

DATE July 12, 2010

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
33RD STREET SEWER SEPARATION  
\$ 1,485,199.10

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,485,199.10, executed by Reilly Construction Co., Inc., Chris R. Reilly, President, 110 Main Street, PO Box 99, Ossian, IA, 52161 dated July 12, 2010, for the construction of the following improvement:

33rd Street Sewer Separation, 07-2009-008  
08-DRI-034

This improvement includes the separation of the City's combined sanitary and storm sewer system at several locations west of downtown and in the proximity of I-235. The construction includes the installation of manholes, intakes, storm sewer piping and sanitary sewer piping and the replacement of street pavement, sidewalks, and other related items; all in accordance with the contract documents including Plan File Nos. 517 - 145/172. The project locations include 33rd Street from Woodland Avenue to Center Street, 37th Street from Crocker Street to Cottage Grove Avenue, Cottage Grove Avenue from 35th Street to 38th Street, Kingman Boulevard from 37th Street to 40th Place, M. L. King Jr. Parkway from Leyner Street to Crocker Street, the 2500 block of Center Street, and 35th Street north of Ingersoll 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, 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.

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.

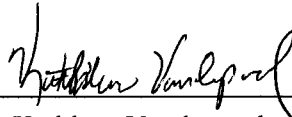
★ **Roll Call Number**

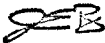
Agenda Item Number  
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BE IT FURTHER RESOLVED: That the Des Moines Finance Director is hereby authorized to encumber this contract amount against the funds as identified below, and to acquire Builder's Risk Insurance, if appropriate, for the above referenced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

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

FORM APPROVED   
Kathleen Vanderpool  
Deputy City Attorney

 Funding Source: 2010-2011 CIP, Page Sanitary-9, CSS - 33rd Street Sewer Separation, SAE-130, Being: \$1,200,000 in HUD Disaster funds from the Iowa Department of Economic Development for 100% of construction costs associated with the 33rd Street Sewer Separation (\$1,200,000 maximum ) in Federal Jumpstart Infrastructure Assistance funds, with the remaining \$285,199.10 in Sanitary Sewer Funds.

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**  
**33rd Street Sewer Separation**

**Activity ID 07-2009-008**

On June 29, 2010, Reilly Construction Co., Inc., Chris R. Reilly, President, 110 Main Street, PO Box 99, Ossian, IA 52161 submitted a proposal for construction of the 33rd Street Sewer Separation, Activity ID 07-2009-008, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$1,485,199.10. 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 Reilly 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>Universal Concrete, Ltd.</u>	<u>Sidewalk and Driveway Construction</u>	<u>\$53,240.00</u>
	Estimated DBE/TSB Participation	<u>\$53,240.00</u>
	Reilly Construction Co., Inc. Amount	<u>\$1,485,199.10</u>
	Percentage of DBE/TSB Participation	<u>3.58%</u>