

DATE May 22, 2017

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2017-2018 EXPANDED STREET RESURFACING PROGRAM - CONTRACT 1
\$ 1,583,934.65

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,583,934.65, executed by OMG Midwest, Inc. dba Des Moines Asphalt & Paving, Jeffrey A. Chapman, General Manager, 2401 SE Tones Drive, Ste. 13, Ankeny, IA, 50021 dated May 22, 2017, for the construction of the following improvement:

2017-2018 Expanded Street Resurfacing Program - Contract 1, 06-2017-007

The improvement includes scarification of existing asphalt streets, furnish and place Hot Mix Asphalt (HMA), furnish and place pavement markings, and other incidental items; in accordance with the contract documents, including Plan File Nos. 579-229/263, at the following locations in the City of Des Moines, Iowa:

- McKinley Avenue - S.W. 26th Street to S.W. 31st Street
- Park Avenue – Fleur Drive to S.W. 34th Street
- 42nd Street - Ingersoll Avenue to Pleasant Street
- 55th Street - University Avenue to Franklin Avenue
- 55th Street - Franklin Avenue to Hickman Road
- Douglas Avenue - Merle Hay Road to 62nd Street
- Forest Avenue - 16th Street to 18th Street
- 19th Street - Atkins Street to University Avenue
- E. Park Avenue - South Union Street to S.E. 5th Street
- S.E. 5th Street - E. Park Avenue to Watrous Avenue

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

60 A

DATE May 22, 2017

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 17-449 attached)

Moved by _____ to adopt.

FORM APPROVED *Kathleen Vanderpool*
 Kathleen Vanderpool
 Deputy City Attorney

AE Funding Source: 2017-2018 CIP, Page Street - 39, Special City-wide Street Improvements, ST217, Being: Gaming Monies

| 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



CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION
2017-2018 Expanded Street Resurfacing Program - Contract 1

Activity ID 06-2017-007

On May 9, 2017, OMG Midwest, Inc. dba Des Moines Asphalt & Paving, Jeffrey A. Chapman, General Manager, 2401 SE Tones Drive, Ste. 13, Ankeny, IA 50021 submitted a proposal for construction of the 2017-2018 Expanded Street Resurfacing Program - Contract 1, Activity ID 06-2017-007, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$1,583,934.65. 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. dba 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> |
|---|-------------------------------------|-------------------------|
| <u>Bonnies Barricades</u> | <u>Traffic Control</u> | <u>\$16,653.65</u> |
| | Estimated DBE/TSB Participation | <u>\$16,653.65</u> |
| OMG Midwest, Inc. dba Des Moines Asphalt & Paving | Amount | <u>\$1,583,934.65</u> |
| | Percentage of DBE/TSB Participation | <u>1.05%</u> |