

DATE August 8, 2011

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
2011 ADA SIDEWALK RAMP PROGRAM - CONTRACT 2  
\$ 448,000.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$448,000.00, executed by MPS Engineers, P.C., Umesh G. Shetye, President, 4949 Westown Parkway, Suite 165-126, West Des Moines, IA, 50266 dated August 8, 2011, for the construction of the following improvement:

2011 ADA Sidewalk Ramp Program - Contract 2, 09-2011-005

The improvement includes construction of sidewalk ramps with Portland cement concrete sidewalk four (4) inches, six (6) inches or eight (8) inches thick, together with all necessary appurtenances; in accordance with the contract documents, at various locations determined by the "Americans with Disabilities Act, City of Des Moines, Iowa, Transition Plan" throughout the City of 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, 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**

48A

DATE August 8, 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 11-517 attached)

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

FORM APPROVED *Kathleen Vanderpool*  
Kathleen Vanderpool  
Deputy City Attorney

*JB* Funding Source: 2011-2012 CIP, Page Street - 31, Sidewalks - ADA Compliance, SID095

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

48A

Department of Engineering  
City of Des Moines, Iowa



**CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION**  
**2011 ADA Sidewalk Ramp Program - Contract 2**

**Activity ID 09-2011-005**

On July 26, 2011, MPS Engineers, P.C., Umesh G. Shetye, President, 4949 Westown Parkway, Suite 165-126, West Des Moines, IA 50266 submitted a proposal for construction of the 2011 ADA Sidewalk Ramp Program - Contract 2, Activity ID 09-2011-005, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$448,000.00. 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 MPS Engineers, P.C., 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>
MPS Engineers, P.C.	Bidder is a DBE	\$448,000.00
	Estimated DBE/TSB Participation	\$448,000.00
	MPS Engineers, P.C. Amount	\$448,000.00
	Percentage of DBE/TSB Participation	100.00%