

DATE April 6, 2009

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON TRESTLE TO TRESTLE TRAIL REALIGNMENT; RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS SMITH SEEDING, INC., JOHN E. SMITH, PRESIDENT, \$236,059.97

WHEREAS, on March 9, 2009, under Roll Call No. 09-365, 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:

Trestle to Trestle Trail Realignment, 11-2009-007

The improvement includes realignment of the bike trail as a result of the restoration of a levee from the Floods of 2008. Construction will include paving the trail, removal of fence, installation of ballards, extending storm sewer outlets, sidewalk ramps, access driveway, restoration and other incidental items; in accordance with the contract documents including Plan File Nos. 496-129/152, along the east side of M.L. King Jr. Parkway between Clarkson Avenue and Madison Avenue, 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:

- | | |
|-------------------------------|---------------------|
| Smith Seeding, Inc. | Eldridge, IA |
| Elder Corporation | Des Moines, IA |
| Grimes Asphalt & Paving Corp. | Grimes, IA |
| Sheets Excavating, Ltd. | Montezuma, IA |
| Corell Contractor, Inc. | West Des Moines, 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 March 24, 2009. Said bids and the attached tabulation of bids for said improvement be and are hereby received and filed.

★ Roll Call Number

09-587

Agenda Item Number

58

DATE April 6, 2009

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 Smith Seeding, Inc., John E. Smith, President, 219 N. 1st Street, Eldridge, IA, 52748-2200 in the amount of \$236,059.97, and said bid be and the same is hereby accepted.

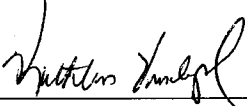
BE IT FURTHER RESOLVED: That the bid security of the unsuccessful bidders be and is hereby authorized and directed to be returned.

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 09-207 attached.)

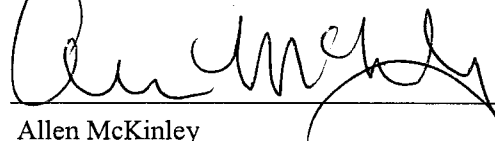
Moved by Vlassis to adopt.

FORM APPROVED:

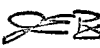


Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE



Allen McKinley
Des Moines Finance Director

 Funding Source: 2009-2010 CIP, Page Parks-22, Recreation Trails, PKS045, Being: \$100,000 anticipated approximate FEMA reimbursement with the remaining \$177,750 in Des Moines G. O. Bonds

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

MOTION CARRIED

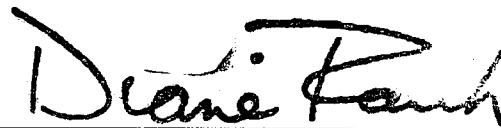
APPROVED



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.



City Clerk