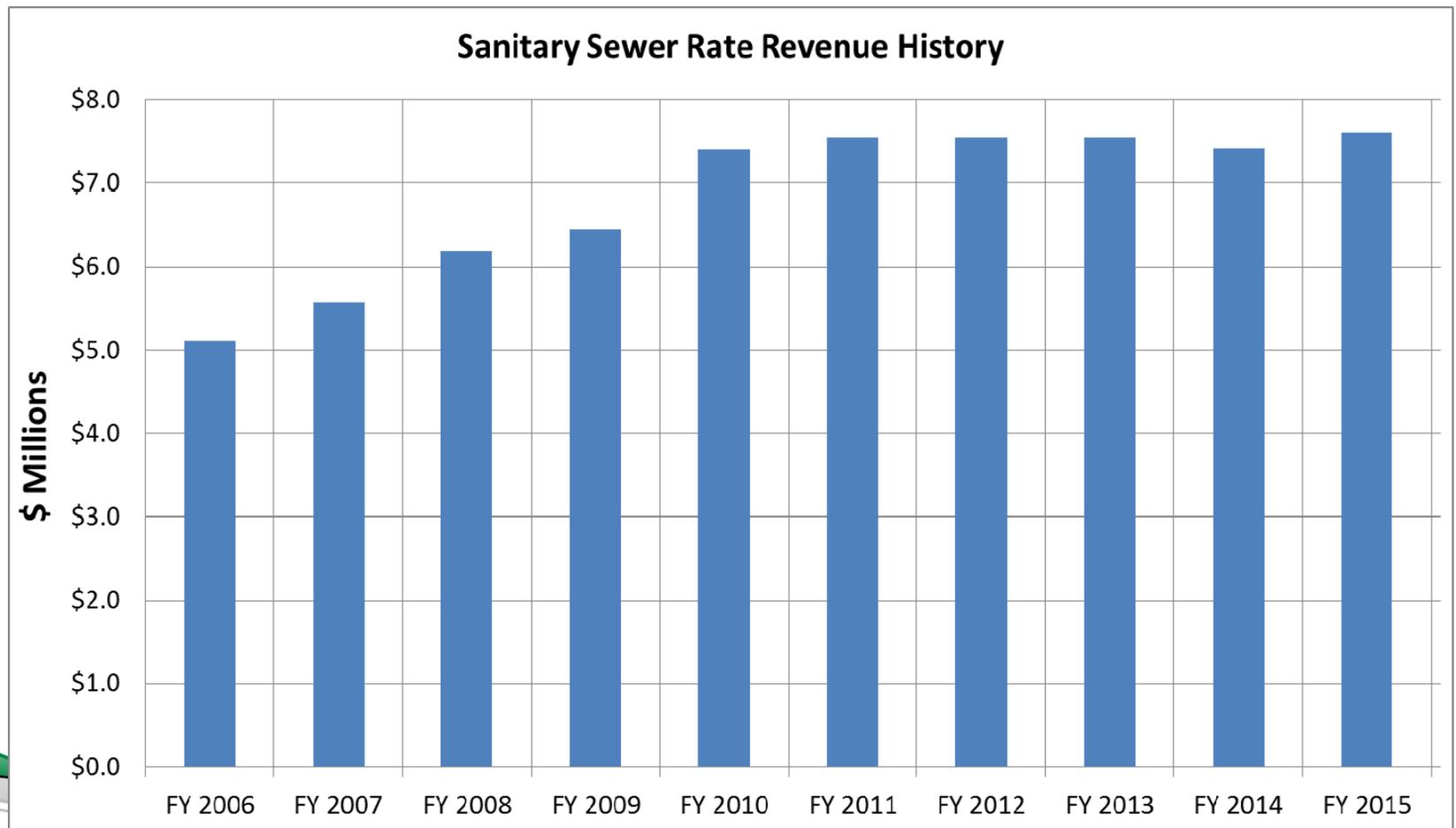
**Typical Monthly Residential Sanitary Sewer Bill**  
7460 gallons/month

Ames 2015 Sewer Rate Report  
for Iowa Cities 10,000 Population  
or Higher



# TM6.0 - Financial Needs

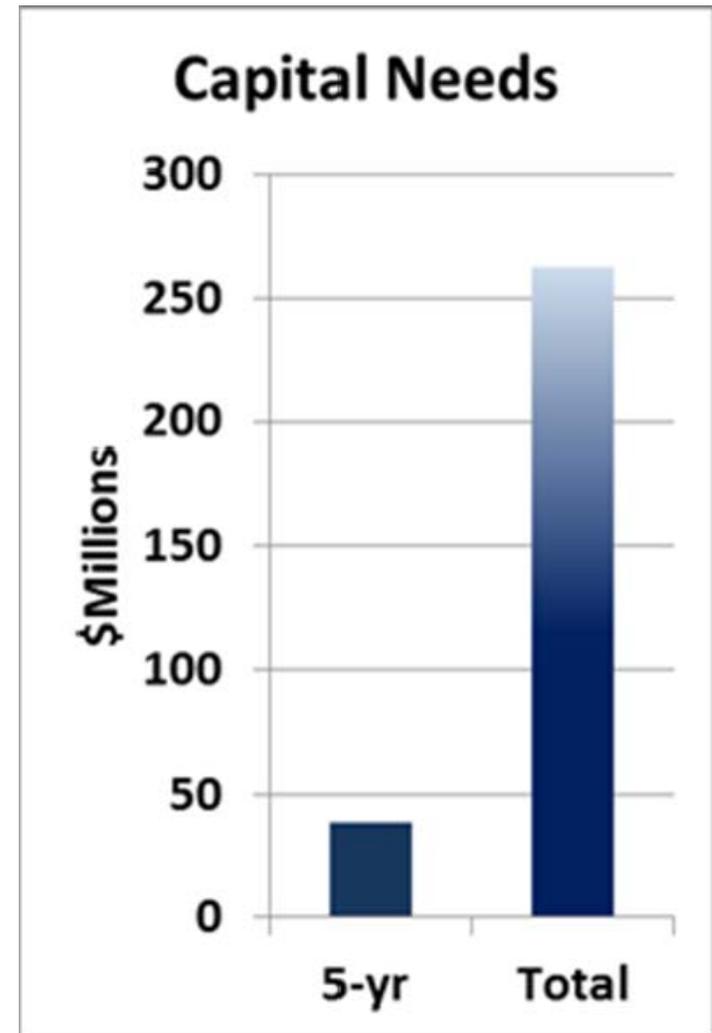
- 60% of non-industrial rate revenue
- 0.8% average annual increase in # of accounts
- 2.6% average annual rate increase last 5 years
- 8.5% average annual rate increase preceding 5 years



## TM6.0 - Financial Needs

### Financial Recommendations:

- Consider sanitary sewer rate increases.
- Sustain & accelerate efforts to target and reduce I&I to reduce future capital needs.
- Monitor & aggressively seek grant or other special funding to more quickly address significant needs.
- Proceed with basin-scale modeling to better define long-term needs.
- Prepare individual basin plans to better define needs in targeted growth areas.
- Review & refine sanitary sewer related connection and extension fees to assure that growth pays for the associated sanitary sewer needs.
- Continue efforts to work collaboratively with others to cost share on multi-purpose projects.
- Incorporate sanitary sewer system into Water Pollution Control cost of service model to more accurately forecast required future rate increases.



