



Date September 29, 2025

**APPROVAL OF CONTRACT AND BOND ON
BIRDLAND AND ASHWORTH POOL BUILDING REPAIRS
\$353,675**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$353,675, executed by TNT Tuckpointing and Building Restoration, L.L.C., Joshua L. Smyser, Owner, 202 Iowa Street, Stockton, IA, 52769 dated September 29, 2025, for the construction of the following improvement:

Birdland and Ashworth Pool Building Repairs, Activity ID 112024013

The improvement includes the demolition of existing lighting, removal of mortar joints and glazed faces of concrete block, new lighting, repointing of mortar joints throughout, and painting, all in accordance with the contract documents including Plan File No. 665-001/015, located at Birdland Pool Facility, 300 Holcomb Avenue, and Ashworth Pool Facility, 102 45th Street, Des Moines, Iowa, and other locations directed by the Des Moines City Engineer

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

70A

Date September 29, 2025

(Council Communication No. 25-363 attached)

Moved by _____ to adopt. Second by _____

FORM APPROVED:

/s/ Glenna K. Frank

Glenna K. Frank

Deputy City Attorney

FUNDS AVAILABLE:

s/Nickolas J. Schaul

Nickolas J. Schaul

Director of Finance



Funding Source: 2025-26 CIP, Page 81, Swimming Pools and Aquatic Infrastructure, PK153, G.O.
Bonds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
SIMONSON				
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

Birdland and Ashworth Pool Building Repairs

Activity ID 112024013

On September 2, 2025, TNT Tuckpointing and Building Restoration, L.L.C., Joshua L. Smyser, Owner, 202 Iowa Street, Stockton, IA 52769 submitted a proposal for construction of the Birdland and Ashworth Pool Building Repairs, Activity ID 112024013, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$353,675.00. 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 TNT Tuckpointing and Building Restoration, L.L.C., 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		\$353,675.00
Percentage of DBE/TSB Participation		0.00%