

★ Roll Call Number

12.1128

Agenda Item Number

37A

DATE July 9, 2012

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2012 PARK PLAYGROUND IMPROVEMENTS
\$ 180,863.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$180,863.00, executed by T K Concrete Inc., Tony J. Ver Meer, President, 1608 Fifield Road, Pella, IA, 50219 dated July 9, 2012, for the construction of the following improvement:

2012 Park Playground Improvements, 11-2011-008

The improvement includes the installation of shade structures, net climbers, PCC flatwork and curb, earthwork and restoration; all in accordance with the contract documents including Plan File Nos. 546-60/65, at the Cownie Soccer Complex, 2200 E. Hartford Avenue, the Greater Des Moines Softball Complex, 4980 NE 46th Street, and the Edna Griffin Park, 1613 13th 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 12.365 attached)

Moved by Meyer to adopt.

FORM APPROVED Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

JEB Funding Source: 2012-2013 CIP, Page Park - 14, Park Improvements, PKS137, Being: \$160,000 in G.O. Bonds, PKS137; the remaining \$20,863 (Edna Griffin Park), FY 2012/13 Budget – Community Development Block Grant Fund, SP020, CDBG2006018, Page 57

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER		✓		
MOORE	✓			
TOTAL	6	1		

MOTION CARRIED

APPROVED

T. M. Franklin 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