

★ Roll Call Number

10.984

Agenda Item Number

75A

DATE June 14, 2010

APPROVAL OF CONTRACT AND BOND  
2010 TENNIS COURT RESURFACING  
\$ 89,979.90

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$89,979.90, executed by Blacktop Repair Service, Inc. dba Upper Midwest Athletic Construction, Patricia J. Hicks, President, 16340 Nowthen Blvd., Anoka, MN, 55303 dated June 14, 2010, for the construction of the following improvement:

2010 Tennis Court Resurfacing, 11-2010-013

The improvement includes work on tennis court facilities located at Waveland Park and Birdland Park in Des Moines, Iowa, including crack repairs, joint sealing and joint repairs, court resurfacing, and finish color and striping on seventeen (17) tennis courts; in accordance with the contract documents including Plan File Numbers 517-019/027

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.

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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 Coleman to adopt.

FORM APPROVED Kathleen Vanderpool  
Kathleen Vanderpool  
Deputy City Attorney

RB Funding Source: 2009-2010 CIP, Page PKS-15, Neighborhood Park Improvements, PKS137, 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