



**Roll Call Number**

12-1304

**Agenda Item Number**

60 A

DATE August 13, 2012

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
2012 EXPANDED STREET RESURFACING PROGRAM - CONTRACT 2  
\$1,586,379.40

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,586,379.40, executed by OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, James Gauer, President, P.O. Box 3365, Des Moines, IA, 50316-0365 dated August 13, 2012, for the construction of the following improvement:

2012 Expanded Street Resurfacing Program - Contract 2, 06-2012-004

The improvement includes scarification of existing asphalt streets, furnish and place hot mix asphalt, and furnish and place pavement markings, and other incidental items; in accordance with the contract documents, including Plan File Nos. 546-117/147, at the following locations in Des Moines, Iowa:

- Bell Avenue - Fleur Drive to S.W. 30th Street
- 6th Avenue - Day Street to University Avenue
- Acension Avenue - 6th Avenue to 7th Street
- 7th Street - Day Street to University Avenue
- 56th Street - P.C.C. North of I-235 to University Avenue
- 48th Street - Franklin Avenue to Hickman Road
- Madison Avenue - Lower Beaver Road to Beaver Avenue
- Clark Street - 2nd Avenue to 6th Avenue
- Saylor Road - E. Jefferson Avenue to E. Sheridan Avenue
- Guthrie Avenue - Glenbrook Drive to Dixon Street
- Guthrie Avenue - E. 29th Street to Hubbell Avenue
- Des Moines Street - E. 9th Street to E 12th Street
- Des Moines Street - E. 14th Street to E. 15th Street
- Dean Avenue - E. 24th Street to E. 30th Street

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.



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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.

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 12-430 attached)

Moved by Meyer to adopt.

FORM APPROVED Kathleen Vanderpool  
Kathleen Vanderpool  
Deputy City Attorney

Funding Source: 2012-2013 CIP, Page Street - 40, Special City-wide Street Improvements, STR217, Being: Gaming Monies

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, 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.

T. M. Franklin  
Mayor

Diane Rauh  
City Clerk