

★ Roll Call Number

08-2086

Agenda Item Number

47

DATE November 24, 2008

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON M.L. KING JR. PARKWAY LEVEE RESTORATION; RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS ELDER CORPORATION, JARED R. ELDER II, PRESIDENT, \$175,246.25

WHEREAS, on October 27, 2008, under Roll Call No. 08-1875, 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:

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.

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:

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Elder Corporation	Des Moines, IA
C. A. C., Inc.	Urbandale, IA
Vanderpool Construction, Inc.	Indianola, IA
Corell Contractor, Inc.	West Des Moines, IA
Sheets Excavating, Ltd.	Montezuma, IA
Keller Excavating, Inc.	Boone, IA
Halbrook Excavating, Inc.	Ankeny, IA

which were received and 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. 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 Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA, 50327 in the amount of \$175,246.25, 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.

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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 08-704 attached.)

Moved by Vlassis to adopt.

FORM APPROVED:

FUNDS AVAILABLE

Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

Allen McKinley
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.

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
T. M. Franklin
Mayor

Diane Rauh
City Clerk