

★ Roll Call Number

09-1710

Agenda Item Number

70

DATE September 14, 2009

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON 1235 DAVIS AVENUE SOIL STABILIZATION; RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS HARDSCAPE SOLUTIONS OF IOWA, INC., CURTIS RICHEY, PRESIDENT, \$137,519.35

WHEREAS, on August 10, 2009, under Roll Call No. 09-1416, 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:

1235 Davis Avenue Soil Stabilization, 04-2009-017
69-6114-9-49

The improvement includes construction of a mechanically stabilized earth wall and drainage way improvements, together with the necessary appurtenances and restoration; in accordance with the contract documents including Plan File Nos. 507 - 127/134 at 1235 Davis 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:

Hardscape Solutions of Iowa, Inc. Marion, IA

Elder Corporation Des Moines, IA

which were received and opened at a public meeting presided over by the Jurisdictional Engineer in the City Council Chambers, 2nd Floor, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa at 11:00 a.m. on September 1, 2009. Said bids and the attached tabulation of bids for said improvement be and are hereby received and filed.

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 Hardscape Solutions of Iowa, Inc., Curtis Richey, President, 3125 Munier Road, Suite D, Marion, IA, 52302 in the amount of \$137,519.35, and said bid be and the same is hereby accepted.

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BE IT FURTHER RESOLVED: That the bid security of the unsuccessful bidders be and is hereby authorized and directed to be returned.

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 09-661 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

Funding Source: 2009-2010 CIP, Page Storm-4, City-wide Storm Water Utility Projects, STE057, Being:
Various funding being:

- \$88,350 in Federal funds from the USDA-NRCS EWP Program Funds for 75% of construction contract costs, not to exceed \$88,350, per Agreement No. 69-6114-9-49.
- \$32,939.35 in private contributions from the adjacent property owners, Trelen Wilson and Linda Bender, per agreement with the property owner.
- \$16,230 in Storm Water Utility funds from STE057, plus costs for any change orders or overages

SEB

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

MOTION CARRIED

APPROVED

Y. McFranklin Lawrence

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