

DATE June 22, 2009

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2009 HMA PAVEMENT SCARIFICATION & RESURFACING
\$ 450,959.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$450,959.00, 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 22, 2009, for the construction of the following improvement:

2009 HMA Pavement Scarification & Resurfacing, 06-2009-015

The improvement includes scarification of two (2) inch average depth of asphalt street surfaces with specified milling machine and equipment in a cooperative effort with the City of Des Moines Public Works Department, all in accordance with the contract documents at the following locations within the City of Des Moines:

Allison Avenue from 1830 Allison Avenue to M.L. King Jr. Parkway
College Avenue from 13th Street to 16th Street
Francis Avenue from 1911 Francis Avenue to M.L. King Jr. Parkway
Jefferson Avenue from 13th Street to 16th Street
Mondamin Avenue from 16th Street to M.L. King Jr. Parkway
27th Street from Forest Avenue to Carpenter Avenue
College Avenue from 6th Street to 9th Street
4th Street from Douglas Avenue to Aurora Avenue
Boyd Street from E. 9th Street to E. 13th Street
Sheridan Avenue from 2nd Avenue to Cornell Street
14th Place from Woodland Avenue to Pleasant Street
44th Street from Ingersoll Avenue to Harwood Drive
49th Street from Grand Avenue to Dead End South
Cayuga Point from S.W. 37th Street to Cul-de-sac East
Thornton Avenue from S.W. 9th Street to Glover Avenue
Woodland Avenue from Harwood Drive to 44th Street
8th Street from Crocker Street to School Street

Furnish all labor, materials and equipment necessary to construct a two(2) inch average thickness pavement scarification and HMA surfacing on existing asphaltic street surface; together with other incidental and related work; all in accordance with the contract documents at the following locations within the City of Des Moines:

3rd Street from Market Street to Walnut Street
6th Avenue from Cherry Street to Watson Powell Way

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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.

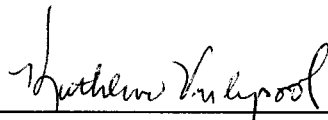
BE IT FURTHER RESOLVED: That after said contract has been executed by the Mayor, the City Clerk be and is hereby authorized and directed to return the Contractor's bid security.

BE IT FURTHER RESOLVED: That the attached Permission to Sublet form, from said Contractor requesting permission to sublet designated items, be and is hereby approved; and each subcontractor is hereby granted permission to work on said improvement.

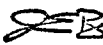
BE IT FURTHER RESOLVED: That the Des Moines Finance Director is hereby authorized to encumber this contract amount against the funds as identified below, and to acquire Builder's Risk Insurance, if appropriate, for the above referenced improvement.

Moved by _____ to adopt.

FORM APPROVED



Kathleen Vanderpool
Deputy City Attorney

 Funding Source: 2009-2010 CIP, Page Street-5, Asphaltic Paving Restoration Program, STR003, Being: \$150,959 in G. O. Bonds from STR003 and \$300,000 in TIF-Backed G. O. Bonds from Downtown Area Street Restoration, STR075, Page Street-11

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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

6DA

Department of Engineering
City of Des Moines, Iowa



CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION
2009 HMA Pavement Scarification & Resurfacing

Activity ID 06-2009-015

On June 9, 2009, 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 2009 HMA Pavement Scarification & Resurfacing, Activity ID 06-2009-015, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$450,959.00. 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 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>
None	N/A	\$0.00
	Estimated DBE/TSB Participation	\$0.00
	OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving Amount	\$450,959.00
	Percentage of DBE/TSB Participation	0.00%