



**Roll Call Number**

11-0636

**Agenda Item Number**

48 A

DATE April 11, 2011

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
RIVERWALK - NORTH OF E. GRAND AVENUE  
\$ 639,470.65

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$639,470.65, executed by Jasper Construction Services, Inc., Steven J. Rhoads, President, 928 N 19th Avenue East, Newton, IA, 50208 dated April 11, 2011, for the construction of the following improvement:

Riverwalk - North of E. Grand Avenue, 11-2010-018  
SRT-1945(779)--9H-77

The improvement includes the construction of various storm sewer structures and connecting pipe, PCC curb and gutter, driveway, sidewalks, steps and subslab, HMA pavement surfacing, precast concrete unit pavers, irrigation system, tree delivered and installed, vault cover, pit drain, decorative metal hand rail, removals, pavement scarification, clearing and grubbing, earthwork, pavement markings, signing, erosion control, tree protection, construction survey, and sod restoration; and other incidental items in accordance with the contract documents, including Plan File Nos. 523-136/180, generally located on the Principal Riverwalk, north of E. Grand Avenue in 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 11-215 attached)

Moved by Moore to adopt.

FORM APPROVED Kathleen Vanderpool  
 Kathleen Vanderpool  
 Deputy City Attorney

*JB* Funding Source: 2011- 2012 CIP, Page Park-18, Principal Riverwalk, PKS162, Being:  
 \$304,250.12 in Iowa Department of Transportation (IDOT) State Recreational Trails funding, Agreement 2009-RT-003; \$150,000.00 in Iowa Department of Transportation (IDOT) State Recreational Trails funding, Agreement 2010-SRT-009; with the remaining \$185,220.53 from Parks-18, Principal Riverwalk, PKS162

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER				✓
MOORE	✓			
TOTAL	6			1

MOTION CARRIED APPROVED  
T. M. Franklin Cownie  
 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