

★ Roll Call Number

08-1261

Agenda Item Number

68

DATE July 14, 2008

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON
2008 EXPANDED STREET RESURFACING PROGRAM - CONTRACT 1;
RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS OMG MIDWEST, INC. D/B/A DES MOINES ASPHALT & PAVING, JAMES GAUGER, PRESIDENT, \$863,776.00

WHEREAS, on June 9, 2008, under Roll Call No. 08-958, 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:

2008 Expanded Street Resurfacing Program - Contract 1, 06-2008-017

The improvement includes scarification of existing asphalt streets, furnish and place Hot Mix Asphalt (HMA) and other incidental items; all in accordance with the contract documents, including Plan File Nos. 490-51/58 at the following locations:

- 37th Street from Kingman Blvd. to University Avenue
- 46th Street from Franklin Avenue to Hickman Road
- 62nd Street from Hickman Road to New York Avenue
- 47th Street from College Avenue to Franklin Avenue
- 47th Street from University Avenue to College Avenue
- Valdez Drive from dead end E of 46th Street to dead end W of 48th Street
- Cambridge Street from E Tiffin Avenue to E Euclid Avenue
- Guthrie Avenue from North Union Street to E 9th Street
- E 39th Court from E Ovid Avenue to E Douglas Avenue
- SE 25th Court from E Watrous Avenue to dead end N of E Rose Avenue
- SE 2nd Street from E Edison Avenue to E Jackson Avenue
- SE 25th Street from E Watrous Avenue to N of E Watrous Avenue
- Pioneer Road from E Indianola Avenue to SE 6th Street
- E Jackson Avenue from SE 1st Street to SE 6th Street
- Hughes Avenue from SE 21st Street to SE 22nd Street

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.

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

| | |
|--|---------------------------|
| OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving | Des Moines, IA |
| Grimes Asphalt & Paving Corp. | Grimes, IA |
| | Bid read under advisement |

which were received and opened at a public meeting presided over by the Jurisdictional Engineer in Meeting Room 3, Des Moines Central Library, 1000 Grand Avenue, Des Moines, Iowa, at 11:00 a.m. on July 1, 2008. Said bids and the attached tabulation of bids for said improvement be and are hereby received and filed.

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 OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, James Gauger, President, 5550 NE 22nd Street, P.O. Box 3365, Des Moines, IA, 50316-0365 in the amount of \$863,776.00, and said bid be and the same is hereby accepted.

BE IT FURTHER RESOLVED: That the bid security of the unsuccessful bidders be and is hereby authorized and directed to be returned.

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 08-401 attached.)

Moved by Kuerman to adopt.

FORM APPROVED:

Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

FUNDS AVAILABLE

Allen McKinley
 Allen McKinley
 Des Moines Finance Director

Funding Source: 2008-2009 CIP, Page Street-42, Special City-wide Street Improvements, STR217, Being: Gaming Monies from the Agreement with Polk County and The Racing Association of Central Iowa

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

MOTION CARRIED

APPROVED

T. M. Franklin Cownie

Mayor

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.

Diane Rauh

City Clerk