

**Notice of Public Meeting
of the
DES MOINES AIRPORT AUTHORITY
BOARD**

DATE: January 10, 2023
TIME: 9:00 a.m.
PLACE: The Airport Board Room, 2nd Floor, Airport Terminal, will be open to the public.

The public may also monitor the meeting electronically at:
<https://zoom.us/j/9843166544>, or call in at: +1 312 626 6799 US (Chicago),
Meeting ID: 984 316 6544#

Agenda

Call to Order and Roll Call

1. Consider Minutes for December 13, 2022, Regular Board Meeting
2. Consider Sixth Amendment to the Real Estate Lease and Asset Transfer Agreement with City of Des Moines (Director of Engineering)
3. Consider a Conflict-of-Interest Waiver for Ahlers & Cooney, P.C. to review an Irrigation System Agreement Between the Des Moines Airport Authority and the City of Des Moines (Executive Director)
4. Consider Irrigation System Agreement between the City of Des Moines and Des Moines Airport Authority (Director of Engineering)
5. Consider Management Staff (Directors) Salary Adjustment (Executive Director)
6. Consider Supplemental Agreement No. 2 for Task Order No. 9, 2021 Cowles Drive Reconstruction Phase 2 & 3 project with Kimley-Horn & Associates, Inc. (Director of Engineering)
7. Consider Contract for the Commissioning Services for New Airport Terminal Project with SystemWorks, LLC (Director of Engineering)
8. Consider Amendment to Rules and Regulations for Customer Facility Charge (Assistant Executive Director)
9. Consider South RON Positions, Early Bid Package Electrical Project (Director of Engineering)
10. Financial Report (Director of Finance)
11. Briefing (Executive Director)

12. Next Meeting

- a. February 14, 2023, Regular Board Meeting**

13. Adjourn

Agenda Notes:

Call to Order and Roll Call

- 1. Consider Minutes December 13, 2022, Regular Board Meeting**
- 2. Consider Sixth Amendment to the Real Estate Lease and Asset Transfer Agreement with City of Des Moines (Director of Engineering)**

On April 12, 2022, agenda item A22-057, the Board approved a Fifth Amendment to the Real Estate Lease and Asset Transfer Agreement with City of Des Moines to exclude excess property adjoining Fleur Drive between Highview Drive and McKinley Avenue due to the relocation of the Airport entrance on Cowles Drive. A new turning lane was constructed for the new entrance and is excluded from the lease. Subsequently, the turning lanes associated with the old entrance were vacated and removed and are added back into the lease.

This sixth amendment will amend Exhibit B of the agreement to exclude the excess real estate, and all associated assets located on such real estate, legally as follows:

A. PARCEL 2022-1218 DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 29, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF DES MOINES, POLK COUNTY, IOWA. SAID TRACT CONTAINS 525 SQUARE FEET OR 0.01 ACRES MORE OR LESS.

B. PARCEL 2022-1219 DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 29, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF DES MOINES, POLK COUNTY, IOWA. SAID TRACT CONTAINS 529 SQUARE FEET OR 0.01 ACRES MORE OR LESS.

This Sixth Amendment updates Exhibit B of the Real Estate Lease and Asset Transfer Agreement to reflect this change and bring it up to date.

Staff Recommendation: Approve the Sixth Amendment to Real Estate Lease and Asset Transfer Agreement between City of Des Moines and Des Moines Airport Authority.

- 3. Consider a Conflict-of-Interest Waiver for Ahlers & Cooney, P.C. to review an Irrigation System Agreement Between the Des Moines Airport Authority and the City of Des Moines (Executive Director)**

As general counsel for the Authority, Ahlers & Cooney has been asked to assist with reviewing an Agreement for the transferring of ownership of irrigation system between the City and the Authority on behalf of the Authority. The Agreement will outline the rights and responsibilities of each party as it relates to the irrigation system. Ahlers & Cooney's representation in this regard will include, but not be limited to, reviewing the terms and conditions of the Agreement. Ahlers & Cooney understands the City will be

represented by one of its assistant city attorneys in this matter and will not rely on Ahlers & Cooney for any legal advice or representation regarding either for the Agreement. Should the City seek Ahlers & Cooney's advice regarding the Agreement, they will not be able to provide it.

Since the City is a current client of Ahlers & Cooney, any work that they perform for the Authority that would be adverse to the City will create a conflict of interest. Therefore, they cannot represent the Authority in this matter unless the Authority Board and the Des Moines City Council agree to waive the conflict.

Staff Recommendation: Approve a Conflict-of-Interest Waiver for Ahlers & Cooney, P.C. to review an Irrigation System Agreement Between the Des Moines Airport Authority and the City of Des Moines.

4. Consider Irrigation System Agreement between the City of Des Moines and Des Moines Airport Authority (Director of Engineering)

The City of Des Moines has scheduled the Fleur Drive Reconstruction, Phase 3 from Watrous Avenue to McKinley Avenue Project which will install irrigation in the existing planters in the medians of Fleur Drive from Watrous Avenue to Army Post Road. The Authority has an existing irrigation system for landscaping located at the intersection of McKinley Avenue and Fleur Drive which the Authority no longer wants to keep or maintain. In mutual agreement, the Authority would like to transfer ownership of the irrigation system over to the City of Des Moines. In return, the City of Des Moines will remove the current landscaping at both the NW and NE corners of McKinley Ave and Fleur Drive and replace it with grass.

