

★ Roll Call Number

10-1416

Agenda Item Number

46 A

DATE August 23, 2010

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
45TH STREET RESURFACING - SOUTH OF GRAND AVENUE
\$ 397,830.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$397,830.00, executed by Grimes Asphalt & Paving Corp., J. M. Yonker, President, 1001 SE 37th Street, Grimes, IA, 50111 dated August 23, 2010, for the construction of the following improvement:

45th Street Resurfacing - South of Grand Avenue, 06-2010-002

The improvement includes constructing new curb and gutter, HMA overlay, sidewalk, storm sewer modifications, restoration, and other incidental items; in accordance with the contract documents, including Plan File Nos. 523-001/036, on 45th Street from 111 feet south of Grand Avenue to 1397 feet south of Grand Avenue, 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 Hensley to adopt.

FORM APPROVED Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

EFB Funding Source: 2010-2011 CIP, Page Street-47, Special City-wide Street Improvements, STR217, Being: \$297,545 in Gaming Monies from the Agreement with Polk County and The Racing Association of Central Iowa for street-related work from STR217, \$44,952 in G. O. Bonds for the sidewalk and other Park-related work from PKS 100, Park Redevelopment, Page Park-17, and \$55,333 in Storm Water Utility Funds for Storm Sewer-related work from STE-057, City-wide Storm Water Utility Projects, Page Storm-4

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

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.

MOTION CARRIED T. M. Franklin Council APPROVED
 Mayor

Diane Rauh
 City Clerk