

★ Roll Call Number

10-317

Agenda Item Number

54A

DATE February 22, 2010

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
E. 33RD STREET & EASTON BOULEVARD INTERSECTION IMPROVEMENTS  
\$ 437,704.25

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$437,704.25, executed by Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA, 50327 dated February 22, 2010, for the construction of the following improvement:

E. 33rd Street & Easton Boulevard Intersection Improvements, 06-2009-004  
CS-TSF-1945(739)--85-77

The improvement includes removing pavement and existing traffic signal system and construction a Portland Cement Concrete widening eight (8) inches thick with a Hot Mix Asphalt overlay, Portland Cement Concrete reconstruction nine (9) inches thick, new traffic signal system, storm sewer, subdrains, driveways, sidewalks, pavement markings, surface restoration and other incidental items; in accordance with the contract documents, including Plans File Nos. 514-164/195, at the intersection of E. 33rd Street and Easton Boulevard and on Easton from E. 33rd Street to E. 34th 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, subject to receipt of the contract, bond, and certificate of insurance acceptable to the Engineering and Legal Departments. 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, subject to receipt of the contract, bond, and certificate of insurance acceptable to the Engineering and Legal Departments, 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, subject to receipt of the contract, bond, and certificate of insurance acceptable to the Engineering and Legal Departments; 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 Mahaffey to adopt.

FORM APPROVED Kathleen Vanderpool  
 Kathleen Vanderpool  
 Deputy City Attorney

Funding Source: 2009-2010 CIP, Page Street-15, E. 33rd and Easton Boulevard Intersection Improvements, STR234, Being:  
 \$400,000 in Iowa DOT Traffic Safety Funds (Max \$400,000) and \$37,704.25 in City G. O. Bonds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
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