



Date February 05, 2024

**APPROVAL OF CONTRACT AND BOND ON
2024 NEIGHBORHOOD SIDEWALK PROGRAM CONTRACT 1
\$1,789,424.17**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,789,424.17, executed by Caliber Concrete, LLC, Jason Martin, Owner, 309 Audubon Street, Adair, IA, 50002 dated February 05, 2024, for the construction of the following improvement:

2024 Neighborhood Sidewalk Program Contract 1, Activity ID 092023004

The improvement includes construction of Portland Cement Concrete (PCC) sidewalk, PCC ADA-compliant curb ramps, grading, pavement removal, subdrain, storm sewer, modular block retaining walls, water service modifications, surface restoration, traffic control, and other incidental items, all in accordance with the contract documents, including Plan File No. 659-222/379, along the following sections of residential streets in Des Moines, Iowa:

- E. Tiffin Avenue (North Union Street to E. 12th Street, south side)
- 62nd Street (University Avenue to Clark Street, east side)
- Clark Street (8th Street to 9th Street, south side)
- S.E. 5th Street (E. Livingston Avenue to E. Granger Avenue, east side)
- S.E. 6th Street (Indianola Avenue to Pioneer Road, west side)
- Kenyon Avenue (S.W. 9th Street to S.W. 14th Street, north side)

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.



Date February 05, 2024

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.

(Council Communication No. 24-050 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

SLN
pw

Funding Source: 2023-24 CIP, Page 171, Sidewalks - School and Priority Routes, SW081, Being: General Fund transfer made possible with American Rescue Plan Act (ARPA) Funds

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

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

Mayor

City Clerk



CONTRACTOR’S ANTICIPATED DBE/TSB UTILIZATION

2024 Neighborhood Sidewalk Program Contract 1

Activity ID 092023004

On January 9, 2024, Caliber Concrete, LLC, Jason Martin, Owner, 309 Audubon Street, Adair, IA 50002 submitted a proposal for construction of the 2024 Neighborhood Sidewalk Program Contract 1, Activity ID 092023004, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$1,789,424.17. 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 Caliber Concrete, LLC, 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
	Caliber Concrete, LLC Amount	\$1,789,424.17
	Percentage of DBE/TSB Participation	0.00%