

DATE August 23, 2010

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2010 STORM SEWER REPAIR CONTRACT 1
\$ 678,283.75

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$678,283.75, executed by The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA, 50047 dated August 23, 2010, for the construction of the following improvement:

2010 Storm Sewer Repair Contract 1, 08-2010-005

The improvement includes construction of new storm sewers to repair deteriorated infrastructure and drainage problems at 7 various locations in Des Moines: 501 Porter Avenue, Glendale Cemetery, 3420 Fairlane Drive, Beaverdale Trail Creek, 28th Street & Grand Avenue, I-235 Storm Sewer Separation, and SE 2nd Court North of Livingston Avenue. This work includes construction of storm sewers, manholes, intakes, grading, restoration of pavement & landscaping, and other incidental items; in accordance with the contract documents including Plan File Nos. 522-001/064

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

45A

DATE August 23, 2010

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

FB Funding Source: 2010-2011 CIP, Page Storm-4, City-wide Storm Water Utility Projects, STE057, Being: \$530,137.15 in Storm Water Utility Funds from STE057, and \$148,146.60 in Sanitary Sewer Funds for the work on the Beaverdale Trail Creek and 28th Street & Grand Avenue from SAE054, City-wide Sanitary Sewers, Page Sanitary-5

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

CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION
2010 Storm Sewer Repair Contract 1

Activity ID 08-2010-005

On August 10, 2010, The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047 submitted a proposal for construction of the 2010 Storm Sewer Repair Contract 1, Activity ID 08-2010-005, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$678,283.75. 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>
None	N/A	\$0.00
	Estimated DBE/TSB Participation	\$0.00
	The Underground Company, Ltd. Amount	\$678,283.75
	Percentage of DBE/TSB Participation	0.00%