



**Roll Call Number**

23-0776

**Agenda Item Number**

59A

**Date** May 22, 2023

**APPROVAL OF CONTRACT AND BOND ON  
SW 63RD STREET RESURFACING FROM WILLOW CREEK DRIVE TO DEAD END NORTH  
\$264,096.20**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$264,096.20, executed by OMG Midwest, Inc. dba Des Moines Asphalt & Paving, Kevin Bragg, President, 2401 SE Tones Drive, Ste. 13, Ankeny, IA, 50021 dated May 22, 2023, for the construction of the following improvement:

SW 63rd Street Resurfacing from Willow Creek Drive to Dead End North, 062023009

The improvements include scarification of existing asphalt street, 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. 655-044/056, on SW 63rd Street from Willow Creek Drive to dead end north, 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 City Engineer is hereby authorized to approve requests to sublet work from the Contractor, 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.

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.

(Council Communication No. 23.248 attached)



Roll Call Number

23-0776

Agenda Item Number

59A

Date May 22, 2023

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

Funding Source: 2023-24 CIP, Page 117, Roadway Rehabilitation – Collector, ST217, Being:  
\$132,048.10 in Gaming Monies and the remaining \$132,048.10 from the City of West Des Moines

SLN<sub>pw</sub>

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

MOTION CARRIED APPROVED  
J. M. Frankin 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