

# WITHDRAWN

★ Roll Call Number

17-0229

Agenda Item Number

49 A

DATE February 6, 2017

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
WALNUT STREET BUS LANE FROM 9TH STREET TO 10TH STREET  
\$ 161,905.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$161,905.00, executed by Kingston Services, LLC, Dan Hutton, President, 1444 Illinois Street, Des Moines, IA, 50314 dated February 6, 2017, for the construction of the following improvement:

Walnut Street Bus Lane from 9th Street to 10th Street, 04-2017-001

The improvement includes construction of sidewalks, Portland Cement Concrete (PCC) curb and pavement, and Hot Mix Asphalt (HMA) pavement overlay, together with the necessary removals, clearing and grubbing, traffic control; all in accordance with the contract documents, including Plan File Nos. 578-016/036, on Walnut Street from 9th Street to 10th 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 17-0163 attached)

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED Kathleen Vanderpool by AD  
Kathleen Vanderpool  
Deputy City Attorney

Funding Source: 2016-2017 CIP, Page Street -- 50, Walnut Street Streetscape, ST252, Being:  
Tax Increment Bonds Issued

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

MOTION CARRIED APPROVED

\_\_\_\_\_  
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.

\_\_\_\_\_  
City Clerk