



Roll Call Number

25-0305

Agenda Item Number

53A

Date February 24, 2025

**APPROVAL OF CONTRACT AND BOND ON
PORTER AVENUE IMPROVEMENTS FROM SW 9TH STREET TO SOUTH UNION STREET
\$600,764**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$600,764, executed by TK Concrete, Inc., Tony J. Ver Meer, President, 1608 Fifield Road, Pella, IA, 50219 dated February 24, 2025, for the construction of the following improvement:

Porter Avenue Improvements from SW 9th Street to South Union Street, Activity ID 092024005

The improvement includes Hot Mix Asphalt (HMA) and Portland Cement Concrete (PCC) roadway pavement, sidewalk, driveways, pavement removal, storm sewer, water main, temporary traffic control, erosion control, retaining walls, surface restoration, and other incidental items, all in accordance with the contract documents including Plan File No. 667-192/237, located along Porter Avenue between SW 9th Street and South Union Street; the intersection of E. Jefferson Avenue and E. Lay Street; and the intersection of 45th Street and Chamberlain Avenue in 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 Department. 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.

★ Roll Call Number
25-0305

Agenda Item Number
53A

Date February 24, 2025

(Council Communication No. 25.078 attached)

Moved by Gatto to adopt. Second by Voss

FORM APPROVED:

s/Kathleen Vanderpool

Kathleen Vanderpool
 Deputy City Attorney

FUNDS AVAILABLE:

s/Nickolas J. Schaul

Nickolas J. Schaul
 Director of Finance

SLN_{pw}

Funding Source: 2024-25 CIP, Page 155, Sidewalks - School and Priority Routes, SW081, Being: \$389,804 in G.O. Bonds, \$70,000 transferred from TR032 (Traffic Calming Improvements), \$100,000 transferred from ST065 (PCC Pavement Replacement), and the remaining \$40,960 from Des Moines Water Works

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

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.

MOTION CARRIED

APPROVED

Connie Boesen Mayor

Laura Baumgartner City Clerk