

DATE August 10, 2009

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2009 EXPANDED STREET RESURFACING PROGRAM - CONTRACT 2
\$1,883,183.60

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,883,183.60, 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 August 10, 2009, for the construction of the following improvement:

2009 Expanded Street Resurfacing Program - Contract 2, 06-2009-020

The improvement includes scarification of existing asphalt streets, furnish and place hot mix asphalt, and furnish and place pavement markings, and other incidental items; in accordance with the contract documents, including Plans File Nos. 506-119/144, at the following locations in Des Moines, Iowa:

- E. 9th Street from Guthrie Avenue to Arthur Avenue
- 13th Street from University Avenue to Day Street
- S.E. 34th Street from Easter Lake Drive to Evergreen Avenue
- 48th Street Hickman Road to Beaver Crest Drive
- Clark Street from 23rd Street to 27th Street
- Day Street from 9th Street to 13th Street
- Delaware Avenue from Guthrie Avenue to E. Hull Avenue
- Euclid Avenue from Douglas Avenue to 27th Street
- Guthrie Avenue from North Union Street to Saylor Road
- Hubbell Avenue from E. 29th Street to E. 33rd Street
- Hubbell Avenue from University Avenue to Easton Boulevard
- McKinley Avenue from East of S.E. 5th Street to S.E. 14th Street
- Meredith Drive from Beaver Avenue to Merle Hay Road
- Prospect Road from Hickman Road to M.L. King Jr. Parkway
- South Union Street from Park Avenue to Bell Avenue
- Vandalia Road from CB&Q Street to S.E. 43rd Street

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.

★ **Roll Call Number**

Agenda Item Number

71A

DATE August 10, 2009

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 Ann DiDonato
Ann DiDonato
Assistant City Attorney

Funding Source: 2009-2010 CIP, Page Street-42, Special City-wide Street Improvements, STR217, Being: \$1,332,603.40 in Gaming Monies from the Agreement with Polk County and The Racing Association of Central Iowa, and a transfer of \$550,580.20 in G. O. Bonds from Army Post Widening – SE 5th to SW 9th Streets, Page Street-4, STR229, due to receipt of Federal Stimulus Funds from the American Recovery and Reinvestment Act (ARRA) of 2009 for Army Post Widening. The transferred \$550,580.20 in G. O. Bond funds will be used to resurface Prospect Road from Hickman Road to ML King Parkway, Hubbell Avenue from E 29th Street to E 33rd Street, and Hubbell Avenue from University Avenue to Easton Boulevard per City Council discussion.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED		APPROVED		

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.

Mayor

City Clerk

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Department of Engineering
City of Des Moines, Iowa



CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION
2009 Expanded Street Resurfacing Program - Contract 2

Activity ID 06-2009-020

On July 28, 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 Expanded Street Resurfacing Program - Contract 2, Activity ID 06-2009-020, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$1,883,183.60. 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 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>
Bonnies Barricades	Traffic Control	\$15,578.00
Paco's Construction, LLC	Miscellaneous concrete work	\$4,500.00
	Estimated DBE/TSB Participation	\$20,078.00
	OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving Amount	\$1,883,183.60
	Percentage of DBE/TSB Participation	1.07%