

★ Roll Call Number

09-427

Agenda Item Number

46A

DATE March 9, 2009

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
ASHWORTH POOL FILTER REPLACEMENT
\$ 263,700.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$263,700.00, executed by Bergstrom Construction, Inc., Tom Gorgas, President, 1719 Hull Avenue, Des Moines, IA, 50313 dated March 9, 2009, for the construction of the following improvement:

Ashworth Pool Filter Replacement, 11-2009-008

The improvement includes replacement of the existing vacuum sand filter system with a pressure sand filter system, demolition and structural modifications to the filter building, painting, mechanical, electrical, concrete work, clean up and debris disposal all in accordance with the contract documents including Plan File Nos. 495-1/21 at Ashworth Swimming Pool, 102 45th Street, Des Moines, Iowa

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.

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.

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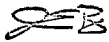
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BE IT FURTHER RESOLVED: That the Des Moines Finance Director is hereby authorized to encumber this contract amount against the funds as identified below, and to acquire Builder's Risk Insurance, if appropriate, for the above referenced improvement.

Moved by Hensley to adopt.

FORM APPROVED Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

 Funding Source: 2009-2010 CIP, Page Parks-28, Swimming Pools and Aquatic Infrastructure, PKS153, Being: G. O. Bonds, with a transfer of \$263,700 in G. O. Bonds from Park Redevelopment, Page Parks-19, PKS100

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

MOTION CARRIED APPROVED
T. M. Franklin Cooney
 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