

★ **Roll Call Number**

20-0386

Agenda Item Number

55A

DATE February 24, 2020

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
RENO DOG PARK IMPROVEMENTS
\$ 204,873.56

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$204,873.56, executed by Berkey Homebuilders, Inc. dba Concrete Professionals, Eric Berkey, President, PO Box 7, Altoona, IA, 50009 dated February 24, 2020, for the construction of the following improvement:

Reno Dog Park Improvements, 11-2020-008

The improvement includes clearing & grubbing, Class 10 excavation, water service installation, drinking fountain installation, Portland Cement Concrete (PCC) sidewalk and trail, PCC curb and gutter, pavement removals, chain link fence removal and installation, pavement markings, seeding, and miscellaneous associated work including cleanup and restoration; all in accordance with the contract documents, including Plan File Nos. 614-059/069, located south of Hubbell Avenue and east of Four Mile Creek, 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 Department. 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.



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BE IT FURTHER RESOLVED: That the Interim 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 20-088 attached)

Moved by Boesen to adopt.

FORM APPROVED Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

SLN Funding Source: 2019-2020 CIP, Page Park – 26, Watershed Park Amenities PK180, Being: \$204,873.56 G.O. Bonds issued, with potential of \$30,000 FEMA funds collected at project completion

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

J. M. Franklin Cownie
Mayor

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.

P. Kay Cmelik
City Clerk