## TM5.0 - Policy Considerations

### Recommended Policies to be Addressed

- Long Term Rate Structures
- Addressing I&I from private sources and neighboring cities.
- Rate revenue allocation between treatment and collection.
- Coordination and funding of sanitary sewer in conjunction with street reconstruction.
- Transfer of ownership from private to public lift stations.
- Determine appropriate sanitary sewer design storm
- Serviceability of future growth areas and funding mechanisms





To: City Council Infrastructure Committee  
From: Jon Durst, Sewer Superintendent  
Subject: Presentation – Storm Sewer Financial Plan  
Date: May 17, 2016

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**Background:**

A storm sewer master planning effort has been undertaken and nears completion. This master plan is a means to prioritize capital improvement projects, list policy initiatives and goals, and to place these items within a financial context. At the April 19, 2016 Infrastructure Committee meeting, after the summary of the master plan was completed, Councilmembers requested more financial information, particularly the impact of revenue bonds to “jump start” some of the needed storm sewer projects was requested.

**Project Description:**

The City has contracted HDR Engineering and Anderson-Bogert Engineers and Surveyors to update the City’s Stormwater Master Plan. The update will include modeling the City’s stormwater management system, developing a capital improvements plan, developing a financial plan, and providing policy recommendations.

**Presentation:**

The presentation will focus on the financial impacts of issuing revenue bonds on the customer and storm sewer fund.

