



Roll Call Number

Agenda Item Number

12-0591

8

DATE April 23, 2012

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
HUBBELL ELEMENTARY SCHOOL ENHANCED SCHOOL CROSSINGS
\$228,938.25

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$228,938.25, executed by Absolute Concrete Construction, Inc., Sonny E. Hall, President, PO Box 148, 505 1st Avenue, Slater, IA, 50244 dated April 23, 2012, for the construction of the following improvement:

Hubbell Elementary School Enhanced School Crossings, 06-2011-006
SRTS-U-1945(768)--8U-77

The improvement includes construction of two speed tables by removal and replacement of street paving, sidewalk replacement, sidewalk ramp construction, pavement markings, storm sewer construction including manholes and intakes, and other incidental items; all in accordance with the contract documents, including Plan File Nos. 535-098/138, located on the 4200 block of Chamberlain Drive and the 4400 block of Center 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.

(Council Communication No. 12-184)

Moved by Hensley to adopt. refer to the City Manager for review and recommendation regarding creating a template for the City to use when we partner with non-profits or others to share the cost of public improvement projects.

FORM APPROVED Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

JFB Funding Source: 2012-2013 CIP, Page Street-44, Traffic Control Neighborhood Program, STR131, Being: \$120,000 in Federal Safe Routes To Schools Funds for 100% of construction contract costs only (Max \$120,000) under agreement SRTS-U-1945(768)--8U-77; and the remaining \$108,938.25 in G. O. Bonds from STR131

| 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