



Roll Call Number

21-1063

Agenda Item Number

73A

DATE June 28, 2021

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
WITMER PARK PLAYGROUND AND RESTROOM IMPROVEMENTS
\$558,000.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$558,000.00, executed by Graphite Construction Group, Inc., Russell Carew, President, 1955 NE 58th Avenue, Suite 100, Des Moines, IA, 50313 dated June 28, 2021, for the construction of the following improvement:

Witmer Park Playground and Restroom Improvements, 112021004

The improvement includes earthwork, subdrain, water service installation, sanitary sewer service installation, Portland Cement Concrete (PCC) sidewalk, PCC beam curb, new 500 square foot restroom building including foundation excavation, new concrete foundations, concrete flatwork, masonry walls, steel canopy structure, metal doors and frames, aluminum storefront windows, standing seam metal roof system, painting, mechanical, plumbing and electrical systems, miscellaneous site amenities, seeding and restoration, and other incidental items; all in accordance with the contract documents, including Plan File Nos. 623-164/201, at Witmer Park, 1610 34th Street, 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 21-296 attached)

Moved by Gray to adopt.

FORM APPROVED s/Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

SLN Funding Source: 2021-2022 CIP, Page 79, Witmer Park Improvements, PK184, Being:
PW \$57,003 GO Bonds Issued; \$112,344 GO Bonds Issued transferred from PK137; \$183,490 Private;
\$205,163 GO Bonds Issued transferred from PK143

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
WESTERGAARD		✓		
GRAY	✓			
BOESEN	✓			
VOSS	✓			
MANDELBAUM	✓			
GATTO		✓		
TOTAL	5	2		

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 Cownie
Mayor

P. Kay Cmelik
City Clerk