

DATE April 26, 2010

APPROVAL OF CONTRACT AND BOND  
2009 BRIDGE EMBANKMENT SCOUR REPAIRS  
\$ 40,915.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$40,915.00, executed by T K Concrete Inc., Tony J. VerMeer, President, 1608 Fifield Road, Pella, IA, 50219 dated April 26, 2010, for the construction of the following improvement:

2009 Bridge Embankment Scour Repairs, 12-2009-004

FEMA Disaster 1763 Project PW5253

The improvement includes a Class 10 borrow excavation, concrete slope pavement, remove and replace 4" PCC, 24" CMP pipe with flared end section, Class 'B' revetment, abutment and wing slope grading, flowable mortar and tree protection in accordance with the contract documents including Plan File Nos. 517-006/013 at the following bridge sites: Scott Avenue Bridge over Des Moines River, South Union Street Bridge over Yeader Creek, Easter Lake Drive and Evergreen Drive Bridges over Easter Lake and SE 30th Street Viaduct over UPRR Yard all 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, bond, and certificate of insurance acceptable to the Engineering and Legal 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, bond, and certificate of insurance acceptable to the Engineering and Legal Departments, 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.



**Roll Call Number**

**Agenda Item Number**

61A

DATE April 26, 2010

BE IT FURTHER RESOLVED: That the Des Moines Finance Director 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.

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED

Kathleen Vanderpool  
Deputy City Attorney

Funding Source: 10/11 Operate Budget, Page 117, Storm Mitigation/Recovery, OPR178, Being: Anticipate 100% FEMA reimbursement under FEMA Disaster 1763 Project PW5253

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

MOTION CARRIED APPROVED

\_\_\_\_\_  
Mayor

I, Diane Rauh, City Clerk of said City Council, hereby certify that at a meeting of the City Council, 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.

\_\_\_\_\_  
City Clerk

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**CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION**  
**2009 Bridge Embankment Scour Repairs**

**Activity ID 12-2009-004**

On April 13, 2010, T K Concrete Inc., Tony J. VerMeer, President, 1608 Fifield Road, Pella, IA 50219 submitted a proposal for construction of the 2009 Bridge Embankment Scour Repairs, Activity ID 12-2009-004, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$40,915.00. The proposal included a statement that the Disadvantaged Business Enterprise/Targeted Small Business (DBE/TSB) Program shall not apply to this project.

The Engineering Department has prepared this report summarizing the information that T K Concrete Inc., has submitted indicating that it anticipates utilizing the following DBE/TSB companies on this project:

<u>DBE/TSB Name</u>	<u>Description of Work</u>	<u>Estimated Amount</u>
None	N/A	\$0.00
	Estimated DBE/TSB Participation	\$0.00
	T K Concrete Inc. Amount	\$40,915.00
	Percentage of DBE/TSB Participation	0.00%