



DATE June 14, 2010

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
EASTON BOULEVARD BRIDGE OVER FOUR MILE CREEK
\$1,348,338.76

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,348,338.76, executed by Herberger Construction Co., Inc., Dean Herberger, President, 2508 West 2nd Avenue, P.O. Box 326, Indianola, IA, 50125 dated June 14, 2010, for the construction of the following improvement:

Easton Boulevard Bridge over Four Mile Creek, 12-2007-004
BRM-1945(729)--8N-77

The improvement includes the following:

- Division 1: Excavation Class 10 Channel, Removal of Existing Bridge, Excavation Class 20 and 21, Structural Concrete (Bridge), Colored Sealer Coating for Structural Concrete, Reinforcing Steel, Epoxy Coated Reinforcing Steel, Concrete Open Railing, Steel Pipe Pedestrian Railing, Structural Steel Pedestrian Railing, Piles Steel, Engineering Fabric, Revetment Class E, Electrical Circuits, Mobilization, Light Fixture;
- Division II: Clearing and Grubbing, Excavation Class 10 Roadway and Borrow, Top Soil Strip and Spread, Compaction with Moisture and Density Control, Bridge Approach Pavement, Standard or Slip Form 9" PCC Pavement Class C, Removal of Existing Structures, Aprons Concrete 30" and 48", Remove and Reinstall Concrete Pipe Aprons, Manhole Storm Sewer, Storm Sewer (Class II) 30" and 3000 (Class IV) 48", Removal of Storm Sewer Pipe, Removal of Steel Guard Rail, Erosion Stone, Removal of Pavement, Removal Intakes and Utility Access, Removal of Recreational Trail, Recreational Trail 6" and 8" PCC , Special Compaction of Subbase, Removal of Sidewalk, Sidewalk PCC 4" and 8", Detectable Warnings for Curb Ramps, Concrete Barrier Rail, Safety Closure, Fence Chain Link 48", Construction Survey, Painted Pavement Markings, Traffic Control, Fencing, Mulching, Seeding and Sodding, Silt Fence.

All work shall be in accordance with the contract documents, including Plan File Nos. 519-001/047 for Easton Boulevard Bridge over Four Mile Creek 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.



Roll Call Number

Agenda Item Number

74A

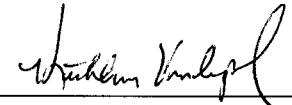
DATE June 14, 2010

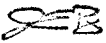
BE IT FURTHER RESOLVED: That after said contract has been executed by the Mayor, the City Clerk be and is hereby authorized and directed to return the Contractor's bid security.

BE IT FURTHER RESOLVED: That the attached Permission to Sublet form, from said Contractor requesting permission to sublet designated items, be and is hereby approved, subject to receipt of the contract, bond, and certificate of insurance acceptable to the Engineering and Legal Departments; and each subcontractor is hereby granted permission to work on said improvement.

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: 2010-2011 CIP, Page Bridge-9, Easton Boulevard over Four Mile Creek, BRV042, Being: Federal Highway Bridge Program funds for 80% of construction costs with a \$1,000,000 maximum, \$248,338.76 in gaming monies from the Agreement with Polk County and The Racing Association of Central Iowa under BRV042, and also a transfer of \$100,000 of gaming monies from City-wide Bridges, Page Bridge-5, BRV003.

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

MOTION CARRIED APPROVED

Mayor

CERTIFICATE

I, DIANE RAUH, 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.

City Clerk

74A

Department of Engineering
City of Des Moines, Iowa



CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION
Easton Boulevard Bridge over Four Mile Creek

Activity ID 12-2007-004

On May 18, 2010, Herberger Construction Co., Inc., Dean Herberger, President, 2508 West 2nd Avenue, P.O. Box 326, Indianola, IA 50125 submitted a proposal for construction of the Easton Boulevard Bridge over Four Mile Creek, Activity ID 12-2007-004, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$1,348,338.76. 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 Herberger Construction Co., 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>
<u>Dormark Construction Company</u>	<u>Supply & Install Deck Steel</u>	<u>\$40,000.00</u>
	Estimated DBE/TSB Participation	<u>\$40,000.00</u>
	Herberger Construction Co., Inc. Amount	<u>\$1,348,338.76</u>
	Percentage of DBE/TSB Participation	<u>2.97%</u>