

DATE March 10, 2008

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON SE 5TH STREET OVER YEADER CREEK BRIDGE REHABILITATION; RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS HERBERGER CONSTRUCTION CO., INC., DEAN HERBERGER, PRESIDENT, \$327,279.90

WHEREAS, on February 11, 2008, under Roll Call No. 08-201, plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of construction cost were filed with the City Clerk, for the construction of the following improvement:

SE 5th Street over Yeader Creek Bridge Rehabilitation, 12-2006-003  
STP-U-1945(734)--70-77

The improvement includes bridge rehabilitation utilizing Class 'A' and 'B' bridge deck repairs, bridge overlay, removal and replacement of approach pavement and sidewalk, removal and replacement of barrier rails and ornamental railings, revetment, galvanic corrosion protection, grooving, clearing and grubbing, channel excavation, pavement markings and traffic control all in accordance with the contract documents including Plan File Nos. 480-051/064 on the SE 5th Street over Yeader Creek Bridge in Des Moines, Iowa

WHEREAS, notice of the hearing on the plans, specifications, form of contract documents, and Engineer's estimate of construction cost was published as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the hearing on the plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of construction cost for said improvement be closed; and that said plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of construction cost are hereby approved as the plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of construction cost for said improvement.

BE IT FURTHER RESOLVED: That sealed bids for said improvement were submitted by the following bidders:

Herberger Construction Co., Inc. Indianola, IA

Cramer and Associates, Inc. Grimes, IA

which in accordance with a previously approved Iowa DOT Agreement, were received and opened by the Iowa DOT on February 19, 2008. The attached tabulation of bids by the Iowa DOT for said improvement be and is hereby accepted, received, and filed.

★ Roll Call Number

08.425

Agenda Item Number

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BE IT FURTHER RESOLVED: That the Jurisdictional Engineer has determined that the lowest responsive, responsible bid for the construction of said improvement was submitted by Herberger Construction Co., Inc., Dean Herberger, President, 2508 West 2nd Avenue, Indianola, IA, 50125 in the amount of \$327,279.90, and said bid be and the same is hereby accepted.

BE IT FURTHER RESOLVED: That the Jurisdictional Engineer is hereby directed to secure execution by the lowest responsible, responsive Bidder and its surety of the contract documents in the form heretofore approved by this Council; that the Jurisdictional Engineer is directed to thereafter present said contract documents to this Council for approval and authorization to the Mayor to sign; and that 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.

(City Council Communication Number 08-123 attached.)

Moved by Meyer to adopt.

FORM APPROVED:

FUNDS AVAILABLE

Kathleen Vanderpool  
Kathleen Vanderpool  
Deputy City Attorney

Allen McKinley  
Allen McKinley  
Des Moines Finance Director

FB Funding Source: 2007-2008 CIP, Page Bridge-14, SE Fifth Street Bridge over Yeader Creek, BRV038, Various Funding, Being: \$261,823.92 Federal funds (The IDOT agreement specifies that 80% of the construction costs are eligible for Federal funding up to a maximum of \$336,000) and \$65,455.98 in Gaming Monies from the Agreement with Polk County and The Racing Association of Central Iowa

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

I, Diane Rauh, 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  
J. M. Franklin  
Mayor

Diane Rauh  
City Clerk