

★ Roll Call Number

18-0635

Agenda Item Number

64A

DATE April 9, 2018

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
AGRIMERGENT STORM SEWER PHASE 2
\$ 2,754,041.28

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$2,754,041.28, executed by S. M. Hentges & Sons Inc., Steven M. Hentges, President, 650 Quaker Avenue, Suite 200, Jordan, MN, 55352 dated April 9, 2018, for the construction of the following improvement:

Agrimergent Storm Sewer Phase 2, 08-2017-008

The improvement includes installation of 54-inch storm sewer pipe from the Agrimergent Technology Park Regional Detention Basin north to Vandalia Road, associated storm sewer pipe installation, excavation, ditch grading, and roadway shouldering along the north and south side of Vandalia Road, surface restoration, and other incidental items; all in accordance with the contract documents, including Plan File Nos. 592-172/253, located on Agrimergent Technology Park permanent storm sewer easement and the north and south side of Vandalia Road from Carlisle Road to S.E. 43rd 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 and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering Department. 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 and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering and Department, 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 and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering Department; 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 18-170 attached)

Moved by Gatto to adopt.

FORM APPROVED Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

Funding Source: 2018-2019 CIP, Page Street – 50, Agrimergent Storm Sewer Phase 2, ST268, G. O. Bonds, Being: ALL \$566,739.46 in G.O. Bonds to be issued from ST268, \$725,000 in G.O. Bonds from ST256; \$1,422,301.82 in Storm Water Utility funds; and the remaining \$40,000 from Des Moines Water Works.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

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