**Agenda Item Number** 

61 A

★ Roll Call Number \_\_\_\_\_\_09-\_1147\_\_\_\_

DATE June 22, 2009

## APPROVAL OF CONTRACT AND BOND AND PERMISSION TO SUBLET ON 2009 PARKS PLAYGROUND & BASKETBALL COURT IMPROVEMENTS \$ 168,505.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$168,505.00, executed by T K Concrete Inc., Tony J. VerMeer, President, 1608 Fifield Road, Pella, IA, 50219 dated June 22, 2009, for the construction of the following improvement:

2009 Parks Playground & Basketball Court Improvements, 11-2008-008

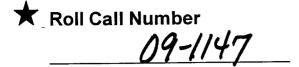
The improvement includes the installation of PCC basketball courts, PCC sidewalk and bike trails, PCC curb, modular retaining walls, earthwork, and restoration; all in accordance with the contract documents, including Plan File Nos. 504-039/047 at Woodlawn Park, Lawnwoods Drive and Twana Drive; Burke Park, E. 6th Avenue and E. University Avenue; Good Park, 17th Street and Atkins Street; M.L. King Park, E. 17th Street and Garfield Avenue; and Three Lakes Parkway, South of E. Army Post Road, 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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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.

Vlassis to adopt. Moved by

FORM APPROVED

Kathleen Vanderpool Deputy City Attorney

Funding Source: 2009-2010 CIP, Page Parks-15, Neighborhood Park Improvements, PKS137, G. O. Bonds

PASS ABSENT **COUNCIL ACTION** YEAS NAYS COWNIE COLEMAN HENSLEY **KIERNAN** MAHAFFEY MEYER VLASSIS TOTAL APPROVED MOTION CARRIED and in Counce 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.

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