

Agenda Item Number 41 B

DATE October 27, 2008

## ORDERING CONSTRUCTION OF M.L. KING JR. PARKWAY LEVEE RESTORATION AND FIXING A DATE FOR RECEIVING OF BIDS ON NOVEMBER 12, 2008 AND PUBLIC HEARING ON NOVEMBER 24, 2008 ENGINEER'S ESTIMATE IS \$373,980.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached communication recommending construction of the following improvement and the method of financing; and also including the recommendation of the Des Moines City Engineer, as the Jurisdictional Engineer, submitting plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of cost for the construction of the following improvement:

M.L. King Jr. Parkway Levee Restoration, 04-2009-003

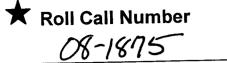
The improvement includes restoration of the levee following the 2008 Floods with work to include excavation of temporary clay material, removal of bike trail, and construction of a gatewell, culvert, select fill, levee reconstruction and restoration, and other incidental items; all in accordance with the contract documents including Plan File Nos. 492-075/116 along the east side of M.L. King Jr. Parkway between Madison Avenue and Euclid Avenue.

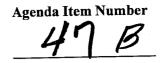
be and the same are hereby approved and accepted. The estimated construction cost for said improvement is \$373,980.00. The proposed plans, specifications, and form of contract documents are available for public inspection in the City Engineer's Office.

BE IT FURTHER RESOLVED: That this Council hereby determines that it is necessary and advisable to construct said improvement in the manner set forth in the plans, specifications, and form of contract documents submitted by the Jurisdictional Engineer; and that payment for the cost of said improvement shall be paid from the funding source identified below.

BE IT FURTHER RESOLVED: That a public hearing on said plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of construction cost for said improvement be held in the City Council Chambers, 2nd Floor, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on November 24, 2008, at which time this Council will consider any objections offered thereto or to the making of said improvement.

BE IT FURTHER RESOLVED: That proposals will be received by the City of Des Moines, at the office of the City Clerk until 11:00 a.m. on November 12, 2008, for the construction of said improvement, and the taking of bids in the manner required by law. Proposals received will be opened at a public meeting presided over by the Jurisdictional Engineer in the City Council Chambers, 2nd Floor, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 11:00 a.m. on November 12, 2008, after which the bids together with a bid tabulation and recommendation of the Jurisdictional Engineer will be presented to the City Council at its next meeting for action thereon.





DATE October 27, 2008

BE IT FURTHER RESOLVED: That the City Clerk is further directed to publish a Public Notice of Storm Water Discharge in the Des Moines Register and The Business Record as required by the Iowa Department of Natural Resources.

BE IT FURTHER RESOLVED: That the City Manager be and is hereby authorized and directed to certify the "Notice of Intent for NPDES Coverage under General Permit No. 2 for Storm Water Discharges associated with Industrial Activity for Construction Activities" on behalf of the City of Des Moines and submit said document to the Iowa Department of Natural Resources with appropriate application and permit fees.

BE IT FURTHER RESOLVED: That an appropriate Notice to Bidders and Notice of Public Hearing for said improvement be published in the Des Moines Register as provided and directed by Chapter 26 and/or 314, Code of Iowa.

(City Council Commu	nication Number 08-645 attached.)
Moved by Hensley	to adopt.
	FUNDS AVAILABLE

FORM APPROVED:

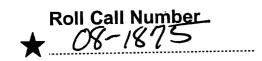
Kathleen Vanderpool Deputy City Attorney

FUNDS AVAILABLE

Allen McKinley Des Moines Finance Director

Funding Source: 2008-2009 CIP, Page Storm Sewer-10, Flood Protection System Improvements, FLD008, Storm Water Utility Funds, Being:

Storm Water Utility Funds with a minor portion of this project anticipated to be funded with FEMA funds.



- . . . <u>-</u>

Agenda Item Number

Date October 27, 2008

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY	ν,			
MEYER	V,			
VLASSIS				
TOTAL	7			
MOTION CARRIED	She		  }/[	APPROVED

## CERTIFICATE

I, DIANE RAUH, 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.

ta City Clerk

2

en pro po

- (2)