

★ Roll Call Number

09-1494

Agenda Item Number

67A

DATE August 10, 2009

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
E. MCKINLEY AVENUE WIDENING - SOUTH UNION STREET TO S.E. 5TH STREET  
\$ 1,383,942.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,383,942.00, executed by Reilly Construction Co., Inc., Chris R. Reilly, President, 110 Main Street, PO Box 99, Ossian, IA, 52161 dated August 10, 2009, for the construction of the following improvement:

E. McKinley Avenue Widening - South Union Street to S.E. 5th Street, 06-2007-002  
ESL-1945(757)--7S-77

The improvement includes widening and reconstruction of E. McKinley Avenue with 10-inch thick full-depth portland cement concrete; together with pavement removal, excavation, water main construction, storm drainage, subdrain, subbase placement, driveways, sidewalks, sodding, and miscellaneous associated work including cleanup; in accordance with the contract documents, including Plan File Nos. 497-045/128, on E. McKinley Avenue between South Union Street and S.E. 5th Street, 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.

Moved by Meyer to adopt.

FORM APPROVED Ann DiDonato  
 Ann DiDonato  
 Assistant City Attorney

*EB* Funding Source: 2009-2010 CIP, Page Street-23, McKinley Avenue Widening - Fleur Drive to E. Indianola Avenue, STR212, Being:  
 \$1,286,228 in Federal Stimulus Funds from American Recovery and Reinvestment Act (ARRA) of 2009 (100% of construction costs \$1,400,000 maximum) and \$97,714 from Des Moines Water Works for water main construction

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