



Roll Call Number

210584

Agenda Item Number

36A

DATE April 5, 2021

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2021 RIVERWALK IMPROVEMENTS - BALUSTRADE REPLACEMENT
\$156,455.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$156,455.00, executed by TNT Tuckpointing and Building Restoration, L.L.C., Joshua L. Smyser, Member, 202 Iowa Street, Stockton, IA, 52769 dated April 5, 2021, for the construction of the following improvement:

2021 Riverwalk Improvements - Balustrade Replacement, 042021011

The improvement includes removal of existing sections of balustrade wall and replacement with cast stone balustrade wall; all in accordance with the contract documents, including Plan File Nos. 626-179/187, located along the west side of the Des Moines River near the Martin Luther King Jr. Parkway bridge, and on the east side of the Des Moines River just north of the Martin Luther King Jr. Parkway bridge, 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.

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.



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21-0584

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(City Council Communication Number 21-158 attached)

Moved by Mandelbaum to adopt.

FORM APPROVED s/ Kathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney

Funding Source: 2021-2022 CIP, Page Park - 71, Principal Riverwalk, PK162, G. O. Bonds

SLN

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
WESTERGAARD	✓			
GRAY	✓			
BOESEN	✓			
VOSS	✓			
MANDELBAUM	✓			
GATTO	✓			
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. Franklin Cownie

Mayor

P. Kay Cmelik

City Clerk