



**Date** March 27, 2023

**APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
2023 HMA RESIDENTIAL PAVING PROGRAM CONTRACT 1 – LOSST  
\$1,051,150.78**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,051,150.78, executed by Grimes Asphalt and Paving Corporation, Timothy Mallicoat, President, 5550 NE 22nd Street, Des Moines, IA, 50313 dated March 27, 2023, for the construction of the following improvement:

2023 HMA Residential Paving Program Contract 1 – LOSST, 062023011

The improvement includes furnishing labor, equipment, and materials for the removal of existing Hot Mix Asphalt (HMA) pavement and surfacing materials by milling/scarifying to an average depth of four (4) inches and six (6) inches, prepare subgrade/subbase, reconstruct with four (4) inches of HMA pavement with two (2) lifts, replace sections of Portland Cement Concrete (PCC) curb and gutter, and replace existing sidewalk ramps with ADA-compliant ramps; all in accordance with the contract documents at the following locations and other locations as directed by the City Engineer within the City of Des Moines, Iowa:

- S.E. 5th Street from E. Bell Avenue to Pioneer Road
- Lincoln Avenue from Merle Hay Road to Merklin Way
- 57th Street from Forest Avenue to Clark Boulevard
- Ovid Avenue from 56th Street to 54th Street
- Reynolds Lane from Farwell Road to Arthur Avenue
- Farwell Road from Tomlin Lane to Hubbell Avenue
- Tomlin Lane from Guthrie Avenue to Arthur Avenue
- Arthur Avenue from Lay Street to Farwell Avenue
- Arthur Avenue from dead end west of Farwell Road to Reynolds Lane
- Mahaska Avenue from E. 38th Street to E. 40th Street
- Dubuque Avenue from Hubbell Avenue to E. 24th Street
- 58th Street from Chamberlain Drive to Kingman Avenue
- 37th Street from Beaver Avenue to Washington Avenue

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.



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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.

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.

(Council Communication No. 23-143 attached)

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

FORM APPROVED:

FUNDS AVAILABLE:

s/Kathleen Vanderpool

s/Nickolas J. Schaul

Kathleen Vanderpool  
Deputy City Attorney

Nickolas J. Schaul  
Director of Finance

Funding Source: 2022-23 CIP, Page 167, LOSST Street Improvements, ST800, LOSST Monies

**SLN**<sub>pw</sub>



**Roll Call Number**

**Agenda Item Number**

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**Date** March 27, 2023

COUNCIL ACTION	Yeas	Nays	Pass	Absent
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ 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.

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

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Department of Engineering  
City of Des Moines, Iowa



**CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION**  
**2023 HMA Residential Paving Program Contract 1 – LOSST**

**Activity ID 062023011**

On March 7, 2023, Grimes Asphalt and Paving Corporation, Timothy Mallicoat, President, 5550 NE 22nd Street, Des Moines, IA 50313 submitted a proposal for construction of the 2023 HMA Residential Paving Program Contract 1 – LOSST, Activity ID 062023011, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$1,051,150.78. 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 Grimes Asphalt and Paving 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
	Grimes Asphalt and Paving Corporation Amount	\$1,051,150.78
	Percentage of DBE/TSB Participation	0.00%