



Roll Call Number

12-0244

Agenda Item Number

58 A

DATE February 13, 2012

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
DES MOINES RIVER REGIONAL TRAIL - PHASE 1
\$ 1,364,999.99

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,364,999.99, executed by Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA, 50327 dated February 13, 2012, for the construction of the following improvement:

Des Moines River Regional Trail - Phase 1, 11-2009-012
08-R4-QV, SRT-1945(761)--9H-77, STP-A-1945(773)--86-77

The improvement includes construction of a 5 inch and 6 inch HMA Recreational Trail, including construction survey, removals, clearing, grubbing, earthwork, modified subbase, revetment, erosion control, reinforcing steel, structural concrete, storm sewer, retaining wall, sidewalk, driveway, PCC curb, street patches, safety closures, traffic control, painted pavement markings, railroad trestle rehabilitation, pedestrian hand rail, chain link fence and gate, under deck lighting, signs, bollards, benches, and restoration; all in accordance with the contract documents, including Plan File Nos. 536-001/193 on the Des Moines River Regional Trail - Phase 1, running south of and adjacent to the Des Moines River from SE 1st Street to SE 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 12-073 attached)

Moved by Meyer to adopt.

FORM APPROVED Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

EB

Funding Source: 2011-2012 CIP, Page Parks-17, Recreation Trails, PKS045, Being: \$426,526 maximum in Federal funds from Iowa Clean Air Attainment Program (ICAAP) for 80% eligible const. costs only under IDOT Project No. STP-A-1945(773)--86-77; \$73,474 in Iowa Department of Transportation (IDOT) State Recreational Trails funding, Agreement 2010-SRT-004; \$300,000 Iowa DNR REAP Grant, Agreement 08-R4-QV; \$150,000 Sehgal Family Foundation; \$25,000 Polk County Community Development Grant award; \$6,400 from 162 private individual and business pledges; \$5,000 William C. Knapp Charitable Foundation; \$2,000 Iowa Foundation for Education, Environment and the Arts; and the remaining \$376,599.99 from Parks-17, Recreation Trails, PKS045, G.O. Bonds

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