

★ Roll Call Number

116-1091

Agenda Item Number

65A

DATE June 27, 2016

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
YEADER CREEK GRADE CONTROL IMPROVEMENTS
\$ 899,393.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$899,393.00, executed by RW Excavating & Dozing, L.C., Dan E. Wilson, Manager, 13293 S.88th Avenue W, Prairie City, IA, 50228 dated June 27, 2016, for the construction of the following improvement:

Yeader Creek Grade Control Improvements, 08-2014-001

14-ESD-GSB-Rglaz-0010

The improvement includes clearing & grubbing, excavation, placement of rip rap protection and drop structures, grading of channel banks, fence installation, erosion control, seeding, restoration and other incidental items; all work in accordance with the contract documents including Plan File Nos. 572-185/210, along Yeader Creek in two locations, west of S.W. 9th Street and in Ewing Park, 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.

★ **Roll Call Number**

Agenda Item Number

16-1091

65A

DATE June 27, 2016

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 16-353 attached)

Moved by *Kensley* to adopt.

FORM APPROVED *Kathleen Vanderpool*
 Kathleen Vanderpool
 Deputy City Attorney

Funding Source: 2016-2017 CIP, Page Storm - 7, Easter Lake Watershed Improvements, SM061, Storm Water Utility Funds, Being:

AE \$449,696.50 in IDNR Lake Restoration funding for 50% of eligible construction costs (Max \$449,696.50) under agreement 14-ESD-GSB-Rglaz-0010, and the remaining \$449,696.50 in Storm Water Utility Funds, SM061

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
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