

★ Roll Call Number

08-1614

Agenda Item Number

41 (A)

DATE September 8, 2008

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
2008 EXPANDED STREET RESURFACING PROGRAM - CONTRACT 3  
\$ 629,803.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$629,803.00, executed 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 dated September 8, 2008, for the construction of the following improvement:

2008 Expanded Street Resurfacing Program - Contract 3, 06-2008-019

The improvement includes scarification of existing asphalt streets, furnish and place hot mix asphalt, and other incidental items; in accordance with the contract documents, including Plans File Nos. 491-104/109, at the following locations:

- 56th Street - College Avenue to Franklin Avenue
- 50th Street - Hickman Road to Urbandale Avenue
- 56th Street - Madison Avenue to Aurora Avenue
- Sheridan Avenue - 44th Street to Beaver Avenue
- Washington Avenue - 16th Street to ML King Jr. Pkwy.
- Clinton Avenue - 6th Street to 12th Street
- Royer Street - E 14th Street to Dead End East of E 14th Street
- Pleasantview Drive - SE 14th Street to SE 17th Street
- SE 8th Street - Park Avenue to Indianola Road

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. 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, 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.

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BE IT FURTHER RESOLVED: That the attached communication from said Contractor requesting permission to sublet designated items and the attached Permission to Sublet form, be and are hereby approved subject to each subcontractor's compliance with the City of Des Moines Contract Compliance Program. The City Manager is hereby directed to sign said Permission to Sublet form granting permission for said listed subcontractor to work on said improvement upon each subcontractor's compliance with the City of Des Moines Contract Compliance Program as monitored by the Engineering Department.

BE IT FURTHER RESOLVED: That the Des Moines Finance Director 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.

Moved by Kiernan to adopt.

FORM APPROVED Kathleen Vanderpool  
 Kathleen Vanderpool  
 Deputy City Attorney

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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN				✓
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	6			1

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