



Roll Call Number

10-1241

Agenda Item Number

47A

DATE July 26, 2010

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2010 EXPANDED STREET RESURFACING PROGRAM - CONTRACT 1
\$817,066.25

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$817,066.25, executed by OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, James Gauger, President, 5550 NE 22nd Street, P.O. Box 3365, Des Moines, IA, 50316-0365 dated July 26, 2010, for the construction of the following improvement:

2010 Expanded Street Resurfacing Program - Contract 1, 06-2010-015

The improvement includes scarification of existing streets, furnish and place Hot Mix Asphalt (HMA) and other incidental items in accordance with the contract documents, including Plan File Nos. 521-075/093 at the following locations in Des Moines, Iowa:

- 4th Street from Forest Avenue to Orchard Avenue
- 7th Street from Forest Avenue to College Avenue
- S.W. 7th Street from Boulder Avenue to Park Avenue
- E. 10th Street from Des Moines Street to Lyon Street
- 11th Street from Enos Avenue to University Avenue
- 15th Street from University Avenue to Carpenter Avenue
- E. 16th Street from Maple Street to Walker Street
- S.W. 30th Street from Bell Avenue to Park Avenue
- E. 31st Street from John Patterson Drive to Guthrie Avenue
- 38th Street from Adams Avenue to Douglas Avenue
- Allison Avenue from 6th Avenue to 7th Street
- Boulder Avenue from S.W. 7th Street to S.W. 9th Street
- Boyd Street from E. 9th Street from E. 13th Street
- Carpenter Avenue from 25th Street to 27th Street
- Cleveland Avenue from Penn Avenue to E. 9th Street
- Forest Avenue from 5th Street to 6th Avenue
- Holland Drive from Hickman Road to Maryland Pike
- E. Madison Avenue from E. 10th Street to E. 14th Street
- Oxford Street from E. Hull Avenue to Tiffin Avenue
- E. Sheridan Avenue from North Union Street to Columbia Street
- Walker Street from Penn Avenue to E. 9th Street
- Walker Street from E. 9th Street to E. 12th Street

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.



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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.

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: 2010-2011 CIP, Page Street-47, Special City-wide Street Improvements, STR217, Being: Gaming Monies from the Agreement with Polk County and The Racing Association of Central Iowa

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GREISS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED T. M. Franklin APPROVED
Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, 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