



Roll Call Number

23-1505

Agenda Item Number

79A

Date October 23, 2023

**APPROVAL OF CONTRACT AND BOND ON
GLENDALE CEMETERY POND DREDGING IMPROVEMENTS
\$562,785**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$562,785, executed by RW Excavating Solutions, LC, Dan E. Wilson, Managing Member, 13293 S. 88th Avenue W, Prairie City, IA, 50228 dated October 23, 2023, for the construction of the following improvement:

Glendale Cemetery Pond Dredging Improvements, Activity ID 112023011

The improvement includes excavation and grading, dewatering, compacted clay pond liner, water control structure, modification to outlet structure, new water quality pretreatment unit, new Portland Cement Concrete (PCC) sidewalk, limestone outcropping, pond habitat improvement, revetment, erosion controls, temporary site seeding and mulching, traffic control, and associated work including cleanup and restoration, all in accordance with the contract documents, including Plan File No. 655-172/193, located in Glendale Cemetery, 4909 University Ave, 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.



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(Council Communication No. 23-462 attached)

Moved by Boesen 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

SLN
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Funding Source: 2023-24 CIP, Page 80, Urban Conservation Projects, PK167, Being: \$312,785 in GO Bonds and the remaining \$250,000 in Iowa Department of Agriculture and Land Stewardship grant funds (IDALS)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			

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. Frankhu Cownie Mayor

Laura Baumgartner City Clerk