**Requested time on agenda:** 10 min

# Stormwater and Sanitary Financial Plan

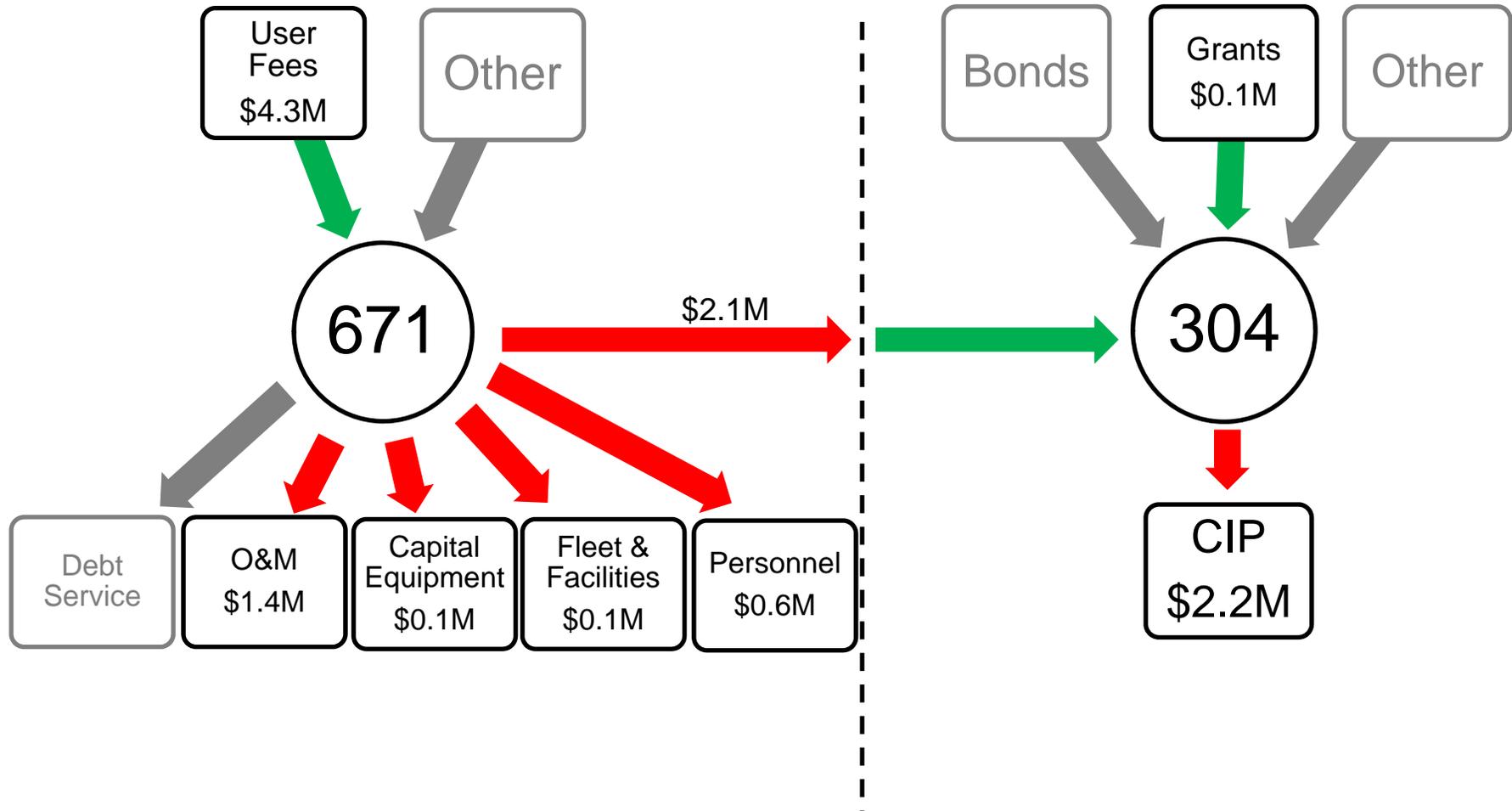
5/16/2016



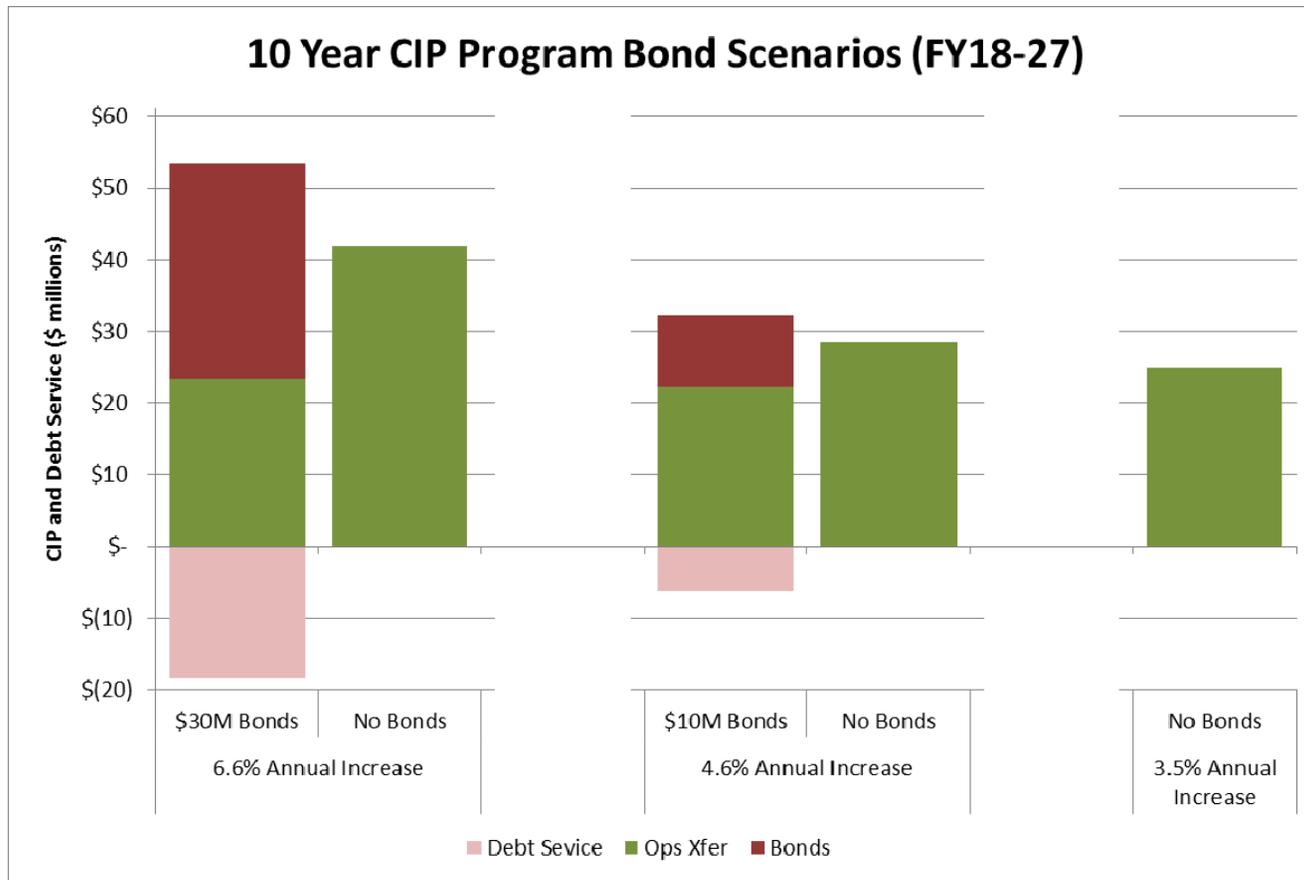
# Assumptions

- 4.5% revenue bond interest rate
  - Captures market volatility
  - Ensures conservative budgeting by department
  - Allows Finance / Treasury the flexibility to take advantage of market conditions.
- 20 year revenue bond payback period
- 5% annual increase in all expenditures
- 3% annual increase in construction costs
- 1.75 debt coverage for revenue bonds
  - Debt Coverage = Net Revenue / Debt Service
- Cumulative debt service payments shown as a negative
- 10 year projections calculated (fixed CIP w/o bonds, varied bonds and rates)

