

★ Roll Call Number

17-0549

Agenda Item Number

62A

DATE March 20, 2017

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2017 SIDEWALK REPLACEMENT PROGRAM
\$ 496,893.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$496,893.00, executed by Ti-Zack Concrete, Inc., Steve J. Rutt, President, 39352 221st Avenue, Le Center, MN, 56057 dated March 20, 2017, for the construction of the following improvement:

2017 Sidewalk Replacement Program, 09-2017-002

The improvement includes reconstruction of Class A and Class B Portland Cement Concrete (PCC) sidewalks four (4) inches thick, six (6) inches thick at driveways, together with all appurtenances; in accordance with the contract documents, at various locations city-wide in Des Moines, Iowa. Sidewalks will be replaced at locations inspected by the Engineering Department. Curb ramps, compliant with the requirements of the Americans with Disabilities Act of 1990 and the regulations associated with this law, as it applies to pedestrian facilities, will also be constructed in the vicinity where sidewalks will be replaced

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 17-300 attached)

Moved by Coleman to adopt.

FORM APPROVED Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

AC Funding Source: 2017-2018 CIP, Page Street - 32, Sidewalk Replacement, SW084, Being: \$379,635 in G.O. Bonds from SW084, and \$117,258 in G.O. Bonds from SW081

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

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