



Roll Call Number

23-0341

Agenda Item Number

58

Date March 06, 2023

**PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON
2023 NEIGHBORHOOD SIDEWALK PROGRAM CONTRACT 1;
RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS TK CONCRETE, INC., TONY J. VER MEER, PRESIDENT, \$704,530.00**

WHEREAS, on February 06, 2023, under Roll Call No. 23-0144, 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:

2023 Neighborhood Sidewalk Program Contract 1, 092022002

The improvement includes construction of Portland Cement Concrete (PCC) sidewalk, PCC ADA compliant curb ramps, grading, pavement removal, subdrain, storm sewer, modular block retaining walls, water service modifications, surface restoration, traffic control, and other incidental items; all in accordance with the contract documents, including Plan File No. 652-197/298, along the following sections of residential streets in Des Moines, Iowa:

- Euclid Avenue (southeast corner of Douglas Avenue intersection)
- Franklin Avenue from 50th Street to 49th Street (southside)
- College Avenue from 12th Street to 10th Street (southside)
- Cleveland Avenue from Pennsylvania Avenue to E. 9th Street (northside)
- SE 2nd Street from E. Edison Avenue to E. Dunham Avenue (southeast side)
- Watrous Avenue from SW 7th Street to South Union Street (southside)
- E. Douglas Avenue from Bowdoin Street to E. 8th Street (northside)

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 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 hereby approved.

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

- TK Concrete, Inc., Pella, IA - Low Bid
- MPS Engineers, P.C. dba Kingston Services, P.C., Des Moines, IA
- Shekar Engineering, P.L.C., Des Moines, IA



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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 February 21, 2023. Said bids and the attached tabulation of bids for said improvement be and are hereby received and filed.

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 TK Concrete, Inc., Tony J. Ver Meer, President, 1608 Fifield Road, Pella, IA, 50219 in the amount of \$704,530.00, 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 closure of all public grounds, streets, sidewalks, alleys, bridges, culverts, overpasses, underpasses, grade crossing separations and approaches, public ways, squares, and commons for the Project.

(Council Communication No. 23-106 attached)

Moved by Latto to adopt. Second by Mandelbaum

FORM APPROVED:

FUNDS AVAILABLE:

s/Kathleen Vanderpool

s/Nickolas J. Schaul

Kathleen Vanderpool
Deputy City Attorney

Nickolas J. Schaul
Director of Finance

Funding Source: 2022-23 CIP, 168, Sidewalks - School and Priority Routes, SW081, \$704,530 American Rescue Plan Act (ARPA) Funding (Sidewalks)

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COUNCIL ACTION	Yeas	Nays	Pass	Absent
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED <input checked="" type="checkbox"/> APPROVED				

J. M. Frankhu Cowne
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