



Roll Call Number

14-0444

Agenda Item Number

44 A

DATE March 10, 2014

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
MCHENRY PARK STORM SEWER
\$ 122,260.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$122,260.00, executed by The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA, 50047 dated March 10, 2014, for the construction of the following improvement:

McHenry Park Storm Sewer, 11-2013-007

The improvement includes clearing & grubbing, installation of storm sewer, manhole, and intake, placement of boulder revetment, grading of basin area, replacement of sidewalk, restoration of landscaping, and other incidental items; all work in accordance with the contract documents including Plan File Nos. 557-061/076, at McHenry Park, south of Oak Park Avenue and west of 8th 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 14-099 attached)

Moved by Mahaffey to adopt.

FORM APPROVED Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

Funding Source: Recm. 2014-2015 CIP, Page Park - 15, Road, Sidewalk, and Utility Improvements - Parks, ~~PK175~~, Being: \$64,320 in G.O. Bonds, and the remaining \$57,940 in Storm Water Utility Funds, SM057, City-wide Storm Water Utility Projects, Page Storm - 4

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin
 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