



Roll Call Number

23-0678

Agenda Item Number

44

Date May 08, 2023

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON NORTH VALLEY DRIVE AND GRAND AVENUE SIDEWALK AND RAILROAD CROSSING IMPROVEMENTS; RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS TK CONCRETE, INC., TONY J. VER MEER, PRESIDENT, \$580,895.00

WHEREAS, on April 10, 2023, under Roll Call No. 23-0473, 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:

North Valley Drive and Grand Avenue Sidewalk and Railroad Crossing Improvements, 042023009

The improvement includes earthwork, Portland Cement Concrete (PCC) sidewalks, PCC curb and gutter, PC driveways, pavement removal, Hot Mix Asphalt (HMA) street approaches, pavement markings, new storm sewer and storm sewer intakes, signage and other incidental items; all in accordance with the contract documents, including Plan File No. 655-001/043, along the Iowa Interstate Railroad near North Valley Drive and Grand Avenue in the City of 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 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
- Minturn, Inc., Brooklyn, IA

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 April 25, 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 \$580,895.00, and said bid be and the same is hereby accepted.

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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. 23.228 attached)

Moved by Mandelbaum to adopt. Second by Gatto

FORM APPROVED:

s/Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

FUNDS AVAILABLE:

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

Funding Source: 2023-24 CIP, 171, Sidewalks - School and Priority Routes, SW081, Being: \$372,895 in G.O. Bonds, anticipated \$65,000 in Federal funds from Iowa DOT, and the remaining \$70,000 in G.O. Bonds transferred from 2023-24 CIP, Page 115, Railroad Crossing Surface Repairs & Signal Improvements, ST139, and the remaining \$73,000 in G.O. Bonds transferred from 2023-24 CIP, Page 176, Traffic Calming Improvements, TR032

SLN
 PW

COUNCIL ACTION	Yeas	Nays	Pass	Absent
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER				✓
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1

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.

J. M. Franken Mayor
 MOTION CARRIED APPROVED

Laura Baumgartner City Clerk