



**Roll Call Number**

24-0832

**Agenda Item Number**

39A

**Date** June 03, 2024

**APPROVAL OF CONTRACT AND BOND ON  
SW 9TH STREET REHABILITATION FROM EMMA AVENUE TO LEACH AVENUE  
\$575,841**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$575,841, executed by TK Concrete, Inc., Tony J. Ver Meer, President, 1608 Fifield Road, Pella, IA, 50219 dated June 03, 2024, for the construction of the following improvement:

SW 9th Street Rehabilitation from Emma Avenue to Leach Avenue, Activity ID 062024008

The improvement includes street rehabilitation by milling the existing roadway, resurfacing with Hot Mix Asphalt (HMA), full depth Portland Cement Concrete (PCC) pavement patching, pavement markings, and other incidental items, all in accordance with the contract documents including Plan File No. 663-053/069 located on S.W. 9th Street from Emma Avenue to Leach Avenue, 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. 24-230 attached)

Moved by Mandelbaum to adopt. Second by Gatto

FORM APPROVED:

FUNDS AVAILABLE:

s/Kathleen Vanderpool

s/Nickolas J. Schaul

Kathleen Vanderpool  
Deputy City Attorney

Nickolas J. Schaul  
Director of Finance

SLN<sub>pw</sub>

Funding Source: 2024-25 CIP, Page 136, LOSST Street Improvements, ST800, LOSST Monies

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
MANDELBAUM	✓			
SIMONSON	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED		APPROVED		

Conie Boser 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