



Date February 19, 2024

**APPROVAL OF CONTRACT AND BOND ON
UNION PARK ROCKET SLIDE REPAIR
\$581,657.62**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$581,657.62, executed by Cushman Excavation, LLC, Chad Cushman, Manager, 1249 108th Place, Knoxville, IA, 50138 dated February 19, 2024, for the construction of the following improvement:

Union Park Rocket Slide Repair, Activity ID 112023007

The improvement includes the removal of existing playground surface, construction of new Portland Cement Concrete (PCC) base with rubber playground tile surface, sidewalks, playground equipment rehabilitation, replacing the primary slide, a new painting and coating system, restoration, and associated improvements, all in accordance with the contract documents, including Plan File No. 661-043/090 located in Union Park, 725 Thompson 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 City Engineer is hereby authorized to approve requests to sublet work from the Contractor, 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.

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

51A

Date February 19, 2024

(Council Communication No. 24066 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 88, Park Playground Improvements, PK185, Being: General Fund made possible by American Rescue Plan Act (ARPA) funding

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
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

Department of Engineering
City of Des Moines, Iowa



CONTRACTOR’S ANTICIPATED DBE/TSB UTILIZATION

Union Park Rocket Slide Repair

Activity ID 112023007

On February 6, 2024, Cushman Excavation, LLC , Chad Cushman, Manager, 1249 108th Place, Knoxville, IA 50138 submitted a proposal for construction of the Union Park Rocket Slide Repair, Activity ID 112023007, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$581,657.62. 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 Cushman Excavation, 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
	Cushman Excavation, LLC Amount	\$581,657.62
	Percentage of DBE/TSB Participation	0.00%