



Roll Call Number

18-1453

Agenda Item Number

52A

DATE August 20, 2018

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2ND AVENUE AND 3RD STREET AT WALNUT STREET TRAFFIC SIGNAL REPLACEMENTS
\$525,955.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$525,955.00, executed by TK Concrete, Inc., Tony J. Ver Meer, President, 1608 Fifield Road, Pella, IA, 50219 dated August 20, 2018, for the construction of the following improvement:

2nd Avenue and 3rd Street at Walnut Street Traffic Signal Replacements, 04-2017-023

The improvements include the replacement of traffic signals, street light pole and electrical system removals, Hot Mix Asphalt (HMA) paving and overlay, Portland Cement Concrete (PCC) sidewalk and curb, brick pavers, detectable warnings, pavement marking removal, pavement markings, sign and sign post installation, and other incidental items; all in accordance with the contract documents, including Plan File Nos. 597-064/096, located on Walnut Street from 2nd Avenue to 5th Street, Walnut Avenue from 8th Street to 9th Street, and 4th Street between Grand Avenue and Locust 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 portion of the improvements consisting of the pedestrian crossing signal on Ingersoll Avenue at 23rd Street and appurtenances thereto at a bid cost of \$61,288,80 is an undertaking by the City in the exercise of its urban renewal powers, and any payment made pursuant to the contract documents shall be treated as an internal loan to the special fund created pursuant to Iowa Code §403.19 for the Ingersoll-Grand Urban Renewal Area, and such loan shall be repaid from the tax increment revenues received with respect to the Ingersoll-Grand Urban Renewal Area, as those funds become available.

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 18-430 attached)

Moved by Mandelbaum to adopt.

FORM APPROVED Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

SLN Funding Source: 2018-2019 CIP, Page Streets – 51, Walnut Street Streetscape, ST252, G. O. Bonds, Being: \$413,506.20 in TIF Bonds; \$51,160 in G.O. Bonds transferred from ST261, Connect Downtown; and the remaining \$61,288.80 from S743, CM025033 Economic Development Enterprise (page 43) of the 2018-19 Operating Budget, to be reimbursed by S371, S371CM99 Economic Development Projects - Ingersoll Grand TIF (page 43).

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

MOTION CARRIED APPROVED
J. M. Frankhu Cownie
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