

DATE April 20, 2020

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
RIVERWALK IMPROVEMENTS - PAVER REPLACEMENT
\$538,797.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$538,797.00, executed by Miner Hardscape, LLC, Matthew J. Miner, Owner, 17981 Hwy 141, PO Box 457, Granger, IA, 50109 dated April 20, 2020, for the construction of the following improvement:

Riverwalk Improvements - Paver Replacement, 04-2019-004

The improvement includes removal and replacement of deteriorated sidewalk concrete unit pavers, limestone pavers, and associated work; all in accordance with the contract documents, located along the Riverwalk between Center Street and Vine Street along the west side of the Des Moines River, 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.

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

56(A)

DATE April 20, 2020

BE IT FURTHER RESOLVED: That the Interim 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 20-176 attached)

Moved by _____ to adopt.

FORM APPROVED /s/
 Kathleen Vanderpool
 Deputy City Attorney

Funding Source: 2019-2020 CIP, Page Park – 18, Principal Riverwalk, PK162, Being: \$180,000 G.O. bonds issued and \$258,797 G.O. Bonds to be issued; and the remaining \$100,000 in G.O. Bonds transferred from SW095

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



CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION

Riverwalk Improvements - Paver Replacement

Activity ID 04-2019-004

On March 10, 2020, Miner Hardscape, LLC, Matthew J. Miner, Owner, 17981 Hwy 141, PO Box 457, Granger, IA 50109 submitted a proposal for construction of the Riverwalk Improvements - Paver Replacement, Activity ID 04-2019-004, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$538,797.00. The proposal included a statement that the Disadvantaged Business Enterprise/Targeted Small Business (DBE/TSB) Program shall not apply to this project.

The Engineering Department has prepared this report summarizing the information that Miner Hardscape, LLC, 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
	Miner Hardscape, LLC Amount	\$538,797.00
	Percentage of DBE/TSB Participation	0.00%