



Roll Call Number

21-0232

Agenda Item Number

55 A

DATE February 8, 2021

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2021 NEIGHBORHOOD SIDEWALK PROGRAM
\$821,579.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$821,579.00, executed by TK Concrete, Inc., Tony J. Ver Meer, President, 1608 Fifield Road, Pella, IA, 50219 dated February 8, 2021, for the construction of the following improvement:

2021 Neighborhood Sidewalk Program, 092020002

The improvement includes construction of Portland Cement Concrete (PCC) sidewalk five-foot wide and six-inch deep, with PCC American Disabilities Act (ADA) compliant curb ramps, including grading, subdrain, storm sewer, modular block retaining walls, water service modifications, surface restoration, traffic control and other incidental items; in accordance with the contract documents, including Plan File Nos. 625-025/159, along thirteen blocks of residential streets including: the north and south sides of E. Broad Street from S.E. 5th Street east to S.E. 7th Street, the north and south sides of E. Virginia Avenue from S.E. 5th Street east to S.E. 8th Street, the north side of E. Pleasant View Drive from S.E. 5th Street east to S.E. 8th Street, the east side of S.E. 6th Street from Park Avenue north to E. Pleasant View Drive, and the west side of S.E. 7th Street from E. Pleasant View Drive north to Indianola Avenue, 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 Departments. 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 Director of Finance 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 21-068 attached)

Moved by Gatto to adopt.

FORM APPROVED s/ Kathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney

SLN

Funding Source: 2020-2021 CIP, Page Streets – 40, Sidewalks - School and Priority Routes, SW081, G.O. Bonds to be issued

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

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.

MOTION CARRIED

APPROVED

J. M. Franckh Cownie
Mayor

P. Kay Cmelik
City Clerk