

DATE January 13, 2020

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
MARKET DISTRICT SANITARY SEWER AND FORCE MAIN
\$ 3,396,233.50

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$3,396,233.50, executed by MPS Engineers, P.C. dba Kingston Services, P.C., Umesh G. Shetye, President, 1444 Illinois Street, Des Moines, IA, 50314 dated January 13, 2020, for the construction of the following improvement:

Market District Sanitary Sewer and Force Main, 07-2019-010

This improvement includes the construction of 10-inch, 12-inch, and 15-inch sanitary sewer, 10-inch sanitary sewer force main, manholes, air release valves, pavement removal, Hot Mix Asphalt (HMA) pavement, traffic control, erosion control and miscellaneous associated work, including cleanup; all in accordance with the contract documents, including Plan File Nos. 612-200/265 located along M.L. King Jr. Parkway from S.E. 11th Street east to the 2100 block, along Raccoon Street from S.E. 11th Street to S.E. 7th Street, along S.E. 7th Street from Raccoon Street to E. Elm Street, along E. Elm Street from S.E. 5th Street to S.E. 4th Street, and along S.E. 4th Street from Elm Street to Vine 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 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 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.

★ **Roll Call Number**

Agenda Item Number

63A

DATE January 13, 2020

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.

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 _____ attached)

Moved by _____ to adopt.

FORM APPROVED



Kathleen Vanderpool
Deputy City Attorney

SLN Funding Source: 2019-2020 CIP, Page Street – 33, SE 7th Reconstruction and Trunk Sewer, ST274, Being: \$350,000 in TIF Bonds, \$2,100,000 in TIF Bonds to be issued, and the remaining \$946,233.50 in Sanitary Sewer Funds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

I, P. Kay Cmelik, 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