# Stormwater Funding FY17

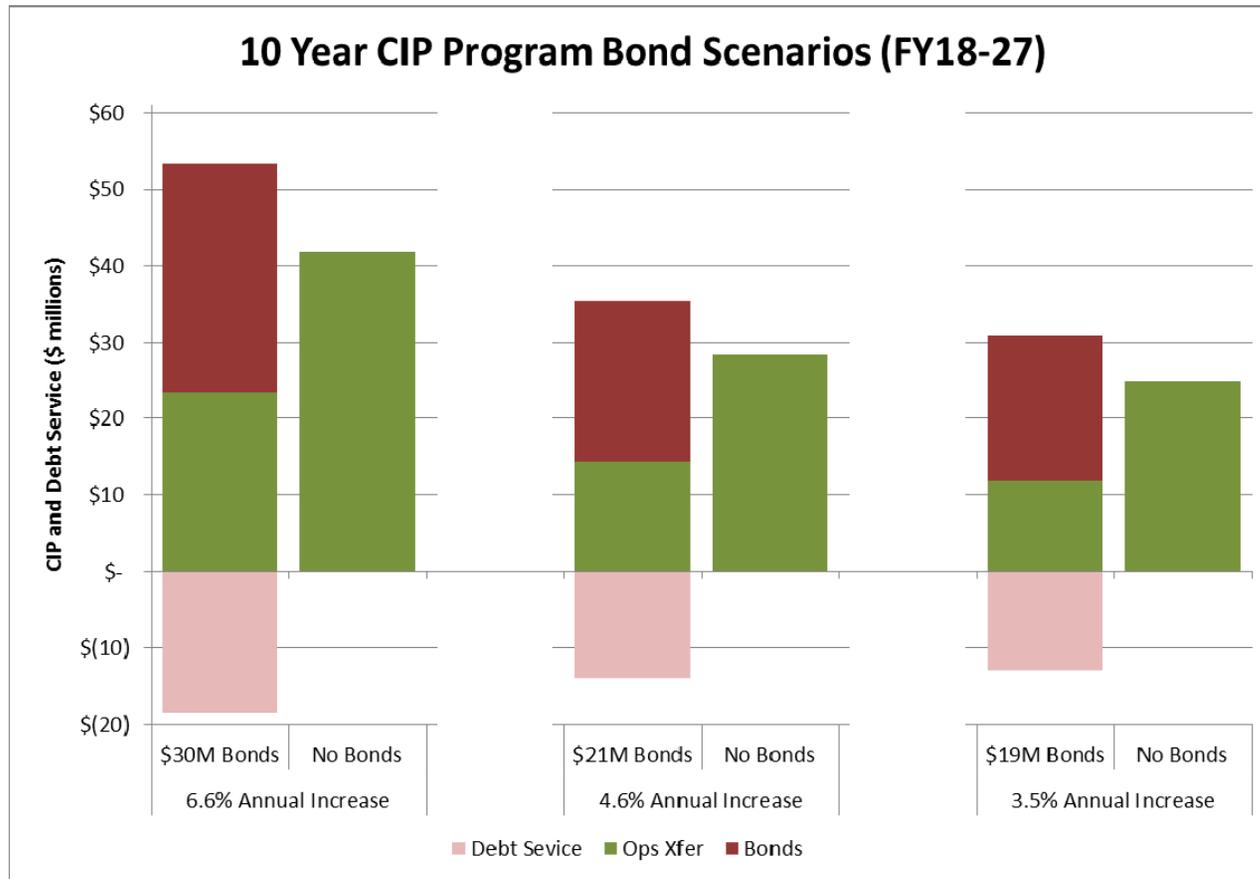


# Stormwater Bonds v. No Bonds



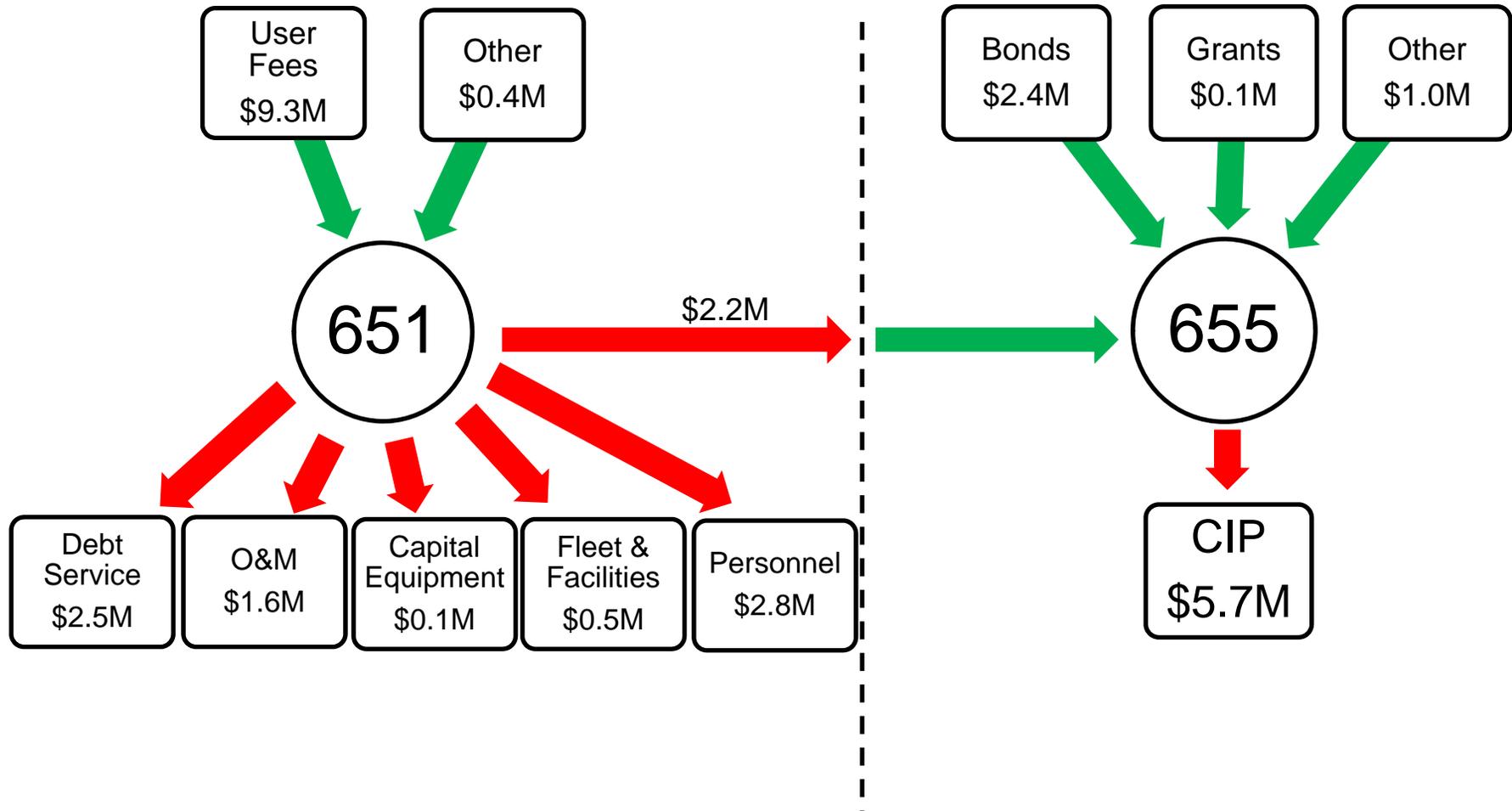
fixed CIP @ \$2M w/o bonds, varied bonds and rates

