

DATE June 9, 2008

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
UNIVERSITY AVENUE RESURFACING - DES MOINES RIVER BRIDGE TO 6TH AVENUE
\$ 757,002.63

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$757,002.63, executed by OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, James Gauger, President, 5550 NE 22nd Street, P.O. Box 3365, Des Moines, IA, 50316-0365 dated June 9, 2008, for the construction of the following improvement:

University Avenue Resurfacing - Des Moines River Bridge to 6th Avenue, 06-2006-003
STP-U-1945(708)--70-77

The improvement includes patching of the existing street, furnish and place 3 inches of hot mix asphalt, furnish and place pavement markings, and other incidental items; in accordance with the contract documents, including Plans File Nos. 488-001/023 on University Avenue from the Des Moines River Bridge to 6th Avenue, 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. 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, 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.

BE IT FURTHER RESOLVED: That the attached communication from said Contractor requesting permission to sublet designated items and the attached Permission to Sublet form, be and are hereby approved subject to each subcontractor's compliance with the City of Des Moines Contract Compliance Program. The City Manager is hereby directed to sign said Permission to Sublet form granting permission for said listed subcontractor to work on said improvement upon each subcontractor's compliance with the City of Des Moines Contract Compliance Program as monitored by the Engineering Department.

★ **Roll Call Number**


Agenda Item Number

77A

DATE June 9, 2008

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: 2008-2009 CIP, Page Street-34, Rehabilitation and Preservation of Major Roadways, STR222, Being: \$278,672.63 from G. O. Bonds and \$478,330 from Iowa DOT Surface Transportation Program (STP) Funds for 80% of eligible construction costs (Maximum \$478,330)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
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

77A

Department of Engineering
City of Des Moines, Iowa



CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION
University Avenue Resurfacing - Des Moines River Bridge to 6th Avenue

Activity ID 06-2006-003

On May 20, 2008, OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, James Gauger, President, 5550 NE 22nd Street, P.O. Box 3365, Des Moines, IA 50316-0365 submitted a proposal for construction of the University Avenue Resurfacing - Des Moines River Bridge to 6th Avenue, Activity ID 06-2006-003, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$757,002.63. The proposal included a statement that the Disadvantaged Business Enterprise/Targeted Small Business (DBE/TSB) Program shall apply to this project.

The Engineering Department has prepared this report summarizing the information that OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, 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>
Midwest Contractors, Inc.	Patching	\$181,049.61
	Estimated DBE/TSB Participation	\$181,049.61
OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving	Amount	\$757,002.63
	Percentage of DBE/TSB Participation	23.92%