



Roll Call Number

11-0369

Agenda Item Number

60 A

DATE February 28, 2011

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
UNIVERSITY AVENUE STORM SEWER - 42ND STREET TO 43RD STREET
\$ 76,464.83

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$76,464.83, executed by Synergy Contracting LLC, Matt DeMey, V.P./Owner, 1120 2nd Street NE, Bondurant, IA, 50023 dated February 28, 2011, for the construction of the following improvement:

University Avenue Storm Sewer - 42nd Street to 43rd Street, 08-2011-004

The improvement includes 449 LF of open cut 8 inch PVC storm sewer, 207 LF of directionally bored 8 inch PVC storm sewer, 4 each of type M-A storm sewer manholes, remove and replace 410 SY of 7 inch PCC pavement with 2 inch HMA overlay, remove and replace 6 inch PCC driveways, tree protection, traffic control, project sign and restoration; all in accordance with the contract documents including Plan File Nos. 527-003/006, and generally located along University Avenue from 42nd Street to 43rd Street and north on 43rd Street from University Avenue to 150 feet north of University 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.

(City Council Communication Number 11-113 attached)

Moved by *Hensley* to adopt.

FORM APPROVED *Kathleen Vanderpool*
Kathleen Vanderpool
Deputy City Attorney

Funding Source: 2010-2011, Page Storm - 4, City-wide Storm Water Utility Projects, STE057, Storm Water Utility Funds

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