

★ Roll Call Number

Agenda Item Number

16.1161

52A

DATE July 11, 2016

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
42ND STREET RECONSTRUCTION FROM UNIVERSITY AVENUE TO FOREST AVENUE
\$ 324,355.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$324,355.00, executed by OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, Jeffrey A. Chapman, General Manager, P.O. Box 3365, Des Moines, IA, 50316-0365 dated July 11, 2016, for the construction of the following improvement:

42nd Street Reconstruction from University Avenue to Forest Avenue, 06-2016-003

The improvement includes the reconstruction of 42nd Street from University Avenue to Forest Avenue with new full-depth Hot Mix Asphalt (HMA). This project will include pavement removal, furnish and place HMA, pavement markings, and miscellaneous associated work including cleanup; in accordance with the contract documents, including Plan File Nos. 573-116/126, located at 42nd Street from University Avenue to Forest Avenue, 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 16-367 attached)

Moved by Gray to adopt.

FORM APPROVED Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

AE Funding Source: 2016-2017 CIP, Page Street - 30, Roadway Reconstruction, ST260, Being:
 Road Use Tax Funds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	5			
COLEMAN	11			
GATTO	11			
GRAY	11			
HENSLEY	11			
MOORE	11			
WESTERGAARD	11			
TOTAL	77			

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