

★ Roll Call Number

13-1600

Agenda Item Number

45 A

DATE October 7, 2013

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
ARMY POST ROAD BRIDGE OVER GREAT WESTERN TRAIL  
\$ 1,487,239.93

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,487,239.93, executed by C. J. Moyna & Sons, Inc., John P. Moyna, President, 24412 Hwy 13, Elkader, IA, 52043 dated October 7, 2013, for the construction of the following improvement:

Army Post Road Bridge Over Great Western Trail, 12-2011-001

The improvement includes removal of the existing bridge and substructure, roadway grading and paving, recreational tunnel/underpass construction, recreational trail removal and replacement on new alignment, installation of storm sewer, revetment and engineering fabric, wetland basin grading and construction, wetland plantings, wetland basin overflow weir construction, traffic control, temporary trail detour pavement, erosion control, and mobilization; all in accordance with the contract documents including Plan File Nos. 549-164/235, on Army Post Road over Great Western Trail just east of Highway 28, 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 13-498 attached)

Moved by Hensley to adopt.

FORM APPROVED Kathleen Vanderpool  
 Kathleen Vanderpool  
 Deputy City Attorney

*JEB* Funding Source: 2013-2014, Page Bridge - 4, Army Post Road Bridge Over Great Western Trail, BR043, Being: \$751,224.93 from Army Post Road Bridge over Great Western Trail, BR043, Gaming Monies; and \$336,015 per the Iowa Department of Transportation Agreement 2001-TJ-002 for Transfer of Public Road Jurisdiction; and the remaining \$400,000 from Page Bridge-5, City-wide Bridges, BR003, G.O. Bonds

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

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.

MOTION CARRIED APPROVED  
T. M. Franklin Cownie  
 Mayor

Diane Rauh  
 City Clerk