



**Roll Call Number**

21-0655

**Agenda Item Number**

42A

DATE April 19, 2021

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
MACRAE PARK IMPROVEMENTS PHASE 3  
\$2,932,177.50

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$2,932,177.50, executed by Minturn, Inc., Clinton M. Rhoads, President, 144 W. Front Street, Brooklyn, IA, 52211 dated April 19, 2021, for the construction of the following improvement:

MacRae Park Improvements Phase 3, 112019002

The improvement includes clearing & grubbing, pavement removal, grading, earthwork, storm sewer, storm intakes, Hot Mix Asphalt (HMA) pavement, Portland Cement Concrete (PCC) sidewalk, PCC pavement for parking areas, PCC curb & gutter, PCC median, segmental retaining wall, playground equipment, pre-engineered steel truss trail bridge and abutments, precast concrete boardwalk installation, prefabricated shelter installation, miscellaneous amenities, pavement markings, seeding and restoration, and other incidental items; all in accordance with the contract documents, including Plan File Nos. 626-188/284, at MacRae Park, 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 21-181 attached)

Moved by Mandelbaum to adopt.

FORM APPROVED s/Kathleen Vanderpool  
Kathleen Vanderpool  
Deputy City Attorney

**SLN** Funding Source: 2021-2022 CIP, Page 75, MacRae Park Improvements, PK179, Being: \$70,000 Private, \$96,643 Iowa DNR REAP funds, \$652,908.50 G.O. Bonds Issued, \$350,000 G.O. Bonds to be Issued; transfer of \$100,000 G.O. Bonds Issued and \$982,626 GO Bonds to be Issued from Page Parks – 73, Park Infrastructure, PK175.

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.

J. M. Franklin Cownie

APPROVED

P. Kay Cmelik

Mayor

City Clerk