

DATE April 8, 2013

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
SE CONNECTOR PAVING - S.E. 9TH STREET TO S.E. 15TH STREET
\$ 7,130,000.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$7,130,000.00, executed by Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA, 50327 dated April 8, 2013, for the construction of the following improvement:

SE Connector Paving - S.E. 9th Street to S.E. 15th Street, 06-2010-018

NHSX-U-1945 (408)--8S-77, NHSX-U-1945(408) --8S-77, NHSX-U-1945(408)--8S-77

The improvement includes construction of a Portland Cement Pavement ten (10) inches thick on the Southeast Connector, S.E. 12th Street and S.E. 15th Street and eight (8) inches thick on S.E. 10th Street and Raccoon Street with various width pavements and medians; together with the necessary removals, earthwork, clearing, grubbing, erosion control, sidewalks, driveways, recreational trails, pavement subdrains, storm sewers, railroad crossings, traffic control, traffic signals, street lighting, intersection enhancements, landscaping and irrigation system; all in accordance with the contract documents including Plan File Nos. 542-001/232 on the Southeast Connector from S.E. 9th Street to S.E. 15th Street, 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

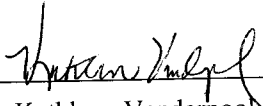
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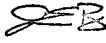
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BE IT FURTHER RESOLVED: That the Des Moines Finance Director is hereby authorized to encumber this contract amount against the funds as identified below, and to acquire Builder's Risk Insurance, if appropriate, for the above referenced improvement.

(City Council Communication Number 13-185 attached)

Moved by _____ to adopt.

FORM APPROVED 
 Kathleen Vanderpool
 Deputy City Attorney

 Funding Source: \$7,130,000 (Construction Contract) - 2013-2014 CIP, Page Street - 35, Southeast Connector - S.E. Sixth Street to S.E. 14th, STR219, Being: \$4,264,640 (maximum) in Federal Surface Transportation Program (STP) funds being 80% eligible for roadway construction costs under IDOT Project No. NHSX-U-1945(408)--8S-77; and \$125,000 (maximum) in Federal Surface Transportation Program Transportation Enhancement funds being 80% for eligible trail construction costs; and \$243,267 (maximum) in IA228 Federal Earmark being 100% eligible for roadway construction costs; and \$213,318.50 from Des Moines Water Works for water main construction; \$1,283,774.50 in Des Moines Tax Increment Bonds; and \$1,000,000 in G.O. Bond to be issued

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
SE Connector Paving - S.E. 9th Street to S.E. 15th Street

Activity ID 06-2010-018

On March 19, 2013, Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA 50327 submitted a proposal for construction of the SE Connector Paving - S.E. 9th Street to S.E. 15th Street, Activity ID 06-2010-018, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$7,130,000.00. 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 Elder Corporation, 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
	Elder Corporation Amount	\$7,130,000.00
	Percentage of DBE/TSB Participation	0.00%