



Roll Call Number

12.0930

Agenda Item Number

56A

DATE June 11, 2012

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
JOHN PAT DORRIAN TRAIL RENOVATION
\$ 430,000.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$430,000.00, executed by Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA, 50327 dated June 11, 2012, for the construction of the following improvement:

John Pat Dorrian Trail Renovation, 11-2007-016

The improvement includes clearing & grubbing, removal of existing trail, removal of storm sewer, paving of curb & gutter, paving of trail, installation of storm sewer, intake, subdrains, and rip rap, electrical lighting, and restoration, and other incidental items; all work in accordance with the contract documents including Plan File Nos. 544-031/066, located between I-235 Bridge and University Avenue Bridge west of Robert D. Ray Drive 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 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 12-285 attached)

Moved by Mahaffey to adopt.

FORM APPROVED Kathleen Vanderpool Deputy City Attorney

Funding Source: 2012-2013 CIP, Page Parks - 16, Recreation Trails, PKS045, Being: \$334,980 from PKS045, and a transfer of \$95,020 of Storm Water Utility Revenue Bond funds from, FLD008, Flood Protection System Improvements, for riprap installation under the I-235 Bridge

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

MOTION CARRIED APPROVED T. McFranklin Council 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