



**Roll Call Number**

21-1168

**Agenda Item Number**

69

DATE July 19, 2021

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON MACRAE PARK SLOPE STABILIZATION RETAINING WALLS AT EMC OVERLOOK; RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS PROGRESSIVE STRUCTURES, LLC, TRAVIS AUGUSTYN, MANAGER, \$1,488,035.00

WHEREAS, on June 14, 2021, under Roll Call No. , plans, specifications, form of contract documents, and Engineer's estimate of construction cost were filed with the City Clerk, for the construction of the following improvement:

MacRae Park Slope Stabilization Retaining Walls at EMC Overlook, 112021009

The improvement includes clearing and grubbing, excavation, Portland Cement Concrete (PCC) cast-in-place retaining walls with rock anchor tie-backs, rock backfill, storm sewer, storm intakes, subdrain, PCC curb and gutter, PCC pavement patches, Hot Mix Asphalt (HMA), pavement scarification, railing, fencing, surface restoration and other incidental items; all in accordance with the contract documents, including Plan File Nos. 630-001/028, located in MacRae Park, 1021 Davis Avenue, Des Moines, Iowa

WHEREAS, notice of the hearing on the plans, specifications, form of contract documents, and Engineer's estimate of construction cost was published as required by law.

WHEREAS, in accordance with said notice, those interested in said proposed plans, specifications, form of contract documents, and Engineer's estimate of construction cost both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the upon due consideration of the facts, and any and all statements of interested persons, any objections to the plans, specifications, form of contract documents, and Engineer's estimate of construction cost for said improvement are overruled and the hearing is closed and that said plans, specifications, form of contract documents, and Engineer's estimate of construction cost are here by approved.

BE IT FURTHER RESOLVED: That sealed bids for said improvement were submitted by the following bidders:

- Progressive Structures, LLC, Elkader, IA Low Bid
- Synergy Contracting, LLC, Altoona, IA
- Peterson Contractors, Inc., Reinbeck, IA
- Jenco Construction Inc., Des Moines, IA
- Woodruff Construction, Inc., Fort Dodge, IA
- Veit & Company Inc., Rogers, MN

which were received and opened at a public meeting presided over by the Engineer in the City Council Chambers, 2nd Floor, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa at 11:00 a.m. on July 6, 2021. Said bids and the attached tabulation of bids for said improvement be and are hereby received and filed.



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BE IT FURTHER RESOLVED: That the Des Moines City Engineer, as the Engineer, has determined that the lowest responsive, responsible bid for the construction of said improvement was submitted by Progressive Structures, LLC, Travis Augustyn, Manager, 24412 Hwy. 13, Elkader, IA, 52043 in the amount of \$1,488,035.00, and said bid be and the same is hereby accepted.

BE IT FURTHER RESOLVED: That the bid security of the unsuccessful bidders be and is hereby authorized and directed to be returned in accordance with the Instructions to Bidders.

BE IT FURTHER RESOLVED: That the Engineer is hereby directed to secure execution by the lowest responsible, responsive Bidder and its surety of the contract documents in the form heretofore approved by this Council; that the Engineer is directed to thereafter present said contract documents to this Council for approval and authorization to the Mayor to sign; and that 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 the City Council hereby authorizes the necessary road closures for the Project.

Moved by Mandelbaum to adopt.

**(Council Communication No.**

**21-336**

FORM APPROVED:

FUNDS AVAILABLE

s/Kathleen Vanderpool

s/Nickolas J. Schaul

Kathleen Vanderpool  
Deputy City Attorney

Nickolas J. Schaul  
Director of Finance

**SLN** Funding Source: 2021-2022 CIP, Page 73, Park Infrastructure, PK175, Being: \$588,035 G.O. Bonds issued and \$900,000 G.O. Bonds to be issued

| 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. Frankhu Cownie

P. Kay Cmelik

Mayor

City Clerk