

56A

DATE April 25, 2011

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2011 CDBG - RECOVERY PROGRAM SIDEWALK REPLACEMENT
\$ 384,550.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$384,550.00, executed by T K Concrete Inc., Tony J. VerMeer, President, 1608 Fifield Road, Pella, IA, 50219 dated April 25, 2011, for the construction of the following improvement:

2011 CDBG - Recovery Program Sidewalk Replacement, 09-2011-001
CDBGR2009003

The improvement includes reconstruction of Class A and Class B Portland cement concrete sidewalks four (4) inches thick, (six (6) inches thick driveways), together with all appurtenances; in accordance with the contract documents at the Union Park, Highland Park, River Bend, and Woodland Heights Neighborhoods in Des Moines, Iowa. Sidewalks will be replaced at locations inspected by the Public Works Department. Handicapped accessible ramps will also be constructed in the vicinity where sidewalks will be replaced

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

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DATE April 25, 2011

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.

(City Council Communication Number _____ attached)

Moved by _____ to adopt.

FORM APPROVED

Kathleen Vanderpool
Deputy City Attorney

JEB

Funding Source: CDBGR200903, Being:
Operating Budget, Page 73, Stimulus - NIRP, CDBGR2009003, Being: U.S. Department of Housing and Urban Development (HUD) funding from the HUD Community Development Block Grant – Recovery (CDBG-R) Program.

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

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CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION
2011 CDBG - Recovery Program Sidewalk Replacement

Activity ID 09-2011-001

On April 12, 2011, T K Concrete Inc., Tony J. VerMeer, President, 1608 Fifield Road, Pella, IA 50219 submitted a proposal for construction of the 2011 CDBG - Recovery Program Sidewalk Replacement, Activity ID 09-2011-001, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$384,550.00. 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 T K Concrete Inc., 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
	T K Concrete Inc. Amount	\$384,550.00
	Percentage of DBE/TSB Participation	0.00%