★**Roll Call Number**

Agenda Item Number

20A

DATE September 26, 2016

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
LEETOWN CREEKWAY CHANNEL IMPROVEMENTS
$ 1,699,000.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of $1,699,000.00, executed by Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA, 50327 dated September 26, 2016, for the construction of the following improvement:

Leetown Creekway Channel Improvements, 08-2014-003

The improvement includes clearing & grubbing, excavation, placement of rip rap protection, grading of channel banks, storm sewer installation, erosion control, seeding, restoration and other incidental items; all work in accordance with the contract documents including Plan File Nos. 574-174/214, along Leetown Creekway in 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.

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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.

Moved by _____ to adopt.

FORM APPROVED _____
Kathleen Vanderpool
Deputy City Attorney

Funding Source: 2016-2017 CIP, Page Storm - 9, Leetown Creekway - Outlet Improvements, SM075, Being: Storm Water 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

70A

Department of Engineering
City of Des Moines, Iowa

CITY OF DES MOINES

CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION

Leetown Creekway Channel Improvements

Activity ID 08-2014-003

On September 13, 2016, Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA 50327 submitted a proposal for construction of the Leetown Creekway Channel Improvements, Activity ID 08-2014-003, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of $1,699,000.00. 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:

DBE/TSB Name	Description of Work	Estimated Amount
Bonnies Barricades	Traffic Control	$950.00
	Estimated DBE/TSB Participation	$950.00
	Elder Corporation Amount	$1,699,000.00
	Percentage of DBE/TSB Participation	0.06%