

★ Roll Call Number

11-1157

Agenda Item Number

53A

DATE June 27, 2011

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
2011 EXPANDED STREET RESURFACING PROGRAM - CONTRACT 1  
\$979,980.55

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$979,980.55, executed by OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, James Gauger, President, P.O. Box 3365, Des Moines, IA, 50316-0365 dated June 27, 2011, for the construction of the following improvement:

2011 Expanded Street Resurfacing Program - Contract 1, 06-2011-010

The improvement includes scarification of existing streets, furnish and place Hot Mix Asphalt (HMA) and other incidental items; all in accordance with the contract documents, including Plan File Nos. 532-05/16 at the following locations within the City of Des Moines:

E. 12th Street from I-235 to E. University Avenue  
48th Street from University Avenue to Franklin Avenue  
Fleur Drive from the bridge S. of Hwy. 5 to Beardsley Avenue  
E. Hull Avenue from E. 9th Street to E. 14th Street  
Madison Avenue from 2nd Avenue to 6th Avenue  
Morton Avenue from E. 25th Street to E. 27th Street  
E. Pine Avenue from SE 36th Street to SE 45th Street  
E. Watrous Avenue from South Union Street to SE 5th Street

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.



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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.

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 11-416 attached)

Moved by Mahaffey to adopt.

FORM APPROVED Kathleen Vanderpool by AD  
Kathleen Vanderpool  
Deputy City Attorney

*FB* Funding Source: 2011-2012 CIP, Page Street - 40, Special City-wide Street Improvements, STR217, Being: Gaming Monies

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