

DATE February 8, 2016

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
NEAL SMITH TRAIL REHABILITATION - RIVERVIEW PARK TO EUCLID AVENUE
\$ 463,347.57

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$463,347.57, 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 February 8, 2016, for the construction of the following improvement:

Neal Smith Trail Rehabilitation - Riverview Park to Euclid Avenue, 11-2015-002

IA FLAP DM NSTRL

The improvement includes widening the existing Neal Smith Trail from 9 feet to 10 feet with 4-inch Hot Mix Asphalt (HMA) pavement followed by a 2-inch Hot Mix Asphalt (HMA) overlay over the existing and widened pavement sections, grading, site restoration, erosion control, and other associated work and incidental items; in accordance with the contract documents, including Plan File Nos. 570-028/078, along the Neal Smith Trail from Euclid Avenue to Riverview Park, 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

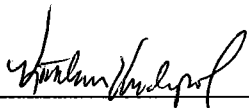
39A

DATE February 8, 2016

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 16-062 attached)

Moved by _____ to adopt.

FORM APPROVED 
 Kathleen Vanderpool
 Deputy City Attorney

ACE Funding Source: 2015-2016 CIP, Page Parks – 7, Multi-Use Trails, PK045, Being: \$300,000 (maximum) Federal Lands Access Program (FLAP) funds being 80% eligible construction costs under IDOT Project No. FLAP-1945(822)—7L-77, and the remaining \$163,347.57, PK045, G.O. Bonds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
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

Department of Engineering
City of Des Moines, Iowa



CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION
Neal Smith Trail Rehabilitation - Riverview Park to Euclid Avenue

Activity ID 11-2015-002

On January 20, 2016, 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 Neal Smith Trail Rehabilitation - Riverview Park to Euclid Avenue, Activity ID 11-2015-002, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$463,347.57. 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 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>
Subcontractor DBE Commitment per IDOT (adr		\$73,672.26
	Estimated DBE/TSB Participation	\$73,672.26
OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving	Amount	\$463,347.57
	Percentage of DBE/TSB Participation	15.90%