



60A

DATE December 12, 2022

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
DES MOINES LEVEE ALTERATIONS - PHASE C  
\$17,388,129.50

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$17,388,129.50, executed by Peterson Contractors, Inc., Cordell Peterson, President, 104 Blackhawk Street, Reinbeck, IA, 50669-1012 dated December 12, 2022, for the construction of the following improvement:

Des Moines Levee Alterations - Phase C, 082020006

The improvement includes earthen levee raise and widening, earthwork, excavation, clearing, revetment, sheet piling, gatewell raise, sewer pipe and repair, seepage relief pipe, swing gates, articulated concrete block, utility abandonment, rain garden, Portland Cement Concrete (PCC) pavement, Hot Mix Asphalt (HMA) pavement, light pole relocation, erosion control, seeding, other incidental items and miscellaneous associated work including cleanup; all in accordance with the contract documents, including Plan File No. 638-222/388, with improvements located along the Des Moines River from the confluence of the Raccoon River to S.E. 14th Street, 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**

*60A*

DATE December 12, 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 22-572 attached)

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

FORM APPROVED

FUNDS AVAILABLE

*s/ Kathleen Vanderpool*  
Kathleen Vanderpool  
Deputy City Attorney

*Nickolas J. Schaul*  
Nickolas J. Schaul  
Director of Finance

**SLN**  
*pw*

Funding Source: 2022-23 CIP, Page 106, Flood Mitigation Improvements, SM087, Being: Storm Water Utility Funds and Flood Mitigation Sales Tax

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

I, Laura Baumgartner, 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.

MOTION CARRIED APPROVED

Mayor

City Clerk

60A

Department of Engineering  
City of Des Moines, Iowa



**CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION**  
**Des Moines Levee Alterations - Phase C**

**Activity ID 082020006**

On November 22, 2022, Peterson Contractors, Inc., Cordell Peterson, President, 104 Blackhawk Street, Reinbeck, IA 50669-1012 submitted a proposal for construction of the Des Moines Levee Alterations - Phase C, Activity ID 082020006, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$17,388,129.50. 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 Peterson Contractors, 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
	Peterson Contractors, Inc. Amount	\$17,388,129.50
	Percentage of DBE/TSB Participation	0.00%