

10-1166

41

DATE July 12, 2010

PUBLIC HEARING ON 33RD STREET SEWER SEPARATION REGARDING:

1. APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE; AND
 2. THE STATUS OF THE FUNDED ACTIVITIES UNDER IDED CONTRACT 08-DRI-034;
- ALSO RESOLUTION TO RECEIVE AND FILE BIDS; DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS REILLY CONSTRUCTION CO., INC., CHRIS R. REILLY, PRESIDENT, \$1,485,199.10

WHEREAS, on June 14, 2010, under Roll Call No. 10-882, 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:

33rd Street Sewer Separation, 07-2009-008, 08-DRI-034

This improvement includes the separation of the City's combined sanitary and storm sewer system at several locations west of downtown and in the proximity of I-235. The construction includes the installation of manholes, intakes, storm sewer piping and sanitary sewer piping and the replacement of street pavement, sidewalks, and other related items; all in accordance with the contract documents including Plan File Nos. 517 – 145/172. The project locations include 33rd Street from Woodland Avenue to Center Street, 37th Street from Crocker Street to Cottage Grove Avenue, Cottage Grove Avenue from 35th Street to 38th Street, Kingman Boulevard from 37th Street to 40th Place, M. L. King Jr. Parkway from Leyner Street to Crocker Street, the 2500 block of Center Street, and 35th Street north of Ingersoll 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.

WHEREAS, on June 16, 2010, notice was also published of a hearing pursuant to the requirements of Section 508 of the Housing and Community Development Act of 1987, as amended. The purpose of the hearing is to discuss the status of funding for the 33rd Street Sewer Separation, which includes the separation of the City's combined sanitary and storm sewer system at several locations west of downtown and in the proximity of I-235, Iowa Department of Economic Development Contract Number 08-DRI-034. The grant improvement provides for the separation of the combined sewer system, and includes the construction of 15-inch through 42-inch storm sewer, and 8-inch and 10-inch sanitary sewer in an area generally bounded on the North by University Avenue, on the East by 31st Street, on the South by Woodland Avenue, and on the West by 42nd Street, which has a total service area of approximately 220 acres in Des Moines, Iowa. The project is being funded in part through a Community Development Block Grant provided by the Iowa Department of Economic Development and Des Moines Sanitary Sewer Funds, as detailed in the Council Communication.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

That the hearing regarding

- 1) the plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of construction cost for said improvement, and
- 2) on the status of funded activities under IDED Contract No. 08-DRI-034 including activities for the 33rd Street Sewer Separation, which includes the separation of the City's combined sanitary and storm sewer system at several locations west of downtown and in the proximity of I-235,

is hereby closed; and that

- 1) 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, and
- 2) the project funding as detailed in the Council Communication is hereby approved.

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BE IT FURTHER RESOLVED: That sealed bids for said improvement were submitted by the following bidders:

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| Reilly Construction Co., Inc. | Ossian, IA |
| The Underground Company, Ltd. | Carlisle, IA |
| McAninch Corporation | West Des Moines, IA |
| Corell Contractor, Inc. | West Des Moines, IA |
| Van Hauen & Associates, Inc. | Grimes, 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 June 29, 2010. 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 Reilly Construction Co., Inc., Chris R. Reilly, President, 110 Main Street, PO Box 99, Ossian, IA, 52161 in the amount of \$1,485,199.10, and said bid be and the same is hereby accepted.

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 10-435 attached.)

Moved by *Densley* to adopt.

FORM APPROVED:

Kathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE

Allen McKinley

Allen McKinley
Des Moines Finance Director

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Funding Source: 2010-2011 CIP, Page Sanitary-9, CSS - 33rd Street Sewer Separation, SAE-130, Being: \$1,200,000 in HUD Disaster funds from the Iowa Department of Economic Development for 100% of construction costs associated with the 33rd Street Sewer Separation (\$1,200,000 maximum) in Federal Jumpstart Infrastructure Assistance funds, with the remaining \$285,199.10 in Sanitary Sewer Funds.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN				✓
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	6			1

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