

DATE October 13, 2008

ORDERING CONSTRUCTION OF  
M.L. KING JR. PARKWAY LEVEE RESTORATION  
AND FIXING A DATE FOR RECEIVING OF BIDS ON OCTOBER 28, 2008  
AND PUBLIC HEARING ON NOVEMBER 10, 2008  
ENGINEER'S ESTIMATE IS \$373,980.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached communication recommending construction of the following improvement and the method of financing; and also including the recommendation of the Des Moines City Engineer, as the Jurisdictional Engineer, submitting plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of cost for the construction of the following improvement:

M.L. King Jr. Parkway Levee Restoration, 04-2009-003

The improvement includes restoration of the levee following the 2008 Floods with work to include excavation of temporary clay material, removal of bike trail, and construction of a gatewell, culvert, select fill, levee reconstruction and restoration, and other incidental items; all in accordance with the contract documents including Plan File Nos. 492-075/116 along the east side of M.L. King Jr. Parkway between Madison Avenue and Euclid Avenue.

be and the same are hereby approved and accepted. The estimated construction cost for said improvement is \$373,980.00. The proposed plans, specifications, and form of contract documents are available for public inspection in the City Engineer's Office.

BE IT FURTHER RESOLVED: That this Council hereby determines that it is necessary and advisable to construct said improvement in the manner set forth in the plans, specifications, and form of contract documents submitted by the Jurisdictional Engineer; and that payment for the cost of said improvement shall be paid from the funding source identified below.

BE IT FURTHER RESOLVED: That a public hearing on said plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of construction cost for said improvement be held in the City Council Chambers, 2nd Floor, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on November 10, 2008, at which time this Council will consider any objections offered thereto or to the making of said improvement.

BE IT FURTHER RESOLVED: That proposals will be received by the City of Des Moines, at the office of the City Clerk until 11:00 a.m. on October 28, 2008, for the construction of said improvement, and the taking of bids in the manner required by law. Proposals received will be opened at a public meeting presided over by the Jurisdictional Engineer in the City Council Chambers, 2nd Floor, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 11:00 a.m. on October 28, 2008, after which the bids together with a bid tabulation and recommendation of the Jurisdictional Engineer will be presented to the City Council at its next meeting for action thereon.

★ **Roll Call Number**

Agenda Item Number

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DATE October 13, 2008

BE IT FURTHER RESOLVED: That the City Clerk is further directed to publish a Public Notice of Storm Water Discharge in the Des Moines Register and The Business Record as required by the Iowa Department of Natural Resources.

BE IT FURTHER RESOLVED: That the City Manager be and is hereby authorized and directed to certify the "Notice of Intent for NPDES Coverage under General Permit No. 2 for Storm Water Discharges associated with Industrial Activity for Construction Activities" on behalf of the City of Des Moines and submit said document to the Iowa Department of Natural Resources with appropriate application and permit fees.

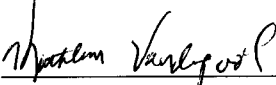
BE IT FURTHER RESOLVED: That an appropriate Notice to Bidders and Notice of Public Hearing for said improvement be published in the Des Moines Register as provided and directed by Chapter 26 and/or 314, Code of Iowa.

(City Council Communication Number 08-601 attached.)

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

FORM APPROVED:

FUNDS AVAILABLE

  
 Kathleen Vanderpool  
 Deputy City Attorney

  
 Allen McKinley  
 Des Moines Finance Director

Funding Source: 2008-2009 CIP, Page Storm Sewer-10, Flood Protection System Improvements, FLD008, Storm Water Utility Funds, Being: Storm Water Utility Funds with a minor portion of this project anticipated to be funded with FEMA funds.

