



DATE October 18, 2021

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
HAMILTON DRAIN STORM WATER IMPROVEMENTS PHASE 2  
\$6,196,268.70

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$6,196,268.70, executed by RW Excavating Solutions, LC, Dan E. Wilson, Managing Member, 13293 S. 88th Avenue W, Prairie City, IA, 50228 dated October 18, 2021, for the construction of the following improvement:

Hamilton Drain Storm Water Improvements Phase 2, 082021002

The improvement includes the construction of 15-inch to 84-inch storm sewer, manholes, intakes, subdrain, sanitary sewer, Portland Cement Concrete (PCC) pavement, Hot Mix Asphalt (HMA) paving, removals, earthwork, water main adjustments, traffic control, fencing, site furnishings, erosion control, and surface restoration; all in accordance with the contract documents, including Plan File No. 631-001/218, for the construction of storm water detention basins located at 121 NE 43rd Avenue, 3940 Amherst Street, and 4028 E 14th Street. The project also includes construction of trunk storm sewer from the intersection of E Aurora Avenue and Cornell Street to the cul-de-sac in the 3900 block of Amherst Street, 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 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 and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering Department; and each subcontractor is hereby granted permission to work on said improvement.



**Roll Call Number**

Agenda Item Number

55 A

DATE October 18, 2021

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.

(City Council Communication Number 21-452 attached)

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED s/ Kathleen Vanderpool  
Kathleen Vanderpool  
Deputy City Attorney

**SLN**  
pw  
Funding Source: 2021-2022 CIP, Page 102, Hamilton Drainage Area Improvements, SM133, Being: \$5,850,234 in Storm Water Utility funds, and the remaining \$346,034.70 from Des Moines Water Works

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
WESTERGAARD				
GRAY				
BOESEN				
VOSS				
MANDELBAUM				
GATTO				
TOTAL				
MOTION CARRIED				APPROVED

I, P. Kay Cmelik, 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.

\_\_\_\_\_  
Mayor City Clerk

550

Department of Engineering  
City of Des Moines, Iowa



**CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION**

**Hamilton Drain Storm Water Improvements Phase 2**

**Activity ID 082021002**

On October 5, 2021, RW Excavating Solutions, LC, Dan E. Wilson, Managing Member, 13293 S.88th Avenue W, Prairie City, IA 50228 submitted a proposal for construction of the Hamilton Drain Storm Water Improvements Phase 2, Activity ID 082021002, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$6,196,268.70. The proposal included a statement that the Disadvantaged Business Enterprise/Targeted Small Business (DBE/TSB) Program shall apply to this project.

The Engineering Department has prepared this report summarizing the information that RW Excavating Solutions, LC, 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
	RW Excavating Solutions, LC Amount	\$6,196,268.70
	Percentage of DBE/TSB Participation	0.00%