

★ Roll Call Number

09-1708

Agenda Item Number

69

DATE September 14, 2009

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON PRINCIPAL RIVERWALK - WALNUT STREET TO GRAND AVENUE, WEST SIDE; RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS ELDER CORPORATION, JARED R. ELDER II, PRESIDENT, \$2,849,000.00

WHEREAS, on August 10, 2009, under Roll Call No. 09-1414, 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:

Principal Riverwalk - Walnut Street to Grand Avenue, West Side, 11-2009-011
ESL-1945(759)—7S-77

The improvement includes construction of a 12-foot-wide recreational trail and other amenities including precast concrete pavers, stone paving, concrete pedestrian pavement, HMA pavement, landscaping, floodwall and other related items, all in accordance with the contract documents including Plan File Nos. 503-047/176 to be constructed along the west bank of the Des Moines River from Walnut Street to Grand Avenue, 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 |
| Cramer and Associates, Inc. | Grimes, IA |
| The Hansen Company, Inc. | Johnston, IA |
| Peterson Contractors Inc. | Reinbeck, IA |

which in accordance with a previously approved Iowa DOT Agreement, were received and opened by the Iowa DOT on August 18, 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 \$2,849,000.00, 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 09-660 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

FB Funding Source: 2009-2010 CIP, Page Park-23, Principal Riverwalk, PKS162, Being: \$2,849,000 (\$2,856,610 previous maximum) in Federal Stimulus Funds under the American Recovery and Reinvestment Act of 2009 (ARRA) for construction costs only, with any construction overage from Iowa State Recreation Trail funding

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