

★ Roll Call Number

19-0093

Agenda Item Number

56 A

DATE January 14, 2019

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
LOWER OAK AND HIGHLAND PARK SEWER SEPARATION PHASE 3
\$ 4,747,474.74

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$4,747,474.74, executed by J & K Contracting, LLC, Jeremy Feldmann, President, 10703 Justin Drive, Urbandale, IA, 50322 dated January 14, 2019, for the construction of the following improvement:

Lower Oak and Highland Park Sewer Separation Phase 3, 07-2018-005

The improvement includes Reinforced Concrete Pipe (RCP) storm sewer 12-inches to 48-inches, water main adjustments, water services, manholes, intakes, Hot Mix Asphalt (HMA) pavement, sidewalks, driveways, associated grading, surface restoration, permeable pavers, and other incidental items; all in accordance with the contract documents, including Plan File Nos. 599-225/305, located on; E. Holcomb Avenue from 2nd Avenue to 1st Street, 1st Street from E. Holcomb Avenue to Ovid Avenue, Sheridan Avenue from Cambridge Street to Saylor Road, Cornell Street from Sheridan Avenue to Grandview Avenue, Grandview Avenue from Cornell Street to Columbia Street, Hull Avenue from 1st Street to Cambridge Street, Ovid Avenue from 1st Street to Oxford Street, Oxford Street from Hull Avenue to Tiffin Avenue and Tiffin Avenue from Oxford Street to Cambridge 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.

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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.

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 19-016 attached)

Moved by Westergaard to adopt.

FORM APPROVED Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

Funding Source: 2018-2019 CIP, Page Sanitary -- 5, Lower Oak Park and Highland Park Sewer Separation, SS133, Being: *SLN* \$4,672,474.74 in SRF Funding to be equally split for sanitary and storm sewer construction; and the remaining \$75,000 from Des Moines Water Works

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

MOTION CARRIED APPROVED
J. M. Franklin 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