

DATE July 9, 2012

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
2012 HMA PAVEMENT SCARIFICATION AND RESURFACING  
\$724,131.50

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$724,131.50, executed by OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, James Gauger, President, P.O. Box 3365, Des Moines, IA, 50316-0365 dated July 9, 2012, for the construction of the following improvement:

2012 HMA Pavement Scarification and Resurfacing, 06-2012-001

The improvement includes scarification of two (2) inch average depth of asphalt street surfaces with specified milling machine and equipment in a cooperative effort with the City of Des Moines Public Works Department, all in accordance with the contract documents at the following locations within the City of Des Moines:

- 34th Street from Douglas Avenue to Seneca Avenue
- 36th Place from Madison Avenue to Marianna Trail
- 38th Street from Aurora Avenue to 100' North of Aurora Avenue
- 39th Street from Madison Avenue to Marianna Trail
- Aurora Avenue from 3921 Aurora Avenue to Lower Beaver Road
- Fleming Avenue from Lawnwoods Drive to Lower Beaver Road
- Garden Avenue from 30th Street to Lawnwoods Drive
- Manor Lane from Marianna Trail to Shawnee Avenue
- Marianna Trail from 36th Place to Manor Lane
- Seneca Avenue from 30th Street to Lawnwoods Drive
- Shawnee Avenue from Aurora Avenue to 100' East of 40th Street
- Shawnee Place from Lower Beaver Road to Ardmore Road
- Casady Drive from 1435 Casady Drive to Creston Avenue
- Henry Avenue from Park Avenue to Caulder Avenue
- Keyes Drive from Jarvis Street to Thornton Avenue
- Davis Avenue from S.W. 12th Street to Dead End West
- Glover Avenue from Creston Avenue to Loomis Avenue
- Pleasant View Drive from S.W. 12th Street to S.W. 14th Street
- Virginia Avenue from S.W. 12th Street to Dead End West
- 8th Street from Indiana Avenue to Forest Avenue
- 8th Street from College Avenue to Washington Avenue
- Allison Avenue from 16th Street to Chautauqua Parkway
- Boston Avenue from 27th Street to M. L. King Jr. Parkway
- Carpenter Avenue from 21st Street to M. L. King Jr. Parkway
- Franklin Avenue from 2nd Avenue to Arlington Avenue
- 8th Place from Madison Avenue to North of Shawnee Avenue
- 8th Street from Euclid Avenue to Douglas Avenue
- 12th Street from Seneca Avenue to Madison Avenue
- E. Boyd Street from E. 13th Street to E. 14th Street
- Cambridge Street from Hull Avenue to Tiffin Avenue
- Cherokee Avenue from Pennsylvania Avenue to E. 8th Street
- E. 7th Street from E. Hull Avenue to E. Ovid Avenue
- E. 8th Street from E. Jefferson Avenue to E. Washington Avenue
- E. 12th Street from Thompson Avenue to Guthrie Avenue

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E. 16th Street from Walker Street to Buchanan Avenue  
Maple Street from E. 12th Street to E. 13th Street  
Oak Park Avenue from 14th Street to 16th Street  
Osceola Avenue from E. 14th Street to Glenbrook Drive  
E. Ovid Avenue from E. 14th Street to E. 15th Street  
Roosevelt Avenue from Pennsylvania Avenue to E. 9th Street  
19th Street from Center Street to Crocker Street  
29th Street from Grand Avenue to Ingersoll Avenue  
31st Street from Grand Avenue to Ingersoll Avenue  
Crocker Street from 19th Street to 19th Place  
Ingersoll Avenue from 56th Street to 59th Street  
Park Avenue from PCC East of Henry Street to S.W. 12th Street  
Capitol Avenue from E. 18th Street to RR Tracks  
E. 18th Street from E. Walnut Street to E. Grand Avenue  
Hartford Avenue from 212 Hartford Avenue to 440 Hartford Avenue  
Lyon Street from E. 9th Street to E. 12th Street  
3rd Street from Grand Avenue to Center Street  
6th Avenue from Watson Powell Parkway to I-235  
East-West Alley (1416 Locust) from 13th Street to 15th Street  
East-West Alley (Locust/Walnut) from 6th Street to 7th Street  
Water Street from Court Avenue to Walnut Street

Furnish all labor, materials and equipment necessary to construct a two (2) inch average thickness pavement scarification and HMA surfacing on existing asphaltic street surface, together with other incidental and related work; all in accordance with the contract documents at the following locations within the City of Des Moines:

41st Street from Douglas Avenue to Madison Avenue  
Boston Avenue from 27th Street to M. L. King Jr. Parkway  
29th Street from Grand Avenue to Ingersoll Avenue  
31st Street from Grand Avenue to Ingersoll Avenue  
Capitol Avenue from E. 18th Street to RR Tracks  
3rd Street from Grand Avenue to Center Street  
6th Avenue from Watson Powell Parkway to I-235

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.

★ **Roll Call Number**

Agenda Item Number

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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.

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 12.362 attached)

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

FORM APPROVED   
 Kathleen Vanderpool  
 Deputy City Attorney

 Funding Source: 2012-2013 CIP, Page Street - 4, Asphaltic Paving Restoration Program, STR003, Being: \$349,338 in G.O. Bonds and \$294,153.50 in TIF backed G.O. Bonds from STR003; and \$80,640 in G.O. Bonds from Page Street -22, Neighborhood Infrastructure Rehabilitation Program, STR205

| 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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Department of Engineering  
City of Des Moines, Iowa



**CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION**  
**2012 HMA Pavement Scarification and Resurfacing**

**Activity ID 06-2012-001**

On June 26, 2012, OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, James Gauger, President, P.O. Box 3365, Des Moines, IA 50316-0365 submitted a proposal for construction of the 2012 HMA Pavement Scarification and Resurfacing, Activity ID 06-2012-001, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$724,131.50. The proposal included a statement that the Disadvantaged Business Enterprise/Targeted Small Business (DBE/TSB) Program shall not 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> |
|---------------------|--|-------------------------|
| None                | N/A  | \$0.00                  |
|                     | Estimated DBE/TSB Participation                            | \$0.00                  |
|                     | OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving Amount | \$724,131.50            |
|                     | Percentage of DBE/TSB Participation                        | 0.00%                   |