

★ **Roll Call Number**

13-1521

**Agenda Item Number**

52A

DATE September 23, 2013

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
2013 SEWER LINING PROGRAM  
\$ 1,788,180.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,788,180.00, executed by SAK Construction, LLC, Boyd Hirtz, Vice President, 864 Hoff Road, O'Fallon, MO, 63366 dated September 23, 2013, for the construction of the following improvement:

2013 Sewer Lining Program, 07-2013-002

The improvement includes the renovation of 11,320 lineal feet of 10" through 60" diameter sanitary and storm sewers with cured-in-place pipe (CIPP), by-pass pumping, sewer repairs, manhole rehabilitation, and other related items; all in accordance with the contract documents, including Plan File Numbers 554-037/052 at the following locations: Crestmoor Place, Walnut Street, 37th Street, Urbandale Avenue, Lyon Street, Indianola Avenue, Birdland Drive, 34th Street, E. Park Avenue, Grand Avenue, and 25th 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 13.482 attached)

Moved by Mahaffey to adopt.

FORM APPROVED Kathleen Vanderpool by AD  
 Kathleen Vanderpool  
 Deputy City Attorney

*JFB* Funding Source: 2013-2014 CIP, Page Sanitary - 11, Lining Sanitary Trunk and Lateral Sewers, SS049, Sanitary Sewer Funds, Being:  
 \$1,712,040 in Lining Sanitary Trunk and Lateral Sewer, and the remaining \$76,140 in Storm Water Utility Funds from SM057, City-wide Storm Water Utility Projects

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

MOTION CARRIED

APPROVED

Chris Coleman

MAYOR PRO TEM

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