

★ **Roll Call Number**

20-1166

**Agenda Item Number**

69A

DATE July 13, 2020

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
2020 HMA RESURFACING PROGRAM CONTRACT 2  
\$450,118.75

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$450,118.75, executed by Grimes Asphalt and Paving Corporation, Timothy Mallicoat, President, 5550 NE 22nd Street, Des Moines, IA, 50313 dated July 13, 2020, for the construction of the following improvement:

2020 HMA Resurfacing Program Contract 2, 06-2020-008

The improvements include scarification of existing asphalt streets, furnish and place Hot Mix Asphalt (HMA), furnish and place pavement markings, traffic control and other incidental items; all in accordance with the contract documents, including Plan File Nos. 618-182/200, located on Cherry Street from 5th Avenue to 12th Street and South Union Street from Kirkwood Avenue to Hartford Avenue, and the following location all within the City of Des Moines, Iowa:

Furnishing all labor, materials and equipment necessary to remove existing pavement markings, install pavement markings and associated traffic control; all in accordance with the contract documents, along S.E. 14th Street – Hull Avenue to Watrous 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 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.

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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 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 20-294 attached)

Moved by Gatto to adopt.

FORM APPROVED s/Kathleen Vanderpool  
Kathleen Vanderpool  
Deputy City Attorney

SLN

Funding Source: 2020-21 Pending CIP, Page Street – 36, Roadway Rehabilitation – Collector, ST217, Being: \$115,002.95 in Gaming funds; \$102,746 in G.O. Bonds transferred from ST261, Connect Downtown; \$145,669.80 in TIF Bonds, and the remaining \$86,700 from OP214.

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