



**Roll Call Number**

24-0700

**Agenda Item Number**

56A

**Date** May 06, 2024

**APPROVAL OF CONTRACT AND BOND ON  
BILL RILEY TRAIL RESURFACING FROM ASHWORTH POOL TO GRAY'S LAKE  
\$888,887.50**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$888,887.50, executed by TK Concrete, Inc., Tony J. Ver Meer, President, 1608 Fifield Road, Pella, IA, 50219 dated May 06, 2024, for the construction of the following improvement:

Bill Riley Trail Resurfacing from Ashworth Pool to Gray's Lake, Activity ID 112023010

The improvement includes excavation, milling, overlay, Hot Mix Asphalt (HMA) paving, Portland Cement Concrete (PCC) patching, PCC curb and gutter, storm sewer, intakes, pavement markings, traffic control, restoration, seeding, and miscellaneous associated work to complete the project, all in accordance with the contract documents including Plan File No. 662-185/217 located along the Walnut Creek Trail, the Bill Riley Trail, and other locations as directed by the City Engineer in Des Moines, Iowa

the same to be performed in accordance with the plans and specifications which have been heretofore approved by this Council, be and the same are hereby approved, subject to receipt of the contract and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering Departments. The attached "Contractor's Anticipated DBE/TSB Utilization" shows the Contractor's efforts to solicit DBE/TSB Participation in accordance with the Disadvantaged Business Enterprise/Targeted Small Business (DBE/TSB) Program.

BE IT FURTHER RESOLVED: That the Mayor be and is hereby authorized and directed to execute said contract on behalf of the City of Des Moines, subject to receipt of the contract and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering Department, and the City Clerk, be and is hereby authorized and directed to attest to same. No contract shall be deemed to exist between the City of Des Moines and said Bidder until said contract has been executed by the Bidder, and shall have been approved by this Council and executed by the Mayor and attested to by the City Clerk.

BE IT FURTHER RESOLVED: That after said contract has been executed by the Mayor, the City Clerk be and is hereby authorized and directed to return the Contractor's bid security in accordance with the Instructions to Bidders.

BE IT FURTHER RESOLVED: That the City Engineer is hereby authorized to approve requests to sublet work from the Contractor, subject to receipt of the contract and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering Department.

BE IT FURTHER RESOLVED: That the Director of Finance is hereby authorized to encumber this contract amount against the funds as identified below, and to acquire Builder's Risk Insurance, if appropriate, for the above referenced improvement.



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(Council Communication No. 24-196 attached)

Moved by Mandelbaum to adopt. Second by Voss

FORM APPROVED:

s/Kathleen Vanderpool

Kathleen Vanderpool  
Deputy City Attorney

FUNDS AVAILABLE:

s/Nickolas J. Schaul

Nickolas J. Schaul  
Director of Finance



Funding Source: 2024-25 CIP, Page 44, Multi-Use Trails, PK045, Being: General Fund via ARPA transfer

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
MANDELBAUM	✓			
SIMONSON	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED		APPROVED		
<u>Cornie Boesen</u>		Mayor		

CERTIFICATE

I, Laura Baumgartner, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Laura Baumgartner

City Clerk