

★ Roll Call Number

09-228

Agenda Item Number

49

DATE February 9, 2009

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON PLEASANT DRIVE BRIDGE OVER CUMMINS CREEK; RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS HERBERGER CONSTRUCTION CO., INC., DEAN HERBERGER, PRESIDENT, \$725,505.43

WHEREAS, on December 22, 2008, under Roll Call No. 08-2177, 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:

Pleasant Drive Bridge over Cummins Creek, 12-2007-007

The improvement includes removal of the existing bridge and substructure, construction of the new slab bridge, bridge approach pavement removal and replacement, storm sewer and intakes, utility ducts, excavation and grading, PCC subbase, PCC pavement, sidewalk removal and replacement, hydrant adjustment, ornamental handrail, modular block wall, fencing, erosion control, silt fence, seeding, sodding, rip rap, construction survey, project sign, traffic control and mobilization; all work in accordance with the contract documents including Plan File Nos. 494-120/166, in the 6000 Block of Pleasant Drive, 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

United Contractors, Inc. Johnston, 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 January 27, 2009. Said bids and the attached tabulation of bids for said improvement be and are hereby received and filed.

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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 \$725,505.43, and said bid be and the same is hereby accepted.

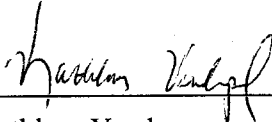
BE IT FURTHER RESOLVED: That the bid security of the unsuccessful bidders be and is hereby authorized and directed to be returned.

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 09-070 attached.)

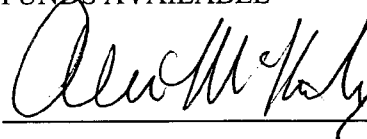
Moved by Hensley to adopt.

FORM APPROVED:



Kathleen Vanderpool  
Deputy City Attorney

FUNDS AVAILABLE



Allen McKinley  
Des Moines Finance Director

Funding Source: 2008-2009 CIP, Page BRV-12, Pleasant Drive over Cummins Creek, BRV040, Being: \$594,541.93 for bridge construction work in Gaming Monies from the Agreement with Polk County and The Racing Association of Central Iowa. The bridge has been designed to allow the planned Waveland Trail to pass underneath the structure and includes grading and retaining wall construction for the trail project at a bid price of \$130,963.50, which will be funded with G. O. Bonds from PKS045, Recreation Trails, Page Parks-22

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

MOTION CARRIED

APPROVED

T. M. Franklin Council  
 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