

★ **Roll Call Number**

20-1170

Agenda Item Number

71 A

DATE July 13, 2020

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
FRANKLIN AVENUE RESURFACING FROM 48TH STREET TO MERLE HAY ROAD
\$1,548,220.35

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,548,220.35, executed by InRoads, LLC, Joseph J. Manatt, Manager, 4224 Hubbell Avenue, Des Moines, IA, 50317 dated July 13, 2020, for the construction of the following improvement:

Franklin Avenue Resurfacing from 48th Street to Merle Hay Road, 06-2020-014

The improvement includes pavement scarification, pavement removal, Hot Mix Asphalt (HMA) paving, Portland Cement Concrete (PCC) parking bump-outs, PCC sidewalks and driveways, detectable warnings, pavement markings, surface restoration, and other incidental items; all in accordance with the contract documents, including Plan File Nos. 619-048/135, located on Franklin Avenue from Beaver Avenue to Merle Hay Road, 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.

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 Interim 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 20-296 attached)

Moved by Gray to adopt.

FORM APPROVED s/Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

SLN

Funding Source: 2020-2021 CIP, Page Street - 17, Franklin Ave Improvements, ST286, Being: \$548,220.35 in G.O. Bonds to be issued, \$550,000 in G.O. bonds transferred from ST013 - Public Works - Asphalt Improvements, \$100,000 of Storm Water Utility Funds, \$75,000 in G.O. bonds transferred from SW081 - Sidewalks - School and Priority Routes, and the remaining \$275,000 in G.O. bonds transferred from ST269 - Active Transportation

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
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