



69A

DATE July 19, 2021

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
MACRAE PARK SLOPE STABILIZATION RETAINING WALLS AT EMC OVERLOOK
\$1,488,035.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,488,035.00, executed by Progressive Structures, LLC, Travis Augustyn, Manager, 24412 Hwy. 13, Elkader, IA, 52043 dated July 19, 2021, for the construction of the following improvement:

MacRae Park Slope Stabilization Retaining Walls at EMC Overlook, 112021009

The improvement includes clearing and grubbing, excavation, Portland Cement Concrete (PCC) cast-in-place retaining walls with rock anchor tie-backs, rock backfill, storm sewer, storm intakes, subdrain, PCC curb and gutter, PCC pavement patches, Hot Mix Asphalt (HMA), pavement scarification, railing, fencing, surface restoration and other incidental items; all in accordance with the contract documents, including Plan File Nos. 630-001/028, located in MacRae Park, 1021 Davis Avenue, 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.



Roll Call Number

Agenda Item Number

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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.

Moved by _____ to adopt.

FORM APPROVED s/Kathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney

Funding Source: 2021-2022 CIP, Page 73, Park Infrastructure, PK175, Being:
\$588,035 G.O. Bonds issued and \$900,000 G.O. Bonds to be issued

SLN
PW

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

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.

Mayor

City Clerk

69A

Department of Engineering
City of Des Moines, Iowa



CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION
MacRae Park Slope Stabilization Retaining Walls at EMC Overlook

Activity ID 112021009

On July 6, 2021, Progressive Structures, LLC, Travis Augustyn, Manager, 24412 Hwy. 13, Elkader, IA 52043 submitted a proposal for construction of the MacRae Park Slope Stabilization Retaining Walls at EMC Overlook, Activity ID 112021009, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$1,488,035.00. 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 Progressive Structures, 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
	Progressive Structures, LLC Amount	\$1,488,035.00
	Percentage of DBE/TSB Participation	0.00%