# Stormwater Bonds v. No Bonds

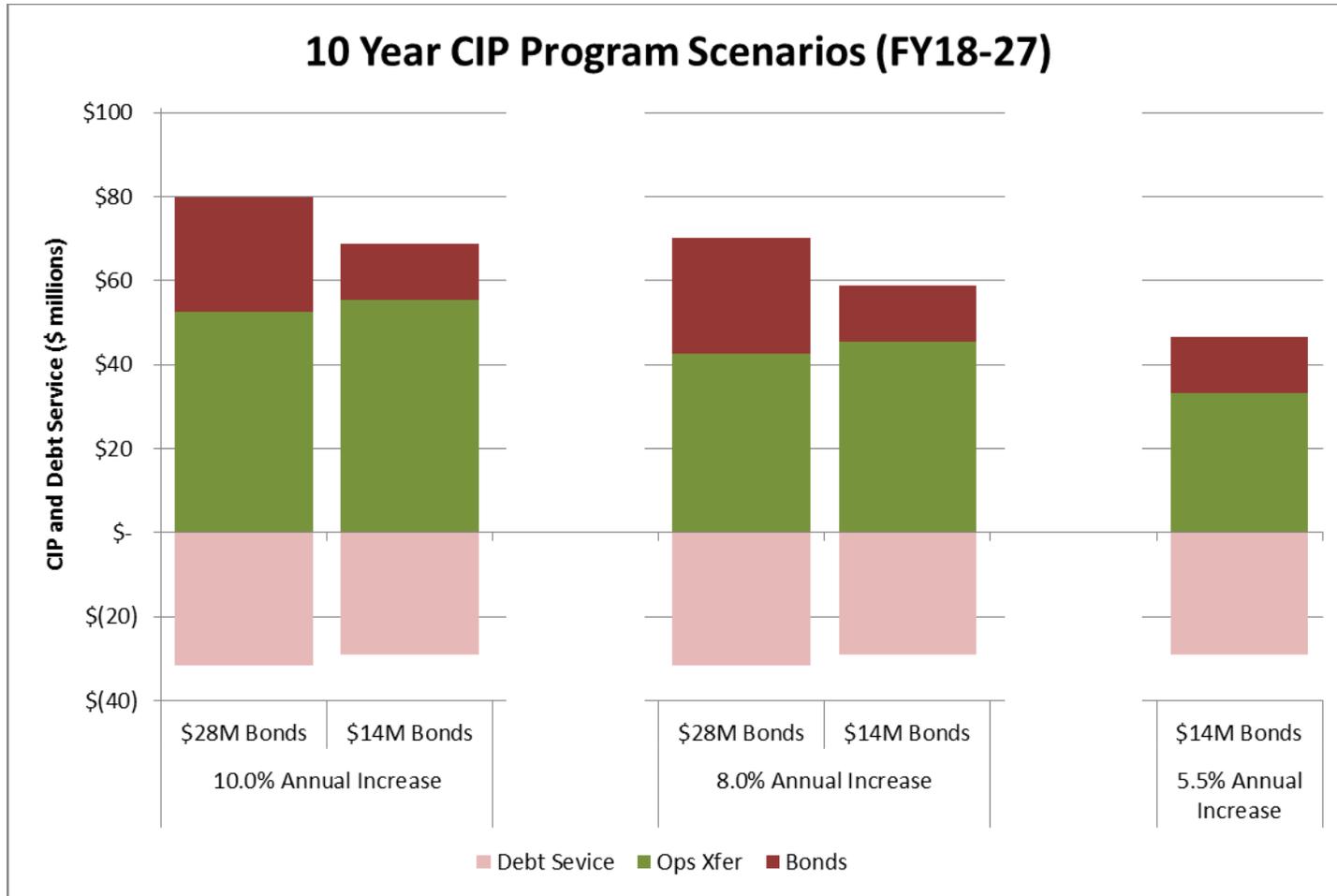


fixed bonds @ max for debt covenant, varied CIP and rates

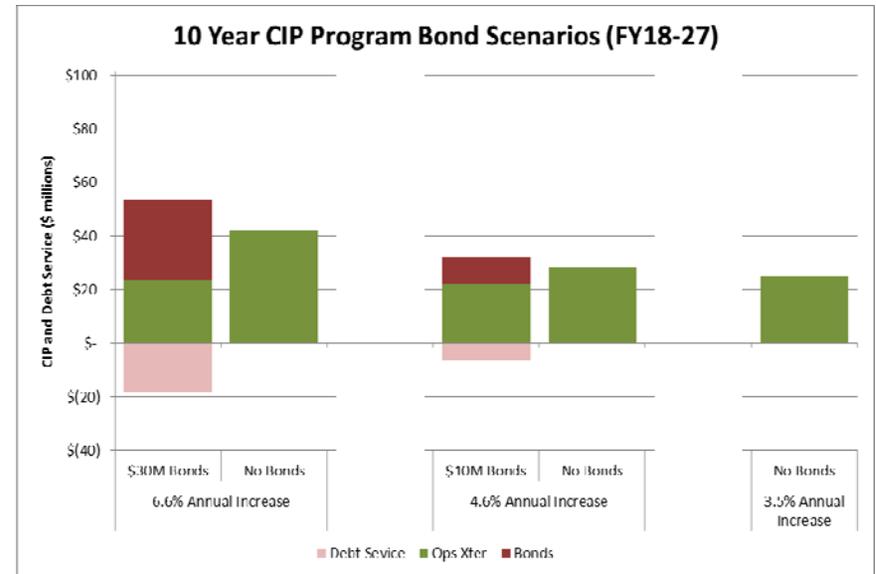
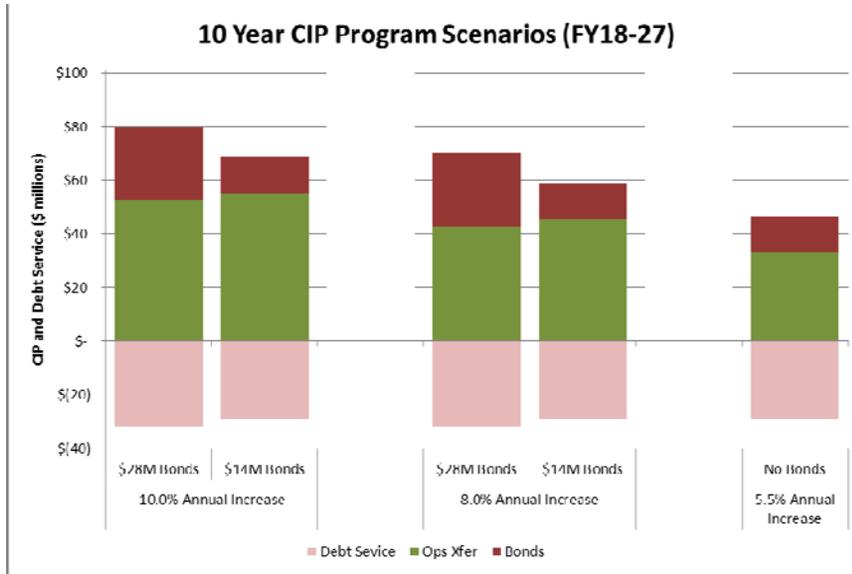
# Sanitary Funding FY17



# Sanitary Rate Increase Scenarios



# Comparison



Sanitary

Storm

# Customer Impacts

10-Unit Customer Monthly Bill									
	FY17			FY27					Median FY27
	CR	Median	High	3.5%	5.0%	6.6%	8.0%	10.0%	5.5%
Sanitary	\$ 28.52	\$ 44.00	\$ 90.00	\$ 40.23	\$ 46.46	\$ 54.04	\$ 61.57	\$ 73.97	\$ 75.16
Storm	\$ 5.35	\$ 5.00	\$ 11.00	\$ 7.55	\$ 8.71	\$ 10.14	\$ 11.55	\$ 13.88	\$ 8.54

# Other Considerations

- Total utility bill impact of rate increases
- Effect of policy initiatives
- Readiness of projects
- Flood control O&M



To: City Council Infrastructure Committee  
From: Garrett Prestegard, P.E., Project Engineer I  
Subject: Update – Policy Regarding Public Ownership of Sanitary Sewer Lift Stations  
Date: May 17, 2016

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**Background:**

The City of Cedar Rapids (City) adopted the *Policy Regarding Public Ownership of Sanitary Sewer Lift Stations* (Policy) at the October 13, 2015, City Council meeting. The City believes there is added health, safety, and environmental risks associated with privately owned and operated sanitary sewer lift stations, and encouraging these sites to become publicly owned is consistent with community goals. The sections of the Policy pertaining to private lift stations were established to encourage public ownership by outlining guidelines for an ownership transfer.

Under the Policy, the City will not assume ownership of an existing private lift station until improvements are made to the site as recommended by an evaluation overseen by the City. Evaluations for eligible lift stations have been completed by Watersmith Engineering, Inc. (Watersmith) that outlines the recommended improvements and estimated costs. The Policy allows existing owners to fund required improvements independently or request the City to fund required improvements. If an existing owner requests the City to fund the improvements, then all properties serviced by the lift station will be subject to a forty (40) percent increase in their sewer utility bill for a period of ten years, after the City assumes ownership. Existing owners will not be subject to an increase in their utility bill if they fund the recommended improvements independently.

**Project Description:**

The City will implement the Policy by overseeing or completing improvements to private lift stations that submit a formal request for the City to assume ownership. Once the necessary improvements at a site are complete, the infrastructure will become publicly owned and operated through an agreement with the homeowners association or institution serviced by the existing lift station.

**Update:**

The City’s Wastewater Rates Ordinance has been revised to allow the City to charge users served by a lift station that is transferred from private to City ownership per formal request and agreement. The language added to the Ordinance states that these users shall pay 40 percent more than the charges established by Ordinance for a period of ten years. In addition, the City has had Watersmith complete an analysis that objectively prioritizes the order in which the City will fund improvements to existing privately owned lift stations. Watersmith established weighted prioritization criteria as a means to objectively produce this list. From the analysis, Watersmith recommended that the sanitary sewer lift station improvements should be funded in the following order:

1. College Farms LS
2. Old Orchard Knolls 5 LS
3. Beaver Hollow Gravity Sewer



4. Hoover Trail LS
5. Old Orchard Knolls 8 LS
6. Spirit Hollow Gravity Sewer
7. Prairie LS

After the sites were prioritized, the City notified private owners that they will need to complete a formal request if they would like the site's infrastructure to be publicly owned. The intent of the formal request is to provide the City with information regarding the current ownership structure of the private lift station, information on the maintenance history of the private lift station, and a decision from the owner on how the required improvements should be funded. The form also requires the owner to provide petition signatures from property owners that are serviced by the lift station to ensure that the majority of stakeholders agree to the conditions of the Policy. The City has received formal results to assume ownership from six of the seven eligible private lift stations. Of the six requests, five have requested that the City fund the initial improvements and one has requested that the City assume ownership after they fund the initial improvements.

The City has budgeted \$200,000 dollars within fiscal year 2017 to complete improvements to privately owned lift stations. With this funding, the City anticipates completing improvements at two sites. The next steps include hiring a consultant to complete design work for the improvements and finalizing the scope of work for sites that will be completed within the upcoming fiscal year.



To: City Council Infrastructure Committee  
From: Michael Duffy  
Subject: Update – Street Maintenance Projects  
Date: June 22, 2016

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**Background:**  
**Provide information regarding Street Maintenance projects.**

**Project Description:**  
Maintenance projects at various locations across the City.

**Update:**  
3<sup>rd</sup> Street SW (P4P) – Complete  
Ohio Street SW – Complete  
F Avenue NE (P4P) – Complete  
Pioneer Trail NE  
Burch Avenue NW (P4P)  
Mansfield Avenue SW (P4P)  
Rolling Green Development SW (P4P)  
Madison Street NE (P4P)  
Rompot SE - overlay and drainage improvements  
Street Sweeping  
Point Asphalt repairs

**Requested time on agenda: 5 min**



To: City Council Infrastructure Committee  
From: Doug Wilson, PE, Paving for Progress Program Manager  
Subject: Update – Paving for Progress/ 16th Avenue SE / Ellis Boulevard NW to 6<sup>th</sup> Street NW  
Date: May 17, 2016

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**Background:**

Monthly update intended to provide status Paving for Progress. Update on 16th Avenue SE / Ellis Boulevard NW to 6<sup>th</sup> Street NW projects

**Project Description:**

Presentation of List of Paving for Progress, new design projects, update on the 16<sup>th</sup> Avenue extension and the Ellis Boulevard NW to 6<sup>th</sup> Street NW connection.

