



**Roll Call Number**

13-0949

**Agenda Item Number**

53A

DATE June 10, 2013

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
SE CONNECTOR PAVING - S.E. 15TH STREET TO S.E. 30TH STREET  
\$31,166,419.37

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$31,166,419.37, executed by C. J. Moyna & Sons, Inc., John P. Moyna, President, 24412 Hwy 13, Elkader, IA, 52043 dated June 10, 2013, for the construction of the following improvement:

SE Connector Paving - S.E. 15th Street to S.E. 30th Street, 06-2012-006  
NHS-U-1945(409) -8G-77, NHS-U-1945(409)--8G-77, NHS-U-1945(409)--8G-77, NHS-U-1945(409)-8G-77

The improvement includes construction of two bridges over Union Pacific and Norfolk Southern railroad properties and construction of a Portland Cement Pavement ten inches thick on the Southeast Connector, S.E. 18th Street, S.E. 23rd Street and S.E. 25th Court with various width pavements and medians; together with the necessary removals, earthwork, clearing, grubbing, erosion control, sidewalks, driveways, recreational trails, pavement subdrains, storm sewers, traffic control, traffic signals, street lighting, intersection enhancements, and landscaping; all in accordance with the contract documents including Plan File Nos. 550-001/753 on the Southeast Connector from S.E. 15th Street to S.E. 30th 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. 13-280 )

Moved by Meyer to adopt.

FORM APPROVED Kathleen Vanderpool  
Kathleen Vanderpool  
Deputy City Attorney

*FB* Funding Source: 2013-2014 CIP, Page Street - 36, Southeast Connector - S.E. 14th Street to S.E. 30th Street, ST249, Being: \$10,000,000 (maximum) in Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grant Federal Earmark, being 80% eligible for grading, paving and bridge construction costs under NHS-U-1945(409)-8G-77; \$8,954,000 in Federal Surface Transportation Program (STP) funds being 80% eligible for roadway construction costs allocated through Des Moines Area MPO under NHS-U-1945(409)-8G-77; \$8,765,704.96 in IDOT – RISE funds being 50% eligible; \$256,760 from Des Moines Water Works for water main construction; and the remaining \$3,189,954.41 in G.O. Bonds to be issued. Note - the \$8,954,000 in Federal funding allocated by the MPO will not be available when construction begins; the maximum MPO funding includes \$4,208,000 available now, \$1,517,000 in Federal FY15, and \$3,229,000 in Federal FY16; current Federal legislation extends through Federal FY14; Federal funds for projects beyond 2013 are estimated based on current funding levels, and may be reduced; the City of Des Moines is responsible for STP funding required in excess of \$4,208,000, which is expected to be reimbursed when available in FY15 & FY16.

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.

Diane Rauh  
City Clerk

MOTION CARRIED T. M. Franklin APPROVED  
Mayor