



Roll Call Number

Agenda Item Number

46

DATE February 7, 2022

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON SW 9TH ST BRIDGE REPLACEMENT OVER MIDDLE SOUTH CREEK; RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS HERBERGER CONSTRUCTION COMPANY, INC., DEAN HERBERGER, PRESIDENT, \$1,987,042.24

WHEREAS, on December 20, 2021, under Roll Call No. 21-1884, plans, specifications, form of contract documents, and Engineer's estimate of construction cost were filed with the City Clerk, for the construction of the following improvement:

SW 9th St Bridge Replacement over Middle South Creek, 122021003
BRM-SWAP-1945(857)--SD-91

The improvement includes removal of the existing three span concrete slab bridge, construction of a new continuous concrete slab bridge on steel pile foundations, bridge barrier rail, minor approach grading and concrete approach pavement, guardrail, channel shaping and revetment, erosion control, seeding, traffic control and temporary traffic signals, and mobilization; all in accordance with the contract documents, including Plan File No. 635-228/296, on S.W. 9th Street over Middle South Creek located south of Iowa Highway 5 in Warren County, Des Moines, Iowa

WHEREAS, notice of the hearing on the plans, specifications, form of contract documents, and Engineer's estimate of construction cost was published as required by law.

WHEREAS, in accordance with said notice, those interested in said proposed plans, specifications, form of contract documents, and Engineer's estimate of construction cost both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the upon due consideration of the facts, and any and all statements of interested persons, any objections to the plans, specifications, form of contract documents, and Engineer's estimate of construction cost for said improvement are overruled and the hearing is closed and that said plans, specifications, form of contract documents, and Engineer's estimate of construction cost are hereby approved.

BE IT FURTHER RESOLVED: That sealed bids for said improvement were submitted by the following bidders:

Herberger Construction Company, Inc., Indianola, IA Low Bid

which in accordance with a previously approved Iowa DOT Agreement, were received and opened by the Iowa DOT on January 19, 2022. The attached tabulation of bids by the Iowa DOT for said improvement be and is hereby accepted, received, and filed.

BE IT FURTHER RESOLVED: That the Des Moines City Engineer, as the Engineer, has determined that the lowest responsive, responsible bid for the construction of said improvement was submitted by Herberger Construction Company, Inc., Dean Herberger, President, 2508 West 2nd Avenue, P.O. Box 326, Indianola, IA, 50125 in the amount of \$1,987,042.24, and said bid be and the same is hereby accepted.



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BE IT FURTHER RESOLVED: That the Engineer is hereby directed to secure execution by the lowest responsible, responsive Bidder and its surety of the contract documents in the form heretofore approved by this Council; that the Engineer is directed to thereafter present said contract documents to this Council for approval and authorization for the Engineer to sign; and that 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 Engineer.

BE IT FURTHER RESOLVED: That the City Council hereby authorizes the necessary closure of all public grounds, streets, sidewalks, alleys, bridges, culverts, overpasses, underpasses, grade crossing separations and approaches, public ways, squares, and commons for the Project.

Moved by _____ to adopt.

(Council Communication No. 22-038)

FORM APPROVED:

FUNDS AVAILABLE

s/Kathleen Vanderpool

s/Nickolas J. Schaul

Kathleen Vanderpool
Deputy City Attorney

Nickolas J. Schaul
Director of Finance

Funding Source: 2021-2022 CIP, Page 28, SW 9th St Bridge over Middle Creek, BR062, Being: \$1,000,000 (maximum) City Bridge Federal-aid Swap funds being 80% of eligible construction costs under BHM-SWAP-1945(857)--SD-91, \$300,00 in gaming monies and the remaining \$687,042.24 in G.O. Bonds

SLN^{pw}

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