

DATE August 9, 2010

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
WAVELAND TRAIL PHASE 2 - UNIVERSITY AVENUE TO FRANKLIN AVENUE
\$ 419,999.99

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$419,999.99, executed by Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA, 50327 dated August 9, 2010, for the construction of the following improvement:

Waveland Trail Phase 2 - University Avenue to Franklin Avenue, 11-2010-008
STP-E-1945(765)--8V-77

The improvement includes construction of a 10 foot wide, 6 inch thick HMA recreation trail, PCC sidewalks of various widths and thicknesses, grading, site restoration, and other incidental items; in accordance with the contract documents, including Plans File Nos. 519-155/191, along the west edge of Glendale Cemetery (55th Street) from University Avenue to Franklin Avenue, ending near the Northwest Community Center

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, bond, and certificate of insurance acceptable to the Engineering and Legal 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, bond, and certificate of insurance acceptable to the Engineering and Legal Departments, 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.

BE IT FURTHER RESOLVED: That the attached Permission to Sublet form, from said Contractor requesting permission to sublet designated items, be and is hereby approved, subject to receipt of the contract, bond, and certificate of insurance acceptable to the Engineering and Legal Departments; and each subcontractor is hereby granted permission to work on said improvement.

★ **Roll Call Number**

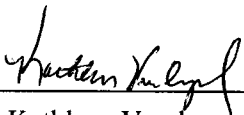
Agenda Item Number


56A

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BE IT FURTHER RESOLVED: That the Des Moines Finance Director 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.

Moved by _____ to adopt.

FORM APPROVED 
 Kathleen Vanderpool
 Deputy City Attorney

 Funding Source: 2010-2011 CIP, Page Park-22, Recreation Trails, PKS045, Being: \$200,000 in Federal Surface Transportation Program - Transportation Enhancement Funds and \$219,999.99 in City G. O. Bonds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

MOTION CARRIED APPROVED

 Mayor

I, Diane Rauh, City Clerk of said City Council, hereby certify that at a meeting of the City Council, 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.

 City Clerk

56H

Department of Engineering
City of Des Moines, Iowa



CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION
Waveland Trail Phase 2 - University Avenue to Franklin Avenue

Activity ID 11-2010-008

On July 20, 2010, Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA 50327 submitted a proposal for construction of the Waveland Trail Phase 2 - University Avenue to Franklin Avenue, Activity ID 11-2010-008, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$419,999.99. The proposal included a statement that the Disadvantaged Business Enterprise/Targeted Small Business (DBE/TSB) Program shall not apply to this project.

The Engineering Department has prepared this report summarizing the information that Elder Corporation, has submitted indicating that it anticipates utilizing the following DBE/TSB companies on this project:

<u>DBE/TSB Name</u>	<u>Description of Work</u>	<u>Estimated Amount</u>
None	N/A	\$0.00
	Estimated DBE/TSB Participation	\$0.00
	Elder Corporation Amount	\$419,999.99
	Percentage of DBE/TSB Participation	0.00%