



DATE May 4, 2020

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
2020 DOWNTOWN RAILROAD CROSSING IMPROVEMENTS  
\$213,880.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$213,880.00, executed by Minturn, Inc., Clinton M. Rhoads, President, 144 W. Front Street, Brooklyn, IA, 52211 dated May 4, 2020, for the construction of the following improvement:

2020 Downtown Railroad Crossing Improvements, 04-2020-020

The improvement includes pavement removal, Hot Mix Asphalt (HMA) street approaches, Portland Cement Concrete (PCC) sidewalks, curbs and medians, pavement markings, and other incidental items; in accordance with the contract documents, including Plan File Nos. 616-200/217, at the following locations along the Iowa Interstate Railroad near W. Martin Luther King Jr. Parkway at S.W. 16th Street, S.W. 12th Street, S.W. 7th Street, S.W. 6th Street, S.W. 4th Street, S.W. Water Street, and at Grand Avenue east of 63rd Street, in the City of 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**

59A

DATE May 4, 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 20-193 attached)

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

FORM APPROVED /s/ \_\_\_\_\_

Kathleen Vanderpool  
Deputy City Attorney

SLN

Funding Source: 2019-2020 CIP, Page Streets – 27, Railroad Crossing Surface Repairs and Signal Improvements, ST139, Being: \$38,292.50 in G.O. Bonds; \$75,587.50 in G.O. Bonds transferred from SW084; and the remaining \$100,000 in Gaming Funds transferred from ST217

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



59A

**CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION**  
**2020 Downtown Railroad Crossing Improvements**

**Activity ID 04-2020-020**

On April 21, 2020, Minturn, Inc., Clinton M. Rhoads, President, 144 W. Front Street, Brooklyn, IA 52211 submitted a proposal for construction of the 2020 Downtown Railroad Crossing Improvements, Activity ID 04-2020-020, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$213,880.00. 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 Minturn, Inc., 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
	Minturn, Inc. Amount	\$213,880.00
	Percentage of DBE/TSB Participation	0.00%