



DATE February 7, 2022

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
SW 9TH ST BRIDGE REPLACEMENT OVER MIDDLE SOUTH CREEK
\$1,987,042.24

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,987,042.24, executed by Herberger Construction Company, Inc., Dean Herberger, President, 2508 West 2nd Avenue, P.O. Box 326, Indianola, IA, 50125 dated February 7, 2022, 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

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 City Engineer 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. 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 the City Engineer.

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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DATE February 7, 2022

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 22-038 attached)

Moved by _____ to adopt.

FORM APPROVED s/Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

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

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Department of Engineering
City of Des Moines, Iowa



CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION
SW 9th St Bridge Replacement over Middle South Creek

Activity ID 122021003

On January 19, 2022, Herberger Construction Company, Inc., Dean Herberger, President, 2508 West 2nd Avenue, P.O. Box 326, Indianola, IA 50125 submitted a proposal for construction of the SW 9th St Bridge Replacement over Middle South Creek, Activity ID 122021003, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$1,987,042.24. 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 Herberger Construction Company, 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>
Subcontractor DBE Commitment per IDOT		\$0.00
	Estimated DBE/TSB Participation	\$0.00
	Herberger Construction Company, Inc. Amount	\$1,987,042.24
	Percentage of DBE/TSB Participation	0.00%