



Roll Call Number

Agenda Item Number

11-1240

51A

DATE July 11, 2011

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2011 EXPANDED STREET RESURFACING PROGRAM - CONTRACT 2
\$ 2,571,375.09

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$2,571,375.09, 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 July 11, 2011, for the construction of the following improvement:

2011 Expanded Street Resurfacing Program - Contract 2, 06-2011-011

I-JOBS Local Street & Road Funding

The improvement includes scarification of existing asphalt streets, furnish and place hot mix asphalt, and furnish and place pavement markings, and other incidental items; in accordance with the contract documents, including Plan File Nos. 533-001/056, at the following locations in Des Moines, Iowa:

- Grand Avenue - 28th Street to 44th Street
- University Avenue - 42nd Street to 48th Street
- Beaver Avenue - Franklin Avenue to Hickman Road
- Beaver Avenue - Fagen Drive to Douglas Avenue
- Dixon Street - Euclid Avenue to Aurora Avenue
- Hubbell Avenue - Easton Boulevard. to E. 29th Street
- Penn Avenue - E. Grand Avenue to Lyon Street
- Dean Avenue - 600' E. of E. 19th Court to E. 24th Street
- E. Walnut Street - E.12th Street to E. 14th Street
- E. Army Post Road - 1000 Block to 1300 Block

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.

★ **Roll Call Number**

11-1240

Agenda Item Number

51A

DATE July 11, 2011

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 11-440 attached)

Moved by Mahaffey to adopt.

FORM APPROVED Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

JEB Funding Source: 2011-2012 CIP, Page Street - 40, Special City-wide Street Improvements, STR217, Being: \$1,055,867 in I-JOBS Local Street & Road Funding (Rebuild Iowa Infrastructure Fund per House File 822); \$1,515,508.09 in Gaming Monies from the Agreement with Polk County and The Racing Association of Central Iowa

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin Council
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