

★ **Roll Call Number**

19-1881

Agenda Item Number

59A

DATE November 18, 2019

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
LEETOWN CREEKWAY BOX CULVERT FROM DEAN AVENUE TO U.P.R.R.
\$ 5,424,221.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$5,424,221.00, executed by S. M. Hentges & Sons Inc., Steven M. Hentges, President, 650 Quaker Avenue, Suite 200, Jordan, MN, 55352 dated November 18, 2019, for the construction of the following improvement:

Leetown Creekway Box Culvert from Dean Avenue to U.P.R.R., 08-2018-001

The improvement includes constructing new Reinforced Concrete Box (RCB) storm sewer sizes 4 feet x 4 feet, 6 feet x 6 feet, and 12 feet x 7 feet, Reinforced Concrete Pipe (RCP) storm sewer sizes 15-inches to 42-inches, trenchless installation of 84-inch steel casing pipe, precast manholes and intakes, Ductile Iron (DI) sanitary sewer sizes 6-inches to 12-inches, Poly Vinyl Chloride (PVC) storm sewer size 10-inch, PVC water service 4-inch, 6-inch and 10-inch Portland Cement Concrete (PCC) pavement, Hot-Mix Asphalt (HMA) paving, PCC curb and gutter, earthwork and grading, erosion control, fencing, and restoration and other associated and incidental items; all in accordance with contract documents, including Plan File Nos.613-001/033, located near E. 32nd Street from Dean Avenue to the Union Pacific Railroad, 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 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 19-491 attached)

Moved by Gatto to adopt.

FORM APPROVED Kathleen Vanderpool by A.D.
Kathleen Vanderpool
Deputy City Attorney

SLN Funding Source: 2019-2020 CIP, Page Storm – 10, Leetown Creekway - Outlet Improvements, SM075, Storm Water Utility Funds

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

MOTION CARRIED

APPROVED

J. M. Frankhu Cownie
Mayor

I, P. Kay Cmelik, 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.

P. Kay Cmelik

City Clerk