

DATE July 27, 2009

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
MCKINLEY AVENUE DRAINAGE IMPROVEMENTS - S.W. 26TH/S.W. 31ST STREETS  
\$ 231,350.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$231,350.00, executed by The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA, 50047 dated July 27, 2009, for the construction of the following improvement:

McKinley Avenue Drainage Improvements - S.W. 26th/S.W. 31st Streets, 08-2009-006

The improvement includes approximately 6800 CY of excavation, 267.5 LF of 18" storm sewer, 181.4 LF of 18" storm sewer augered-in-place, associated storm sewer manholes and intakes, PCC driveway removal and replacement, driveway culverts, sod, and miscellaneous associated work including clean up; all in accordance with the contract documents, including Plan File Nos. 483-119/123, located along the north side of the 2700 block of McKinley 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 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.

★ **Roll Call Number**

**Agenda Item Number**


64 B

DATE July 27, 2009

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  
 Kathleen Vanderpool  
 Deputy City Attorney

 Funding Source: 2009-2010 CIP, Page Storm-14, McKinley Avenue Drainage Improvements, STE083, Storm Water Utility Funds

| 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



**CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION**  
**McKinley Avenue Drainage Improvements - S.W. 26th/S.W. 31st Streets**

**Activity ID 08-2009-006**

On July 14, 2009, The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047 submitted a proposal for construction of the McKinley Avenue Drainage Improvements - S.W. 26th/S.W. 31st Streets, Activity ID 08-2009-006, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$231,350.00. 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 The Underground Company, Ltd., 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> |
|---------------------|--------------------------------------|-------------------------|
| Bonnies Barricades  | Traffic Control                      | \$3,780.00              |
| Miller the Driller  | Pipe Augering                        | \$43,032.75             |
|                     | Estimated DBE/TSB Participation      | \$46,812.75             |
|                     | The Underground Company, Ltd. Amount | \$231,350.00            |
|                     | Percentage of DBE/TSB Participation  | 20.23%                  |