

★ Roll Call Number

13-1157

Agenda Item Number

62A

DATE July 15, 2013

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2013 SEWER REPAIR - CONTRACT 1
\$ 310,869.90

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$310,869.90, executed by The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA, 50047 dated July 15, 2013, for the construction of the following improvement:

2013 Sewer Repair - Contract 1, 08-2013-003

The improvement includes the construction of 18-inch, 24-inch, and 36-inch RCP storm sewer, intakes, manholes, stabilization of stream banks, and curb and gutter, seeding, sodding, and other incidental items; in accordance with the contract documents, including Plan File Nos. 553-099/115, at two locations: S.W. 39th Street and Welker Avenue, and Driftwood Avenue from Star View Street to Three Lakes Parkway, 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**

Agenda Item Number

13-1157

62A

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 13-366 attached)

Moved by *Hensley* to adopt.

FORM APPROVED *Kathleen Vanderpool*
 Kathleen Vanderpool
 Deputy City Attorney

JFB Funding Source: 2013-2014 CIP, Page Storm - 9, Easter Lake Watershed Improvements, SM061, Storm Water Utility Funds, Being:
 \$86,580.90, Driftwood Avenue repair location, from SM061; \$224,289, SW 39th Street & Welker Avenue repair location, from SM057, City-wide Storm Water Utility Project, Page Storm - 4

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

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