



Roll Call Number

23-0340

Agenda Item Number

57A

Date March 06, 2023

**APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2023 HMA RESURFACING PROGRAM CONTRACT 1
\$955,593.95**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$955,593.95, executed by Grimes Asphalt and Paving Corporation, Timothy Mallicoat, President, 5550 NE 22nd Street, Des Moines, IA, 50313 dated March 06, 2023, for the construction of the following improvement:

2023 HMA Resurfacing Program Contract 1, 062022007

The improvements include scarification of existing asphalt streets, furnish and place Hot Mix Asphalt (HMA), furnish and place pavement markings, traffic control and other incidental items; all in accordance with the contract documents, including Plan File No. 652-157/196, at the following locations and other locations in the city as directed by the Engineer, Des Moines, Iowa:

- SW 23rd Street - Bell Avenue to Park Avenue
- Bell Avenue - SW 23rd Street to SW 30th Street
- Indianola Road - South Union Street to SW 7th Street
- Douglas Avenue - 6th Avenue to 11th Street
- E Walnut Street - E 18th Street to E 22nd Street

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



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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.

(City Council Communication Number 23-109 attached)

Moved by Gatto to adopt. Second by Voss

FORM APPROVED:

FUNDS AVAILABLE

s/Kathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney

s/Nickolas J. Schaul

Nickolas J. Schaul
Director of Finance

Funding Source: 2022-23 CIP, Page 116, Roadway Rehabilitation – Collector, ST217, Gaming Monies

SLN^{pw}

COUNCIL ACTION	Yeas	Nays	Pass	Absent
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

J. M. Franklin Cownie Mayor

CERTIFICATE

I, Laura Baumgartner, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, 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.

Laura Baumgartner

City Clerk