

★ Roll Call Number

09-1045

Agenda Item Number

69 A

DATE June 8, 2009

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
WAVELAND TRAIL PHASE 1 FROM THE WALNUT CREEK TRAIL TO 56TH STREET
\$ 273,999.99

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$273,999.99, executed by Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA, 50327 dated June 8, 2009, 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

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 Permission to Sublet form, from said Contractor requesting permission to sublet designated items, be and is hereby approved; and each subcontractor is hereby granted permission to work on said improvement.

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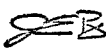
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BE IT FURTHER RESOLVED: That the Des Moines Finance Director is hereby authorized to encumber this contract amount against the funds as identified below, and to acquire Builder's Risk Insurance, if appropriate, for the above referenced improvement.

Moved by Meyer to adopt.

FORM APPROVED Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

 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	✓			
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