

DATE March 9, 2009

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON 2008 STORM SEWER REPAIR CONTRACT 2; RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS THE UNDERGROUND COMPANY, LTD., DUANE BURKHARDT, PRESIDENT, \$211,686.30

WHEREAS, on February 9, 2009, under Roll Call No. 09-162, 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 Storm Sewer Repair Contract 2, 08-2008-002

The improvement includes construction of storm sewers, manholes, intakes, restoration of pavement & landscaping, and other incidental items; in accordance with the contract documents including Plan File Nos. 495-027/064, to repair deteriorated infrastructure at 5 locations in Des Moines, Iowa, being: behind 1416 Oak Park Avenue, south of the intersection of Muskogee Avenue & River Oaks Drive, intersection of 29th Street & Forest Drive, intersection of S. Union Street & Park Avenue, and the intersection of University Avenue & Maine 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.

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

- The Underground Company, Ltd. Carlisle, IA
Reilly Construction Co., Inc. Ossian, IA
H & W Contracting LLC Sioux Falls, SD
Van Hauen & Associates, Inc. Grimes, IA
Corell Contractor, Inc. West Des Moines, IA
Keller Excavating, Inc. Boone, IA
Elder Corporation Des Moines, IA
Machin LC Excavating & Plumbing Newton, IA - Bid not read

★ Roll Call Number

09-424

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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 February 24, 2009. 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 The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA, 50047 in the amount of \$211,686.30, 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 09-150 attached.)

Moved by Mahaffey to adopt.

FORM APPROVED:

Kathleen Vanderpool  
Kathleen Vanderpool  
Deputy City Attorney

FUNDS AVAILABLE

Allen McKinley  
Allen McKinley  
Des Moines Finance Director

Funding Source: 2009-2010 CIP, Page Storm-4, City-wide Storm Water Utility Projects, STE057, Storm Water Utility Funds

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

MOTION CARRIED

APPROVED

T. M. Franklin  
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