



Roll Call Number

20.2164

Agenda Item Number

57A

DATE December 21, 2020

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2020 GRAY'S LAKE SHORELINE REPAIR
\$225,587.50

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$225,587.50, executed by RW Excavating Solutions, LC, Dan E. Wilson, Managing Member, 13293 S.88th Avenue W, Prairie City, IA, 50228 dated December 21, 2020, for the construction of the following improvement:

2020 Gray's Lake Shoreline Repair, 112021005

The improvement includes shoreline stabilization construction including bank grading and shaping, rip rap, sheet pile retaining wall, seeding, erosion control, restoration, and miscellaneous associated work including cleanup and other incidental items; all in accordance with the contract documents including Plan File Nos. 625-001/012, located along the shoreline of Gray's Lake, in 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 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.

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 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.

(City Council Communication Number 20-544 attached)

Moved by Mandelbaum to adopt.

FORM APPROVED s/ Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

Funding Source: 2020-2021 CIP, Page Parks - 10, Gray's Lake Park Improvements, PK140, G. O. Bonds, Being: \$32,123 in United States Department of Agriculture (USDA) for Emergency Watershed Protection (EWP) Program Funding (NR206114XXXXC037), and the remaining \$193,464.50 in GO. Bonds.

SLN

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

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.

MOTION CARRIED APPROVED
J. M. Franklin Cowrie
Mayor

P. Kay Cmelik
City Clerk