**Update:**

The City is currently requesting qualification from area design professionals for design services the eleven projects. Those projects are listed on an attached sheet.

Attached is a proposed layout for the connection of Ellis Boulevard to 6<sup>th</sup> Street NW. Staff has decided to pursue adding a crossing of the Union Pacific Railroad instead of building a bridge over the railroad. The cost to build the bridge over the railroad would likely be in excess of \$9 M. Construction season 2020 has be target to construct the project.

Update on the 16<sup>th</sup> Avenue SE from 4<sup>th</sup> Street to 5<sup>th</sup> Street project. Project currently planned of construction in 2017.

**Requested time on agenda:** 10 min



## **Paving for Progress Projects Out for Design Contracts FY 2017 Request for Qualifications**

- 15th Avenue SW from 12th Street SW to C Street SW
- 29th Street NE from 1st Avenue to West of I-380
- 32nd Street NE from 1st Avenue to West of I-380
- 42nd Street NE from Edgewood Road NE to Wenig Road NE
- 8th Avenue SW from 18th Street SW to Rockford Road SW
- C Street SW from Bowling Street SW to Wilson Avenue SW
- Center Point Road NE from J Avenue NE to Coe Road NE
- E Avenue NW from Stoney Point Road NW to 80th Street NW
- E Avenue NW from Wiley Boulevard NW to Jacolyn Drive NW
- Ellis Boulevard NW from I Avenue NW to O Avenue NW
- Forest Drive SE from Grande Avenue SE to Mount Vernon Road SE

Upcoming Utilities Department Projects Anticipated To Have Plans  
and Specifications Filed – June, July, August  
Report to Council Infrastructure Committee on 5-16-2016

**Filing Plans and Specifications**

*Water and WPC Plant Projects*

Filing May 24 – Kirkwood Standpipe Demolition (6250040). The existing Kirkwood Standpipe, constructed in 1976, is planned to be demolished in October and November. The 2006 agreement to lease space on the tank to a cellular phone provider expires in September of this year. After the standpipe is demolished, a new elevated water storage tank of greater capacity is proposed at the same site. Construction of the new tank is planned for 2017-2018 and will occur under a separate construction contract. The engineer's opinion of probable cost for the demolition is \$137,500 at 90% design.

Filing May 24 – WPCF Odor Control Upgrades (615233). The existing odor control elements at the WPCF are overloaded and require improvements or repairs. The project will include media replacement and repair of the existing bioscrubber units. Two new biotowers will be installed to increase the capacity of the odor control equipment. New duct work will be installed to remove a greater amount of odorous air from the sludge storage tank to improve hydrogen sulfide safety. Additional repairs will be made to other components of the odor control system in other areas of the plant. The Engineers opinion of probable cost is \$5,120,000 at 90% design.

*Water Main Projects*

The following water main work has been planned in conjunction with Paving for Progress projects or other Public Works projects. Bid Dates:

May 25 – 2016028/3012126 29th & 30th St Dr SE from 1st Ave to Tama St SE, (PfP) Water Main Replacement Budget \$480,000.

June 29 – 2015045/3012127 14th Ave SE from 36th to 42nd Streets SE, (PfP) Water Main Replacement Budget \$550,000.

June 29 – 2016040/3012129 66th Ave SW from Locust Rd to 6th Street SW, Ph-1 Culvert & Water Main (PfP) Water Main Replacement Budget \$630,000.

July 13 – 2014093/3012115 Northwood Dr NE from South of Brookland D to 42nd Street NE Ph-1, (PfP) Water Main Replacement Budget \$305,000.

July 19 – 301240/2011022 1st Ave East from 27th St to 34th St (DOT Letting Ph-3 Roadway Improvements) Water Main Replacement Budget \$180,000

*Upcoming Public Hearings*

June 14 – Kirkwood Standpipe Demolition (6250040).

June 14 – WPCF Odor Control Upgrades (615233).



To: City Council Infrastructure Committee  
From: Dave Wallace, Sewer Utility Engineering Manager  
Subject: Recommendation – Approval of 28E Agreement between Marion, Cedar Rapids, Hiawatha and Robins for Segments 7 and 11 of the Indian Creek and Dry Run Creek Sanitary Sewer Capacity Improvements.  
Date: May 17, 2016

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**Background:**

Cedar Rapids, Marion, Hiawatha, Robins and Linn County have previously entered into an agreement dated January 11, 2007 for the planning, construction and maintenance participation in the Indian Creek and Dry Run Creek Sanitary Sewer Capacity Improvements project. This program is necessary because:

- The existing sanitary sewers are at or approaching their maximum hydraulic capacity.
- Continued growth in the areas served by these sanitary sewers will lead to more backups during wet weather events or sewer system overflows if the sanitary sewers are not replaced with larger sanitary sewers.
- These sanitary sewers serve multiple jurisdictions and this program provides the basis for equitable distribution of costs and responsibilities related to planning, construction and maintenance.

This agreement is for the construction of Segments 7 and 11 of the Indian Creek and Dry Run Creek trunk sanitary sewer. Segment 2 has been completed and Segments 7 and 11 are the next highest priority of the 20 segments that will be constructed to upgrade the existing Indian Creek and Dry Run Creek trunk sanitary sewers. It is anticipated that the remaining segments will be constructed over a period of 10 to 20 years as growth and/or funding dictates. A summary of the agreement is as follows:

- Marion will be the project sponsor and responsible for design, bidding and construction of Segments 7 and 11 as most of the project falls within their city limits.
- It is anticipated that the projects will be constructed in 4 phases.
- Marion will initially finance the project and Cedar Rapids and the other participating jurisdictions will reimburse Marion within 30 days of invoicing in proportion to each jurisdiction's requested flows for this segment.
- Based on requested flows and the current cost opinion, the approximate cost breakdown by jurisdiction is:

○ Cedar Rapids	\$ 2,000,000
○ Marion	\$ 1,500,000
○ Hiawatha	\$ 1,300,000
○ Robins	<u>\$ 1,600,000</u>
Total	\$ 6,400,000

**Recommendations:**

The Public Works Department recommends approval of entering into the 28E Agreement

**Preliminary timeline and Next Steps:**

Council approval of 28E Agreement – May 24, 2016  
Design and Easement Acquisition (by Marion) – FY17  
Construction – FY18 and FY19

**Requested time on agenda:** 5 min

**28E Agreement between the City of Marion, Iowa (Marion),  
the City of Cedar Rapids, Iowa (Cedar Rapids), the City of Hiawatha, Iowa (Hiawatha),  
and the City of Robins, Iowa (Robins)  
for  
Segments 7 and 11 of the Indian Creek and Dry Run Creek  
Sanitary Sewer Capacity Improvements  
April 6, 2016**

This agreement entered into this \_\_\_\_ day of \_\_\_\_\_, 2016, by and between Marion, Cedar Rapids, Hiawatha, and Robins.

