



**Date** February 24, 2025

**APPROVAL OF CONTRACT AND BOND ON  
PORTER AVENUE IMPROVEMENTS FROM SW 9TH STREET TO SOUTH UNION STREET  
\$600,764**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$600,764, executed by TK Concrete, Inc., Tony J. Ver Meer, President, 1608 Fifield Road, Pella, IA, 50219 dated February 24, 2025, for the construction of the following improvement:

Porter Avenue Improvements from SW 9th Street to South Union Street, Activity ID 092024005

The improvement includes Hot Mix Asphalt (HMA) and Portland Cement Concrete (PCC) roadway pavement, sidewalk, driveways, pavement removal, storm sewer, water main, temporary traffic control, erosion control, retaining walls, surface restoration, and other incidental items, all in accordance with the contract documents including Plan File No. 667-192/237, located along Porter Avenue between SW 9th Street and South Union Street; the intersection of E. Jefferson Avenue and E. Lay Street; and the intersection of 45th Street and Chamberlain Avenue in 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 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

53A

Date February 24, 2025

(Council Communication No. 25.078 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

SLN<sub>pw</sub>

Funding Source: 2024-25 CIP, Page 155, Sidewalks - School and Priority Routes, SW081, Being: \$389,804 in G.O. Bonds, \$70,000 transferred from TR032 (Traffic Calming Improvements), \$100,000 transferred from ST065 (PCC Pavement Replacement), and the remaining \$40,960 from Des Moines Water Works

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
SIMONSON				
VOSS				
WESTERGAARD				
TOTAL				

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.

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

Department of Engineering  
City of Des Moines, Iowa



**CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION**  
**Porter Avenue Improvements from SW 9th Street to South Union Street**

**Activity ID 092024005**

On January 28, 2025, TK Concrete, Inc., Tony J. Ver Meer, President, 1608 Fifield Road, Pella, IA 50219 submitted a proposal for construction of the Porter Avenue Improvements from SW 9th Street to South Union Street, Activity ID 092024005, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$600,764.00. 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
	Total Amount	\$600,764.00
	Percentage of DBE/TSB Participation	0.00%