



Roll Call Number

Agenda Item Number

40A

DATE January 11, 2021

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
S.W. 5TH STREET RAILROAD CROSSING IMPROVEMENTS
\$99,630.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$99,630.00, executed by Minturn, Inc., Clinton M. Rhoads, President, 144 W. Front Street, Brooklyn, IA, 52211 dated January 11, 2021, for the construction of the following improvement:

S.W. 5th Street Railroad Crossing Improvements, 042020021

The improvement includes pavement removal, Hot Mix Asphalt (HMA) street approaches, Portland Cement Concrete (PCC) sidewalks, pavement markings, sanitary sewer repair, sanitary sewer manhole removal and replacement, and other incidental items; in accordance with the contract documents, including Plan File Nos. 619-151/159, along the Iowa Interstate Railroad near S.W. 5th 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 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 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.



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BE IT FURTHER RESOLVED: That the Director of Finance 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 21-019 attached)

Moved by _____ to adopt.

FORM APPROVED sl Kathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney

SLN Funding Source: 2020-2021 CIP, Page Streets – 32, Railroad Crossing Surface Repairs and Signal Improvements, ST139, G. O. Bonds, Being: \$86,130 G.O. Bonds, and the remaining \$13,500 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

Department of Engineering
City of Des Moines, Iowa



CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION
S.W. 5th Street Railroad Crossing Improvements

Activity ID 042020021

On December 22, 2020, Minturn, Inc., Clinton M. Rhoads, President, 144 W. Front Street, Brooklyn, IA 52211 submitted a proposal for construction of the S.W. 5th Street Railroad Crossing Improvements, Activity ID 042020021, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$99,630.00. 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	\$99,630.00
	Percentage of DBE/TSB Participation	0.00%