WHEREAS, Marion, Cedar Rapids, Hiawatha, and Robins are public agencies as defined by Section 28E.2 of the Code of Iowa, and

WHEREAS, Section 28E.3 of the Code of Iowa provides that any power or powers, privileges or authority exercised or capable of exercise by a public agency of the State of Iowa may be exercised and enjoyed jointly by a public agency of the State of Iowa having such power or powers, and

WHEREAS, Marion, Cedar Rapids, Hiawatha, Robins and Linn County have previously entered into an agreement dated January 11<sup>th</sup>, 2007 and titled 28E Agreement between the City of Cedar Rapids, Iowa (Cedar Rapids), the City of Marion, Iowa (Marion), the City of Hiawatha, Iowa (Hiawatha), the City of Robins, Iowa (Robins) and the County of Linn, Iowa (Linn County), Regarding the planning, construction, and maintenance participation for the Indian Creek and Dry Run Creek Sanitary Sewer System Program, and

WHEREAS, Marion, Cedar Rapids, Hiawatha, Robins and Linn County agreed to amend the original 28E Agreement with Amendment No. 1 dated August 8<sup>th</sup>, 2008, and

WHEREAS, Marion, Cedar Rapids, Hiawatha, Robins and Linn County entered into a project agreement dated August 8, 2008 and titled 28E Agreement between the City of Cedar Rapids, Iowa (Cedar Rapids), the City of Marion, Iowa (Marion), the City of Hiawatha, Iowa (Hiawatha), the City of Robins, Iowa (Robins) and the Count of Linn, Iowa (Linn County) for Segment 2 of the Indian Creek and Dry Run Creek Sanitary Sewer Capacity Improvements, and

WHEREAS, the parties to this agreement propose to enter into a new project agreement to construct Segments 7 and 11 of the sanitary sewer capacity improvements as shown in Exhibit A and described as generally located along Indian Creek and Dry Run Creek as follows:

- a) From 36<sup>th</sup> Street Drive (east of) to approximately 300 feet north of Iowa Highway 100, approximately 6,393 lineal feet (Segment 7);
- b) From confluence of Indian Creek and Dry Run Creek to approximately 700 feet north of the intersection of Alpine Road and West 14<sup>th</sup> Avenue, approximately 4,972 lineal feet (Segment 11), and

WHEREAS, Marion is proposed as project sponsor to administer and provide for design, easement acquisition, bidding and constructing of the Segments 7 and 11 project, and

WHEREAS, the city council's of Marion, Cedar Rapids, Hiawatha, and Robins have informed themselves as to the proposed improvements.

IT IS NOW AGREED that Marion, Cedar Rapids, Hiawatha, and Robins enter into this Agreement pursuant to Chapter 28E of the Code of Iowa providing for cooperative action pursuant to the

proposed sanitary sewer capacity improvement project and, said cooperative actions include the following:

- 1) SCOPE OF WORK – Marion will design, acquire easements, let, and construct improvements for Segments 7 and 11 of the Indian Creek Trunk Sewer per plans, specifications, and cost opinions produced by Marion. Work is to include construction of a new sanitary sewer including manholes and related surface restoration. Project may be designed and constructed in two or more phases.
- 2) DURATION - This Agreement shall commence on the date that all parties sign this Agreement and shall continue thereafter until the final completion of the project and settlement of the financial conditions of this agreement.
- 3) PURPOSE - The purpose of this Agreement is to accomplish the proposed project as described herein in accordance with the aforesaid scope of work and in agreement with conditions specified in this Agreement.
- 4) ADMINISTRATION - Marion shall be responsible for the administration of this project.
- 5) Marion, Cedar Rapids, Hiawatha, Robins, and Linn County agree to defend, indemnify and keep harmless, each other against all claims, damages, liabilities, judgments, costs, and expenses which may in any way be alleged or brought against Marion, Cedar Rapids, Hiawatha, and Robins to the extent caused by the actions of either party or its agents, employees, or workmen in any respect whatsoever and arising out of the activities undertaken in connection with this Agreement.
- 6) FINANCING – Marion shall initially finance the cost of Segments 7 and 11 projects and provide engineering, right-of-way and/or easement acquisition, construction inspection, observation, and contract administration. Costs of construction inspection, observation and contract administration eligible for cost sharing and reimbursement shall be 3% of the contracted construction costs. Prior to acceptance of a bid, Marion will provide each party to this agreement a copy of all bids received on said project and shall indicate which bid is proposed for acceptance, if any. Marion shall receive written concurrence on proposed bid acceptance from each party to this agreement prior to awarding the construction contract. Cedar Rapids, Hiawatha, and Robins shall reimburse Marion for their proportional share of the costs in accordance with Item 3 of the January 11<sup>th</sup>, 2007 agreement referenced hereinabove. Estimated quantities and prices for Segments 7 and 11 projects are indicated on attached project estimate for budgeting purposes only. Cumulative adjustments resulting in more than \$12,000 change to awarded contract shall be mutually agreed to by Marion, Cedar Rapids, Hiawatha, and Robins prior to execution of construction contract change orders.
- 7) TERMINATION:
  - a) This Agreement shall be considered binding upon Marion, Cedar Rapids, Hiawatha, and Robins as the plans are prepared and the project let and shall not be terminated until provisions of paragraph & b are met after work has begun on the project.
  - b) This Agreement will be terminated upon final acceptance of the work by Marion and final settlement of the financial conditions set forth in paragraph 6 thereof.

**Signed:**

**Attest:**

\_\_\_\_\_  
Nicolas Abouassaly, Mayor, Marion

\_\_\_\_\_  
Date

\_\_\_\_\_  
Wesley Nelson, City Clerk, Marion

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jeff Pomeranz, City Manager, Cedar Rapids

