

★ **Roll Call Number**

**Agenda Item Number**

09-1044

69

DATE June 8, 2009

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON WAVELAND TRAIL PHASE 1 FROM THE WALNUT CREEK TRAIL TO 56TH STREET; RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS ELDER CORPORATION, JARED R. ELDER II, PRESIDENT, \$273,999.99

WHEREAS, on May 4, 2009, under Roll Call No. 09-708, 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:

Waveland Trail Phase 1 from the Walnut Creek Trail to 56th Street, 11-2006-006  
STP-E-1945(693)--8V-77

The improvement includes constructing a 10-foot wide hot mix asphalt trail 6.0 inches thick, earthwork, clearing and grubbing, culverts, and other incidental items; in accordance with the contract documents, including Plans File Nos. 496-001/041, on Waveland Trail from the existing Walnut Creek Trail just east of 63rd Street to 56th Street at Interstate 235 in 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:

- |   |                     |
|---|---------------------|
| Elder Corporation                                   | Des Moines, IA      |
| Sheets Excavating, Ltd.                             | Montezuma, IA       |
| OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving | Des Moines, IA      |
| Grimes Asphalt & Paving Corp.                       | Grimes, IA          |
| Corell Contractor, Inc.                             | West Des Moines, IA |

which in accordance with a previously approved Iowa DOT Agreement, were received and opened by the Iowa DOT on May 19, 2009. The attached tabulation of bids by the Iowa DOT for said improvement be and is hereby accepted, 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 Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA, 50327 in the amount of \$273,999.99, and said bid be and the same is hereby accepted.

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 09-364 attached.)

Moved by Hensley 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 Park-22, Recreation Trails, PKS045, Being: 80% of eligible construction costs (\$150,000.00 maximum) in Federal Surface Transportation Program - Transportation Enhancement Funds and \$123,999.99 in City G. O. Bonds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLISSIS	✓			
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