



Roll Call Number

23-0068

Agenda Item Number

48A

DATE January 9, 2023

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
E. COURT AVENUE RECONSTRUCTION FROM DES MOINES RIVER TO E. 7TH STREET
\$6,893,459.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$6,893,459.00, executed by Jasper Construction Services, Inc., Cliff Rhoads, President, 928 N 19th Avenue East, Newton, IA, 50208 dated January 9, 2023, for the construction of the following improvement:

E. Court Avenue Reconstruction from Des Moines River to E. 7th Street, 062020015

The improvement includes the reconstruction of E. Court Avenue with Portland Cement Concrete (PCC) curb and gutter, PCC bike lanes, PCC sidewalk and driveways, Hot Mix Asphalt (HMA) paving, modified subbase, removals, storm sewer, subdrain, grading, water main construction, site furnishings, trees, erosion control and restoration, and other incidental items; all in accordance with the contract documents, including Plan File No. 645-144/318, located along E. Court Avenue from the Des Moines River to east of E. 7th Street, 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 23-015 attached)

Moved by Mandelbaum to adopt. Second by Gatto

FORM APPROVED

FUNDS AVAILABLE

s/Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

s/Nickolas J. Schaul
Nickolas J. Schaul
Director of Finance

SLN
p.w

Funding Source: 2022-23 CIP, Page 167, LOSST Street Improvements, ST800, LOSST Monies, Being: \$5,756,932 Local Option Sales and Service Tax (LOSST) Funding, and the remaining \$1,136,527 American Rescue Plan Act (ARPA) Funding for Water Main

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | ✓ | | | |
| BOESEN | ✓ | | | |
| GATTO | ✓ | | | |
| MANDELBAUM | ✓ | | | |
| SHEUMAKER | ✓ | | | |
| VOSS | ✓ | | | |
| WESTERGAARD | ✓ | | | |
| TOTAL | 7 | | | |

I, Laura Baumgartner, 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

Laura Baumgartner
City Clerk