



Roll Call Number

11-0472

Agenda Item Number

40

DATE March 14, 2011

PUBLIC HEARING ON COURT AVENUE AND WATER STREET SEWER SEPARATION REGARDING:

1. APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE; AND
 2. THE STATUS OF THE FUNDED ACTIVITIES UNDER IDDED CONTRACT 08-DRI-032;
- ALSO RESOLUTION TO RECEIVE AND FILE BIDS; DESIGNATION OF LOWEST REPOSNSIVE, RESPONSIBLE BIDDER AS H & W CONTRACTING LLC, THOMAS L. HURD, PRESIDENT, \$3,977,311.75

WHEREAS, on February 14, 2011, under Roll Call No. 11-0165, plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of construction cost were filed with the City Clerk, for the construction of the following improvement:

Court Avenue and Water Street Sewer Separation, 08-2009-003
08-DRI-032

The improvement includes construction of storm sewer ranging from 12" to 66" diameter, storm sewer structures, sanitary conflict structures, storm sewer jacked in place, watermain, traffic signal system, and portland cement concrete paving, subdrain, sidewalks, brick sidewalks and crosswalks, hot mix asphalt overlays, pavement markings, and miscellaneous associated work including cleanup and other incidental items; in accordance with the contract documents, including Plans File Nos. 527-024/101, located in Court Avenue from Water Street to 2nd Avenue, 2nd Avenue from Court Avenue to Grand Avenue, and Grand Avenue from 2nd Avenue to 3rd Street in downtown Des Moines, Iowa.

WHEREAS, notice of the hearing on the plans, specifications, form of contract documents, and Engineer's estimate of construction cost was published as required by law.

WHEREAS, on March 9, 2011, notice was also published of a hearing pursuant to the requirements of Section 508 of the Housing and Community Development Act of 1987, as amended. The purpose of the hearing is to discuss the status of funding for the proposed Court Avenue and Water Street Sewer Separation Project, Iowa Department of Economic Development Contract Number 08-DRI-032. This project is a part of the Court Avenue & Water Street Sewer Separation project, which will construct a separate storm sewer system and storm water pump station to serve this area. This area of downtown is currently served by a combined (storm and sanitary) sewer system, resulting in localized flooding during heavy rain events, especially during high river levels. The Court Avenue & Water Street Sewer Separation will construct a separate storm sewer system for this area of downtown that is currently served by a combined (storm and sanitary) sewer system. The combined sewer system is unable to adequately convey the storm water during heavy rain events resulting in localized flooding, especially during high river levels. The Court Avenue & Water Street Storm Water Pump Station, which is currently under construction, will provide the required pump station at the levee to pump storm water over the levee during high river levels when the gravity outlet to the river must be closed. The project is being funded in part through a Community Development Block Grant provided by the Iowa Department of Economic Development, I-JOBS II Targeted Disaster Relief Grant funds, and Des Moines Storm Water Utility Funds.



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NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:
That the hearing regarding

- 1) the plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of construction cost for said improvement, and
- 2) on the status of funded activities under IDED Contract No. 08-DRI-032 including activities for the construction of a permanent pumping facility and enlarge the Court Avenue & Water Street Sewer Separation, is hereby closed; and that
- 1) said plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of construction cost are hereby approved as the plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of construction cost for said improvement, and
- 2) the project funding as detailed in the Council Communication is hereby approved.

BE IT FURTHER RESOLVED: That sealed bids for said improvement were submitted by the following bidders:

H & W Contracting LLC	Sioux Falls, SD
Gaor Excavating	Grimes, IA
S. M. Hentges & Sons Inc.	Jordan, MN
Corell Contractor, Inc.	West Des Moines, IA
McAninch Corporation	Des Moines, IA
Geislinger & Sons Inc.	Watkins, MN

which were received and opened at a public meeting presided over by the Jurisdictional Engineer in the City Council Chambers, 2nd Floor, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa at 11:00 a.m. on March 1, 2011. Said bids and the attached tabulation of bids for said improvement be and are hereby received and filed.

BE IT FURTHER RESOLVED: That the Jurisdictional Engineer has determined that the lowest responsive, responsible bid for the construction of said improvement was submitted by H & W Contracting LLC, Thomas L. Hurd, President, 3416 West Hovland Avenue, Sioux Falls, SD, 57107 in the amount of \$3,977,311.75, and said bid be and the same is hereby accepted.

BE IT FURTHER RESOLVED: That the bid security of the unsuccessful bidders be and is hereby authorized and directed to be returned.



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That the Jurisdictional Engineer is hereby directed to secure execution by the lowest responsible, responsive Bidder and its surety of the contract documents in the form heretofore approved by this Council; that the Jurisdictional Engineer is directed to thereafter present said contract documents to this Council for approval and authorization to the Mayor to sign; and that 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.

(City Council Communication Number 11-168 attached.)

Moved by Hensley to adopt.

FORM APPROVED:

FUNDS AVAILABLE

Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

Scott E. Sanders
Scott E. Sanders
Des Moines Finance Director

JB Funding Source: 2010-2011 CIP, Page Storm-6, Court Avenue/Water Street Sewer Separation, STE081, Being: \$1,296,841.98 in HUD Disaster funds (Federal Jumpstart Infrastructure Assistance funds) from the Iowa Department of Economic Development (remainder of the \$1,610,000 grant allocated for Phase 2 storm sewer construction costs), \$1,051,450.72 in I-JOBS II Targeted Disaster Relief Grant funds (remainder of the \$3,050,000 I-JOBS II Grant), \$913,569.78 City Storm Water Utility Funds, and the remaining \$715,449.27 in City Storm Water Utility Revenue Bonds issued

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