

★ Roll Call Number

16-1778

Agenda Item Number

65A

DATE October 10, 2016

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
SOUTH UNION STREET BRIDGE OVER MIDDLE SOUTH CREEK REPLACEMENT
\$ 839,298.87

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$839,298.87, executed by Herberger Construction Company., Inc., Dean Herberger, President, 2508 West 2nd Avenue, P.O. Box 326, Indianola, IA, 50125 dated October 10, 2016, for the construction of the following improvement:

South Union Street Bridge over Middle South Creek Replacement, 12-2014-001
BROS-1945(803)--8J-91

The improvement includes removal of the existing single span steel pony truss bridge, construction of a new continuous concrete slab bridge on steel pile foundations, bridge open rail, tree removal, approach grading and granular surfacing, approach guardrail, channel shaping and revetment, erosion control, wetland mitigation, seeding, traffic control, temporary access, and mobilization; all work in accordance with the contract documents including Plan File Nos. 573-181/222, on South Union Street over Middle South Creek located south of Highway 5 in Warren County in 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 16-587 attached)

Moved by Gatto to adopt.

FORM APPROVED Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

Funding Source: 2016-2017 CIP, Page Bridge - 13, South Union Street Bridge over Middle South Creek, BR048, Being: \$617,439.10 in Federal Highway Bridge Program funds (\$1,000,000 maximum) being 80% of eligible construction costs under BROS-1945(803)--8J-77, with the remaining \$167,859.77 from BR048, Gaming Monies

| 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