

DATE July 15, 2013

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
E. 37TH STREET SANITARY SEWER - E. EUCLID AVENUE TO HUBBELL AVENUE
\$ 158,518.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$158,518.00, executed by T K Concrete Inc., Tony J. Ver Meer, President, 1608 Fifield Road, Pella, IA, 50219 dated July 15, 2013, for the construction of the following improvement:

E. 37th Street Sanitary Sewer - E. Euclid Avenue to Hubbell Avenue, 07-2013-001

The improvement includes construction of a new sanitary sewer main to service three properties on E. 37th Street from E. Euclid Avenue to Hubbell Avenue. This project will allow for the abandonment of deteriorated and obsolete septic systems that are located on these properties. This contract includes construction of the sanitary sewer, a sanitary manhole, sanitary sewer service stubs, restoration of pavement, water main relocation and other incidental items; all in accordance with the contract documents including Plan File Nos. 553/131-140, 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, 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**

13-1149

Agenda Item Number

58A

DATE July 15, 2013

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.

(City Council Communication Number 13-357 attached)

Moved by Mahaflay to adopt.

FORM APPROVED Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

Funding Source: 2013-2014 CIP, Page Sanitary - 6, City-wide Sanitary Sewers, SS054, Sanitary Sewer Funds,
Being: \$18,767.64 from Special Assessments against benefited property owners, \$65,099.36 from Sanitary Sewer funds, and the remaining \$74,651 from Des Moines Water Works

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE		✓		
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE		✓		
TOTAL	5	2		

MOTION CARRIED APPROVED
T. M. Franklin
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.

Diane Rauh
City Clerk