

★ **Roll Call Number**

Agenda Item Number

11-2088

45 A

DATE December 5, 2011

APPROVAL OF CONTRACT AND BOND
ASBESTOS REMOVAL AT SOUTHERN MEADOWS PHASE 2, 2800 SE 8TH
\$ 46,800.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$46,800.00, executed by ESA, Inc., D. Mike Mitchell, President, 116 Gateway Drive, N. Sioux City, SD, 57049 dated December 5, 2011, for the construction of the following improvement:

Asbestos Removal at Southern Meadows Phase 2, 2800 SE 8th, 25-2012-012

NSP-08-023

The improvement includes removal of asbestos containing materials including caulk, stair-tread, stair-tread adhesive, gray tar, black tar, built-up-roof, flooring, and flooring adhesive; all in accordance with the contract documents, prior to the demolition of Southern Meadows Apartments, 2800 S.E. 8th 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.

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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 11-728 attached)

Moved by Meyer to adopt.

FORM APPROVED Kathleen Vanderpool by RD
 Kathleen Vanderpool
 Deputy City Attorney

RB Funding Source: FY12 Operating Budget, Page 70, Unknown - Southern Meadows, CDBG2008901, Being: Community Development Block Grant (CDBG), Neighborhood Stabilization Program (NSP) funds contracted by the Iowa Department of Economic Development (IDED)

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