

★ Roll Call Number

11-1917

Agenda Item Number

52A

DATE November 7, 2011

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2011 SEWER REPAIR - CONTRACT 2
\$ 157,488.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$157,488.00, executed by T K Concrete Inc., Tony J. Ver Meer, President, 1608 Fifield Road, Pella, IA, 50219 dated November 7, 2011, for the construction of the following improvement:

2011 Sewer Repair - Contract 2, 08-2011-010

The improvement includes replacement of storm and sanitary sewers, installation of manhole & rip rap, grading, restoration of pavement and landscaping, and other incidental items; all work in accordance with the contract documents including Plan File Nos. 535-003/015 at the following locations: 2300 East Grand Avenue, 121 East Rose Avenue, 4005 S.W. 26th Street, S.E. 15th Street and Harriet Street, 2611 Aurora Avenue, and 2021 22nd Street, 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 11-685 attached)

Moved by Hensley to adopt.

FORM APPROVED Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

 Funding Source: 2011-2012 CIP, Page Storm - 4, City-wide Storm Water Utility Projects, STE057, Storm Water Utility Funds, Being: \$96,071.00 in FEMA funding; and the remaining \$61,417.00 in City-wide Storm Water Utility Projects.

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

MOTION CARRIED 7 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