



**Date** April 24, 2023

**APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
2023 CITY-WIDE PCC PAVEMENT PATCHING PROGRAM  
\$2,487,830.00**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$2,487,830.00, executed by TK Concrete, Inc., Tony J. Ver Meer, President, 1608 Fifield Road, Pella, IA, 50219 dated April 24, 2023, for the construction of the following improvement:

2023 City-wide PCC Pavement Patching Program, 062023005

The improvement includes removals, drilling and doweling, furnishing, placing, curing, sawing, sealing Portland Cement Concrete (PCC) pavement patches of various thickness, and other incidental items, in accordance with the contract documents, including Plan File No. 654-088/154, at the following locations in Des Moines, Iowa:

1. SW 13th Street - Havens Avenue to Amos Avenue
2. Luster Lane - Southview Drive to SW 9th Street
3. Mason Avenue - Southview Drive to SW 11th Street
4. SW 16th Street - Havens Avenue to Johnson Street
5. Wade Street - SW 14th Street to SW 13th Street
6. SW 16th Street - Burnham Avenue to Army Post Road
7. Payton Avenue - SW 19th Street to SW 18th Street
8. Payton Avenue - SW 14th Street to SW 9th Street
9. Herold Avenue - SW 14th Street to SW 9th Street
10. SW 61st Street - Park Avenue to Willowmere Drive
11. Willowmere Drive - SW 63rd Street to SW 61st Street
12. SW 35th Street - Rose Avenue to Park Avenue
13. Muskogee Avenue - SW 63rd Street to SW 61st Street
14. SW 2nd Street - Caulder Avenue to Park Avenue
15. 62nd Street - Franklin Avenue to Hickman Road
16. 59th Street - Hickman Road to Sheridan Avenue
17. 54th Street - Sheridan Avenue to Dead End South
18. 47th Street - Franklin Avenue to Hickman Road
19. 48th Place - Hickman Road to Snyder Avenue
20. 47th Street - Euclid Avenue to Douglas Avenue
21. 43rd Street - Douglas Avenue to Aurora Avenue
22. 37th Street - Amick Avenue to Douglas Avenue
23. Brinkwood Road - Hillcrest Drive to Lower Beaver Road
24. 15th Street - Pleasant Street to Park Street
25. Holcomb Avenue - 6th Avenue to 2nd Avenue
26. Dixon Street - Hull Avenue to E Euclid Avenue
27. Boyd Street - E 21st Street to Dead End East
28. E 21st Street - Boyd Street to Hull Avenue



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- 29. E 42nd Street - E Douglas Avenue to Hubbell Avenue
- 30. SW 3rd Street - SE 1st Street to Raccoon River Bridge
- 31. Pioneer Road - Indianola Avenue to SE 6th Street
- 32. Scott Avenue - SE 26th Court to SE 27th Street
- 33. Scott Avenue - SE 29th Street to SE 30th Street
- 34. SE 22nd Street - Evergreen Avenue to E Park Avenue
- 35. E Kenyon Avenue - SE 1st Court to SE 5th Street
- 36. Fire Station #8 at McKinley Ave and SW 13th Street
- 37. Fire Station #9 at Douglas Avenue and 49th Street

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.

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.



**Roll Call Number**

**Agenda Item Number**

52A

**Date** April 24, 2023

(Council Communication No. 23-208 attached)

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

FORM APPROVED:

FUNDS AVAILABLE:

s/Kathleen Vanderpool

s/Nickolas J. Schaul

Kathleen Vanderpool  
Deputy City Attorney

Nickolas J. Schaul  
Director of Finance

Funding Source: 2023-24 CIP, Page 114, Public Works - Concrete Street and Curb Rehab, ST102,  
Being: \$1,693,000 in G.O. Bonds and the remaining \$794,830 in G.O. Bonds to be issued

SLN<sub>pw</sub>

COUNCIL ACTION	Yeas	Nays	Pass	Absent
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

\_\_\_\_\_  
Mayor

**CERTIFICATE**

I, Laura Baumgartner, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, 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

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Department of Engineering  
City of Des Moines, Iowa



**CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION**  
**2023 City-wide PCC Pavement Patching Program**

**Activity ID 062023005**

On April 11, 2023, TK Concrete, Inc., Tony J. Ver Meer, President, 1608 Fifield Road, Pella, IA 50219 submitted a proposal for construction of the 2023 City-wide PCC Pavement Patching Program, Activity ID 062023005, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$2,487,830.00. 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 TK Concrete, 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
	TK Concrete, Inc. Amount	\$2,487,830.00
	Percentage of DBE/TSB Participation	0.00%