

★ Roll Call Number

17-1697

Agenda Item Number

58 A

DATE September 25, 2017

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
PRINCIPAL PARK BATTING TUNNEL BUILDING EXPANSION
\$ 463,140.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$463,140.00, executed by Septagon Construction Company, Inc., Brad Leonard, President, 2950 SE Gateway Drive, Grimes, IA, 50111 dated September 25, 2017, for the construction of the following improvement:

Principal Park Batting Tunnel Building Expansion, 11-2017-009

The improvement includes construction of a batting tunnel including deep foundations, Portland Cement Concrete (PCC) floor, masonry walls, steel frame, precast concrete deck, roofing, Exterior Insulation and Finishing Systems (EFIS) wall system, painting, sprinkler system, mechanical and electrical work and site restoration; all in accordance with the contract documents including Plan File Nos. 564-091/111, at Principal Park, One Line Drive, 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 in accordance with the Instructions to Bidders.

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 17-694 attached)

Moved by Hensley to adopt.

FORM APPROVED Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

AC Funding Source: 2017-2018 CIP, Page Parks – 12, Principal Park, PK132, Being: \$294,450 in G.O. Bonds, and the remaining \$168,690 from the Iowa Cubs to be paid in \$25,000 installments every six months – (the first payment which has been received).

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | | | | ✓ |
| COLEMAN | ✓ | | | |
| GATTO | ✓ | | | |
| GRAY | ✓ | | | |
| HENSLEY | ✓ | | | |
| MOORE | ✓ | | | |
| WESTERGAARD | ✓ | | | |
| TOTAL | 6 | | | 1 |

MOTION CARRIED APPROVED
Chris Coleman
 MAYOR PRO TEM

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