

DATE August 29, 2011

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
E. ARMY POST ROAD & INDIANOLA AVENUE CULVERT EXTENSION
\$628,820.94

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$628,820.94, executed by Gus Construction Co., Inc., Darrell D. Ocheltree, Owner, 606 Antique Country Drive, Casey, IA, 50048 dated August 29, 2011, for the construction of the following improvement:

E. Army Post Road & Indianola Avenue Culvert Extension, 08-2011-005

Disaster Number: FEMA-1930-DR-IA

The improvement includes the construction of 432 LF of 8' x 6' PCC box culvert with flared end section which incorporates the necessary structural concrete & reinforcing steel; 42" RCP sewer; 18" RCP sewer with flared end section; storm sewer intake; 6" perforated subdrain; clearing & grubbing; construction access & staging; excavation class 10 & 20; class E revetment with fabric; top soil; PCC driveway; HMA shoulder; granular shoulder; storm water pollution prevention; mobilization; construction survey; removals; fencing; seed restoration; mulch; traffic control; project sign; tree protection; and other incidental items all in accordance with the contract documents, including Plan File Nos. 533-083/117, generally located southeast of the intersection of E. Army Post Road and Indianola 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 receipt of the Contractor's Public Registration and Certificate of Corporation in the State of Iowa, 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.



Roll Call Number

11-1518

Agenda Item Number

70 A

DATE August 29, 2011

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 11-558 attached)

Moved by Meyer to adopt.

FORM APPROVED Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

Funding Source: 2011-2012, Page Storm - 9, Easter Lake Watershed Improvements, STE061, Being: \$180,900 FEMA funding, with the remaining \$447,920.94 City Storm Water Utility Funds

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL.

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.

MOTION CARRIED APPROVED
Y. M. Franklin Council Mayor

Diane Rauh City Clerk