

★ Roll Call Number

17-0325

Agenda Item Number

54A

DATE February 20, 2017

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
PARK AVENUE ELEMENTARY PEDESTRIAN BRIDGE REMOVAL AND SITE IMPROVEMENTS
\$ 551,765.75

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$551,765.75, executed by T K Concrete Inc., Tony J. Ver Meer, President, 1608 Fifield Road, Pella, IA, 50219 dated February 20, 2017, for the construction of the following improvement:

Park Avenue Elementary Pedestrian Bridge Removal and Site Improvements, 04-2017-002

The improvement includes the removal of a pedestrian bridge over S.W. 9th Street near Park Avenue and the southbound right-turn lane on S.W. 9th Street, construction of Portland Concrete Cement (PCC) on-street parking insets, curb and gutter, sidewalks and curb ramps, segmental block retaining walls, fencing, and concrete steps, together with the necessary removals, earthwork, clearing and grubbing, erosion control, storm sewers, traffic control and incidental items; all in accordance with the contract documents, including Plan File Nos. 578-063/117, along S.W. 9th Street, Park Avenue, and S.W. 7th Street near Park Avenue Elementary School, 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 17-094 attached)

Moved by Hensley to adopt.

FORM APPROVED Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

AC Funding Source: 2016-2017 CIP, Page Bridge – 4, City-wide Bridges, BR003, Being: \$251,779.61 in G.O. Bonds, BR003; \$7,000.00 from Des Moines Water Works; and the remaining \$292,986.14 from the Des Moines Public School District

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | ✓ | | | |
| COLEMAN | ✓ | | | |
| GATTO | | ✓ | | |
| GRAY | ✓ | | | |
| HENSLEY | ✓ | | | |
| MOORE | | ✓ | | |
| WESTERGAARD | ✓ | | | |
| TOTAL | 5 | 2 | | |

MOTION CARRIED APPROVED
T. M. Franklin Council
 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