

DATE August 9, 2010

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2010 EXPANDED STREET RESURFACING PROGRAM - CONTRACT 2
\$1,686,417.47

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,686,417.47, 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 August 9, 2010, for the construction of the following improvement:

2010 Expanded Street Resurfacing Program - Contract 2, 06-2010-016

I-JOBS Local Street & Road Funding

The improvement includes scarification of existing asphalt streets, furnish and place hot mix asphalt, and furnish and place pavement markings, and other incidental items; in accordance with the contract documents, including Plan File Nos. 522-165/186, at the following locations in Des Moines, Iowa:

- E. 6th Street from Buchanan Avenue to E. University Avenue
- E. 9th Street from E. Grand Avenue to Lyon Street
- S.W. 9th Street from 100' North of Olinda Avenue to Creston Avenue
- S.W. 9th Street from Thorton Avenue to Watrous Avenue
- Bloomfield Road from Highway 65/69 to HMA East of Highway 65/69
- Delaware Avenue from Easton Boulevard to Guthrie Avenue
- Delaware Avenue from E. Hull Avenue to E. Euclid Avenue
- Des Moines Street from E. 1st Street to E. 4th Street
- Des Moines Street from E. 6th Street to E. 9th Street
- Forest Avenue from 19th Street to M.L. King Jr. Parkway
- Guthrie Avenue from E. 23rd Street to Hubbell Avenue
- Ingersoll Avenue from 15th Street to 17th Street
- McKinley Avenue from S.W. 9th Street to S.W. 10th Street
- University Avenue (curb) from 9th Street to 15th Street
- University Avenue from 42nd Street to 48th Street
- E. University Avenue from East of E. 9th Street to York 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.

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.

★ **Roll Call Number**

10-1323

Agenda Item Number

55A

DATE August 9, 2010

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 Coleman to adopt.

FORM APPROVED Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

SB Funding Source: 2010-2011 CIP, Page Street-47, Special City-wide Street Improvements, STR217, Being: \$867,784 in I-JOBS Local Street & Road Funding (\$630,532.64 in Rebuild Iowa Infrastructure Fund per House File 822 and \$237,251.23 in ARRA Block Grant per House File 820) and \$818,633.47 in 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