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

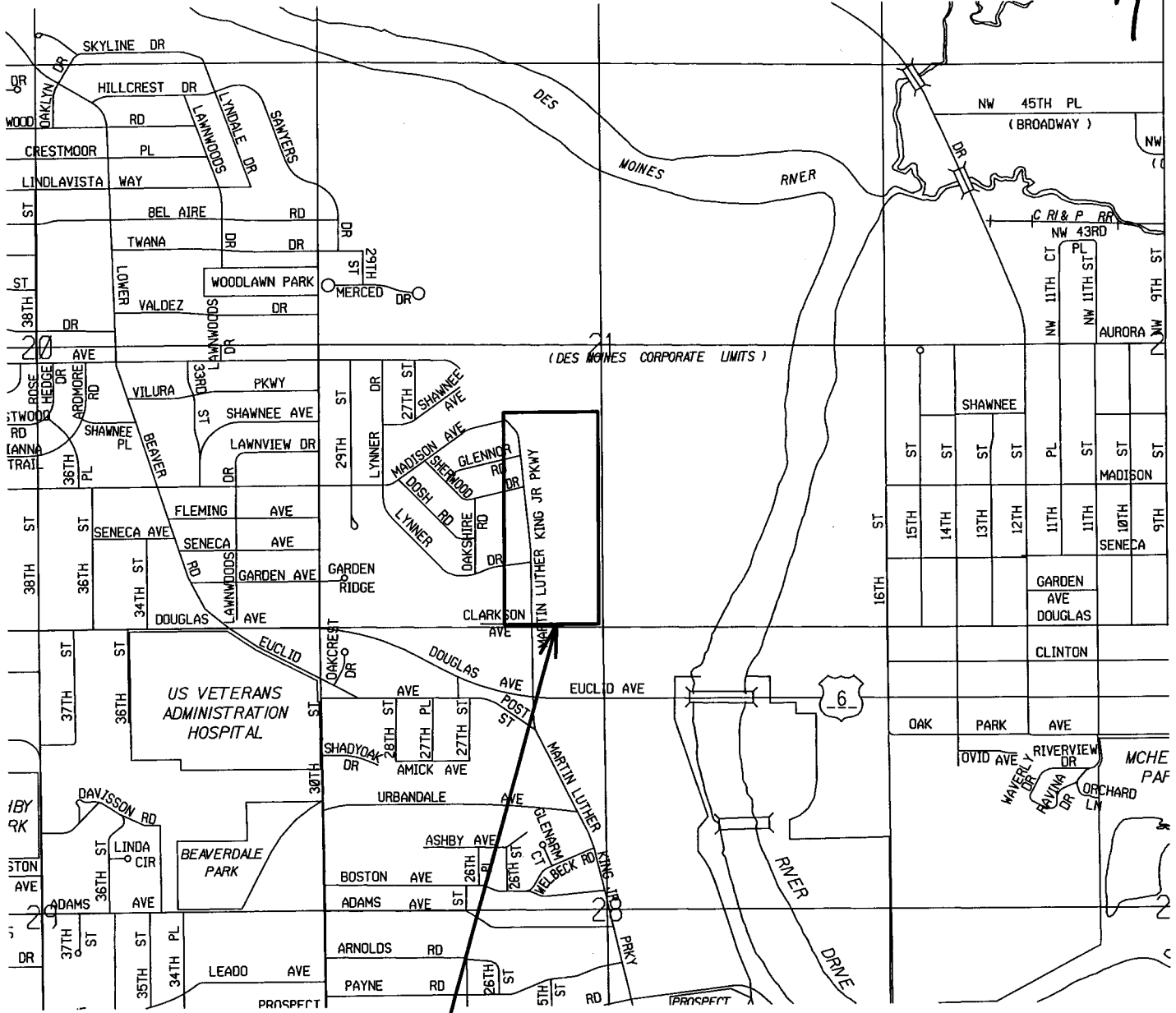
**CERTIFICATE**

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.

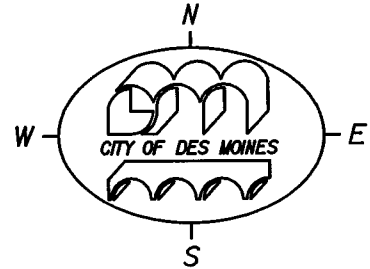
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_  
City Clerk

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**PROJECT  
LOCATION**



**M.L. KING JR. PARKWAY  
LEVEE RESTORATION  
ACTIVITY I.D. 04-2009-003**

