

★ **Roll Call Number**

19-2071

**Agenda Item Number**

67A

DATE December 16, 2019

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
S.E. 9TH STREET STORM WATER PUMP STATION AND IMPROVEMENTS  
\$ 8,186,736.62

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$8,186,736.62, executed by Woodruff Construction, LLC, Donald A. Woodruff, President, 1890 Kountry Lane, Fort Dodge, IA, 50501 dated December 16, 2019, for the construction of the following improvement:

S.E. 9th Street Storm Water Pump Station and Improvements, 08-2017-006

The improvement includes construction of a two-pump storm water pump station including the installation of pumps, mechanical bar screens, electrical and controls building, standby power generator, modification of existing gatewell structure, 12-inch to 78-inch diameter Reinforced Concrete Pipe (RCP) storm sewer, Portland Cement Concrete (PCC) pavement, PCC sidewalk, earthwork, landscaping, Hot Mix Asphalt (HMA) trail, and miscellaneous associated work including cleanup, erosion control, and seeding of disturbed areas and other incidental items; all in accordance with the contract documents, including Plan File Nos. 612-102/195, with improvements located at 1030 S.E. 9th Street, 505 S.E. 10th Street and along the Maury Street from S.E. 10th Street to S.E. 11th Street in 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 19-550 attached)

Moved by Gatto to adopt.

FORM APPROVED Kathleen Vanderpool Deputy City Attorney

SLN Funding Source: 2019-2020 CIP, Page Storm - 6, Flood Mitigation Improvements, SM087, Being: \$1,281,340.90 in Storm Water Bonds and the pump station costs of \$6,905,395.72 in State Sales Tax Increment funds

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

MOTION CARRIED

APPROVED

J. M. Franklin 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