Staff Recommendation: Approve the Irrigation System Agreement between the Des Moines Airport Authority and the City of Des Moines.

5. Consider Management Staff (Directors) Salary Adjustment (Executive Director)

Article VII, of the Airport Authority Bylaws, entitled Management Staff states, "Section 1. Management Staff Positions, The management staff of the Authority consists of: an Executive Director; an Assistant Executive Director; a Director of Operations; a Director of Finance; and a Director of Engineering and Planning; all of whom will serve at the pleasure of the Board. Collectively, they are defined as the Management Staff. (11-1-11) (01-10-17)."

Section 2. Staff Contracts, states "The Board shall enter into a written employment contract with the Executive Director, establishing his or her salary and term of tenure. The Executive Director shall set compensation levels for the Assistant Executive Director, Director of Finance, Director of Operations, and Director of Engineering and Planning, subject to final approval of the Board. (11-1-11) (01-10-17)."

Given the inflationary period we are experiencing, the Compensation Committee proposes an average 5.87% percent raise when calculating all five Directors' salaries on an annualized basis.

Staff Recommendation: Approve Compensation Committee's Recommendation for Management Staff (Directors) Salary Adjustment.

6. Consider Supplemental Agreement No. 2 for Task Order No. 9, 2021 Cowles Drive Reconstruction Phase 2 & 3 project with Kimley-Horn & Associates, Inc. (Director of Engineering)

On November 8, 2022, the Board approved Change Order No. 8 of the Cowles Phase 2 & 3 project which adjusts and extends the contractual completion date to May 15, 2023. Contract management, construction administration, construction testing, and construction observation services for the project must also be extended to provide the necessary oversight of the project. This supplemental agreement No. 2 will extend the duration of the contract management, construction administration, construction testing, and construction observation services. The negotiated amount of the agreement is \$103,000.00.

Staff Recommendation: Approve supplemental agreement No. 2 for Task Order No. 9 with Kimley-Horn & Associates, Inc. for \$103,000.00.

7. Consider Contract for the Commissioning Services for New Airport Terminal Project with SystemWorks, LLC (Director of Engineering)

The Authority issued a Request for Qualifications (RFQ) to select a firm for Commissioning Services (Cx) for the New Airport Terminal project. Four firms submitted proposals for Mechanical Electrical Plumbing Commissioning (MEPCx) while three firms submitted proposals for Building Envelope Commissioning (BECx). Each proposal was reviewed and rated based on qualifications established in the RFQ. Of these, two firms that provided both MEPCx and BECx responses, SystemWorks, LLC and FST-HEA, LLC, were selected to be interviewed. Based on the combined ratings from the five-member Airport Committee, SystemWorks, LLC is being recommended. The Commissioning Services' agent role is to act as a bridge between the Authority, the design and construction team, and other technical advisors, and to provide technical support and oversight during design and construction. The Commissioning Services' agent will provide effective leadership and management to ensure the successful completion and commissioning of the construction of a new terminal.

Staff Recommendation: Approve a master agreement that allows for individual task orders to be developed and contracted with SystemWorks, LLC for various scopes of Commissioning Services related to the New Airport Terminal Project.

8. Consider Amendment to Rules and Regulations for Customer Facility Charge (Assistant Executive Director)

The original Customer Facility Charge (CFC) Resolution was approved in 2008 to support the construction of the Rental Auto Facility (RAC). Authority staff proposes to incorporate the CFC in the Authority's Rules and Regulations and expressly allow for the use of these funds towards the new terminal construction. This action will replace and supersede City of Des Moines' resolution no. A08-143.

Staff Recommendation: Approve the Rules and Regulation amendment to include Customer Facility Charge language.

9. Consider South RON Positions, Early Bid Package Electrical Project (Director of Engineering)

a. Public Hearing regarding the plans, specifications, form of contract, and estimated cost for the South RON Positions, Early Bid Package Electrical Project

This contract includes the supply of electrical equipment to be installed under the South RON (remain overnight) positions project. Due to long lead times on the following equipment, Authority staff is looking at purchasing this equipment early to save time while the rest of the project is being designed. Equipment includes a 13.2kV-480Y/277V pad mount transformer, 480Y/277V switchboard, 480V-208Y/120V step down transformer, and a 208Y/120V switchboard. Additional electrical equipment and devices as specified.

The Engineer's estimate for this portion of the project is \$469,500.00.

b. Consider Resolution adopting plans, specifications, form of contract, and estimated total cost for the South RON Positions, Early Bid Package Electrical Project

Staff Recommendation: Approve Resolution adopting plans, specifications, form of contract, and estimated total cost for the South RON Positions, Early Bid Package Electrical project.

c. Consider award of contract for the South RON Positions, Early Bid Package Electrical Project to Van Maanen Electric, Inc. in the amount of \$332,000.00

The lowest responsive, responsible bidder was Van Maanen Electric, Inc. in the amount of \$332,000.00.

Staff Recommendation: Approve the contract with Van Maanen Electric, Inc. in the amount of \$332,000.00 for the improvement and authorize the Director of Engineering and Planning to accept and close out this project when completed in accordance with the contract documents.

10. Financial Report (Director of Finance)

11. Briefing (Executive Director)

12. Next Meeting

a. February 14, 2023, Regular Board Meeting

13. Adjourn