★ **Roll Call Number**
09-1491

Agenda Item Number
66

DATE August 10, 2009

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON MCKINLEY AVENUE RESURFACING - FLEUR DRIVE TO SOUTH UNION STREET; RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS OMG MIDWEST, INC. D/B/A DES MOINES ASPHALT & PAVING, JAMES GAUGER, PRESIDENT, $339,405.16

WHEREAS, on July 13, 2009, under Roll Call No. 09-1183, 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:

McKinley Avenue Resurfacing - Fleur Drive to South Union Street, 06-2009-011
ESL-1945(755)--7S-77
The improvement includes construction of 2" thick pavement scarification and HMA overlay, pavement markings, and other incidental items; in accordance with the contract documents, including Plans File Nos. 503-003/017, on McKinley Avenue from 350' east of Fleur Drive to 200' west of South Union Street, 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:

OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving	Des Moines, IA
Grimes Asphalt & Paving Corp.	Grimes, IA

which in accordance with a previously approved Iowa DOT Agreement, were received and opened by the Iowa DOT on July 21, 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 OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, James Gauger, President, 5550 NE 22nd Street, P.O. Box 3365, Des Moines, IA, 50316-0365 in the amount of $339,405.16, 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 09-573 attached.)

Moved by Meyer to adopt.

FORM APPROVED:

Ann DiDonato
Assistant City Attorney

FUNDS AVAILABLE

Allen McKinley
Des Moines Finance Director

Funding Source: 2009-2010 CIP, Page Street-32, Rehabilitation and Preservation of Major Roadways, STR222, Being:
$339,405.16 in Federal Stimulus Funds from the American Recovery and Reinvestment Act (ARRA) of 2009 for 100% of construction costs with a $400,000 maximum.

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

MOTION CARRIED APPROVED

T. M. Franklin Cownie

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