



Roll Call Number

13-0605

Agenda Item Number

52 A

DATE April 8, 2013

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
BOTANICAL CENTER ACCESSIBLE ELEVATOR
\$ 331,331.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$331,331.00, executed by The Weitz Company, LLC, Mike Tousley, President, 5901 Thornton Avenue, Des Moines, IA, 50321 dated April 8, 2013, for the construction of the following improvement:

Botanical Center Accessible Elevator, 10-2013-003

The improvement includes the construction of a new passenger elevator and modifying the existing stairways that connect the ground level with the balcony overlook level within the dome structure of the Des Moines Botanical Center. Work includes foundation excavation, concrete foundations, concrete flat work, concrete masonry block and stone veneer, structural and shop fabricated steel assemblies, holeless passenger elevator system as well as related mechanical and electrical systems; all work in accordance with the contract documents, including Plan File Nos. 538-139/152, located at 909 Robert D. Ray Drive, 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 13-171 attached)

Moved by Mahaffey to adopt.

FORM APPROVED Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

SEB Funding Source: 2013-2014 CIP, Page Building - 4, ADA Modifications for Municipal Buildings, BLD042, G. O. Bonds

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

MOTION CARRIED APPROVED

T. M. Franklin Cooney
 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