

DATE December 17, 2018

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
EASTER LAKE SOUTH WATERSHED POND DREDGING AND IMPROVEMENTS  
\$ 1,827,200.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,827,200.00, executed by Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA, 50327 dated December 17, 2018, for the construction of the following improvement:

Easter Lake South Watershed Pond Dredging and Improvements, 08-2018-009

18CRDLWMBALM

The improvement includes dewatering and dredging of multiple basins, Class 10 excavation, clearing and grubbing, Hot Mix Asphalt (HMA) trail paving, revetment, surface restoration, traffic control, and other incidental items; all work in accordance with the contract documents including Plan File Nos. 599-144/177, located near Three Lakes Estates by S.E. 30th Street along E. Army Post Road, 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 and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering Department. 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 and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering and Department; 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 in accordance with the Instructions to Bidders.

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 and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering Department; and each subcontractor is hereby granted permission to work on said improvement.

★ **Roll Call Number**

**Agenda Item Number**

61A

DATE December 17, 2018

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 18-672 attached)

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

FORM APPROVED Kathleen Vanderpool by AD  
 Kathleen Vanderpool  
 Deputy City Attorney

*SLN* Funding Source: 2018-2019 CIP, Page Storm – 7, Easter Lake Watershed Improvements, SM061, Being: Anticipated \$425,000 in Iowa DNR Lake Restoration Funds for detention basin dredging, pending IDNR Agreement, and the remaining \$1,402,200 in Storm Water Utility Funds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
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**  
**Easter Lake South Watershed Pond Dredging and Improvements**

**Activity ID 08-2018-009**

On December 4, 2018, Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA 50327 submitted a proposal for construction of the Easter Lake South Watershed Pond Dredging and Improvements, Activity ID 08-2018-009, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$1,827,200.00. 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	\$1,827,200.00
	Percentage of DBE/TSB Participation	0.00%