\_\_\_\_\_  
Date

\_\_\_\_\_  
Amy Stevenson, City Clerk, Cedar Rapids

\_\_\_\_\_  
Date

\_\_\_\_\_  
Bill Bennett, Mayor, Hiawatha

\_\_\_\_\_  
Date

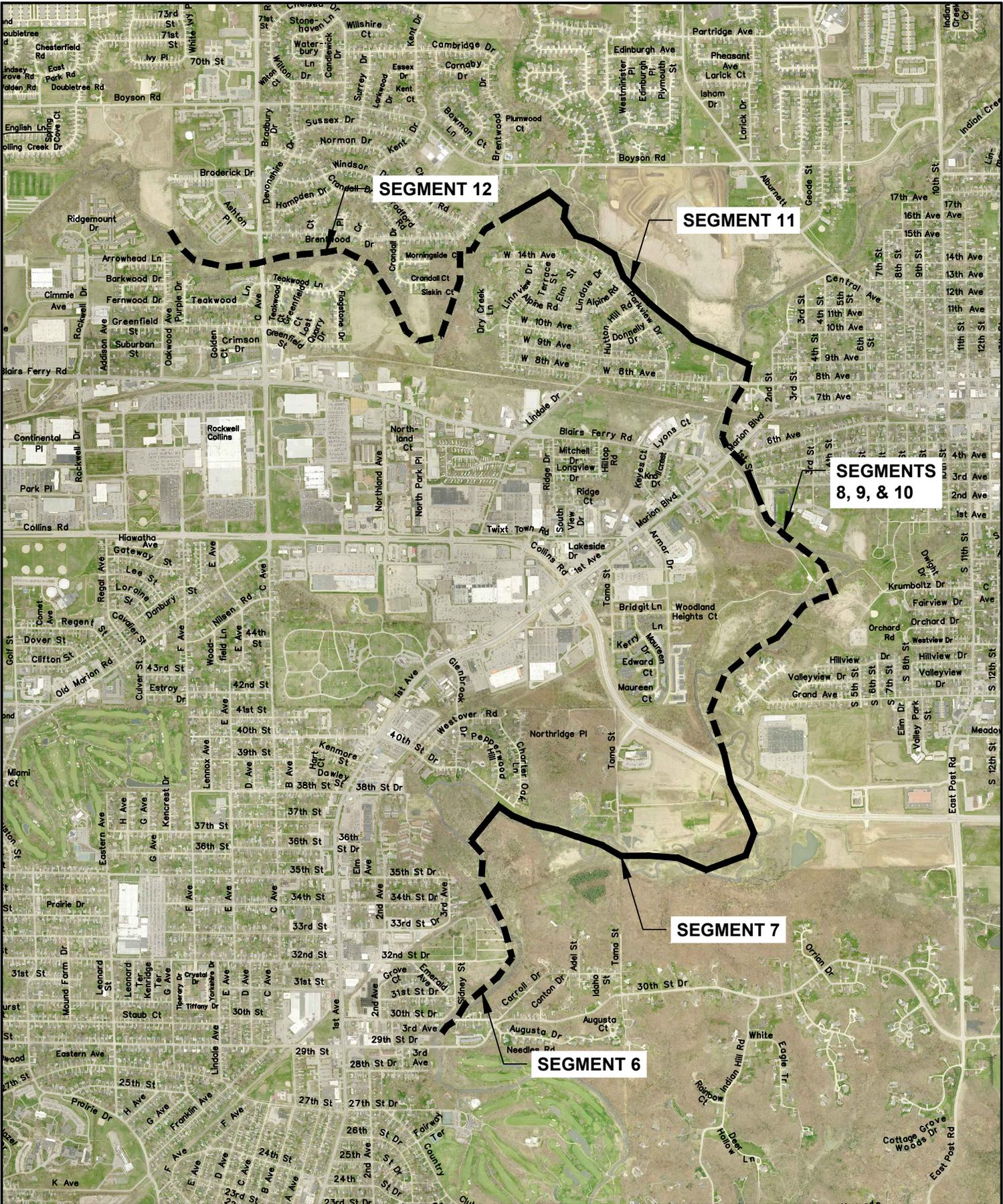
\_\_\_\_\_  
Kelly Kornegor, City Clerk, Hiawatha Date

\_\_\_\_\_  
Chuck Hinz, Mayor, Robins

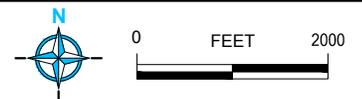
\_\_\_\_\_  
Date

\_\_\_\_\_  
Lori Pickart, City Clerk, Robins

\_\_\_\_\_  
Date



**SEGMENTS 7 AND 11 OF THE INDIAN CREEK AND  
DRY RUN CREEK SANITARY SEWER  
CAPACITY IMPROVEMENTS**



LEGEND

- (SS) SANITARY SEWER
- CORPORATE LIMITS
- ① PIPE SEGMENTS

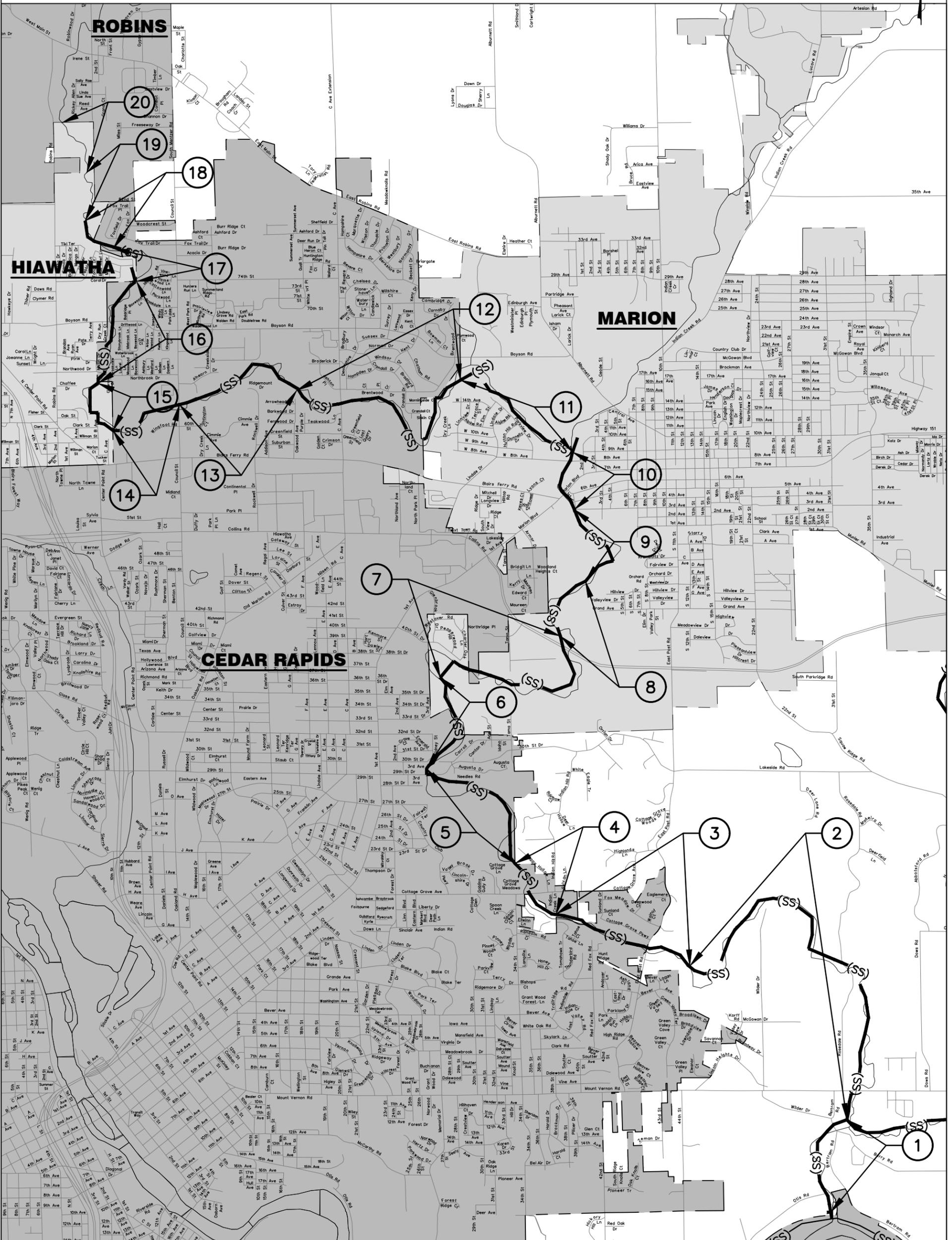


EXHIBIT A  
INDIAN CREEK AND DRY RUN CREEK  
SANITARY SEWER CAPACITY IMPROVEMENTS

DATE: 05/5/16  
SCALE: 1"=3000'