

09A

DATE July 14, 2008

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2008 HMA PAVEMENT SCARIFICATION & RESURFACING
\$835,342.10

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$835,342.10, 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 July 14, 2008, for the construction of the following improvement:

2008 HMA Pavement Scarification & Resurfacing, 06-2008-015

The improvement includes:

1. 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:

- 61st Street from Crown Lane to Clark Street
- Crown Lane from 63rd Street to Cummins Parkway
- 14th Street from Washington Avenue to Jefferson Avenue
- College Avenue from 17th Street to M.L. King Jr. Parkway
- 8th Street from College Avenue to Clark Street
- 27th Street from Forest Avenue to Clark Street
- 28th Street from College Avenue to Clark Street
- Burlington Terrace from Nash Drive to Chautauqua Parkway
- Hunter Avenue from 39th Street to dead end East
- Stephenson Way from Chautauqua Parkway to Nash Drive
- Cleveland Avenue from E 14th Street to Hutton Street
- 5th Avenue from Watson Powell Way to School Street

2. 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:

- 54th Street from Douglas Avenue to Madison Avenue
- Bowdoin Street from E Euclid Avenue to E Madison Avenue
- Briarcliff Drive from E Madison Avenue to E 42nd Street
- Sheridan Avenue from 2nd Avenue to Cornell Street
- Grand Avenue from 49th Street to 56th Street
- Dean Avenue from Redhead Road to RR Tracks East
- Redhead Road from E Court Avenue to Dean Avenue
- E 5th Street from E Grand Avenue to Des Moines Street
- E Grand Avenue from River Bridge to Pennsylvania Avenue

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.

★ **Roll Call Number**

Agenda Item Number
69 A

DATE July 14, 2008

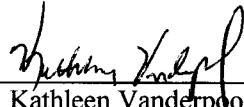
BE IT FURTHER RESOLVED: That the Mayor be and is hereby authorized and directed to execute said contract on behalf of the City of Des Moines, and the City Clerk, be and is hereby authorized and directed to attest to same. No contract shall be deemed to exist between the City of Des Moines and said Bidder 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.

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-6, Asphaltic Paving Restoration Program, STR003, Being: \$439,955 in G. O. Bonds from STR003 and \$395,387.10 in TIF-Backed G. O. Bonds from Downtown Area Street Restoration, STR075, Page Street-12

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

69A

Department of Engineering
City of Des Moines, Iowa



CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION
2008 HMA Pavement Scarification & Resurfacing

Activity ID 06-2008-015

On July 1, 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 2008 HMA Pavement Scarification & Resurfacing, Activity ID 06-2008-015, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$835,342.10. 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	\$835,342.10
	Percentage of DBE/TSB Participation	0.00%