

★ Roll Call Number

10-1780

Agenda Item Number

58 A

DATE October 25, 2010

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
DEAN'S LAKE STORM SEWER CROSSING IMPROVEMENTS
\$ 1,397,952.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,397,952.00, executed by Reilly Construction Co., Inc., Chris R. Reilly, President, 110 E. Main Street, PO Box 99, Ossian, IA, 52161 dated October 25, 2010, for the construction of the following improvement:

Dean's Lake Storm Sewer Crossing Improvements, 08-2009-005

The improvement includes construction of two 8' x 4' box culverts under existing streets, pavement removal and replacement, 54" and 60" storm sewer bored casing pipe under existing railroad tracks, replacement of existing pavement, sidewalks, intakes, storm sewer, and water mains in accordance with the contract documents, including Plan File Nos. 524-138/176 at the following locations: Norfolk Southern & BNSF Dean's Lake Crossing South of Maury Avenue, Maury Street Dean's Lake Crossing, Market Street Dean's Lake Crossing, Union Pacific Dean's Lake Crossing in the SE 1/4 of Section 2, Township 78 N, Range 24 W, 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.

★ Roll Call Number
10-1780

Agenda Item Number
58 A

DATE October 25, 2010

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.

(City Council Communication Number 10-637 attached)

Moved by Meyer to adopt.

FORM APPROVED Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

Funding Source: 2010-2011 CIP, Page Storm-8, Dean's Lake Pump Station/Conveyance Improvements, STE080, Storm Water Utility Funds, Being: \$1,389,202 in Storm Water Utility Bonds Issued and \$8,750 from the Des Moines Water Works for 8" water main construction (Bid Item No 37 and 220 lbs of fittings under Bid Item No.39)

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