



Roll Call Number

22-0840

Agenda Item Number

50A

DATE May 23, 2022

APPROVAL OF CONTRACT AND BOND

**E. 3RD STREET RECONSTRUCTION FROM E. COURT AVENUE TO IOWA INTERSTATE RAILROAD
\$372,060.00**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$372,060.00, executed by Minturn, Inc., Clinton M. Rhoads, President, 144 W. Front Street, Brooklyn, IA, 52211 dated May 23, 2022, for the construction of the following improvement:

E. 3rd Street Reconstruction from E. Court Avenue to Iowa Interstate Railroad, 062022016

The improvement includes construction of Portland Cement Concrete (PCC) pavement, Hot-Mix Asphalt (HMA) paving, PCC driveways, PCC sidewalks, modified subbase, storm sewer, intakes, pavement markings, site furnishings, plantings, miscellaneous work and incidental items; all in accordance with the contract documents, including Plan File No. 642-129/153, located on E. 3rd Street from E. Court Avenue to the Iowa Interstate Railroad at E. Vine 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 22-248 attached)

Moved by Mandelbaum to adopt. Second by Boesen

FORM APPROVED

FUNDS AVAILABLE

s/ Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

s/ Nickolas J. Schaul
Nickolas J. Schaul
Director of Finance

SLN
PW

Funding Source: 2022-23 CIP, Page 137, Market District Infrastructure Improvements, ST282, Tax Increment Funding Bonds

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | ✓ | | | |
| BOESEN | ✓ | | | |
| GATTO | | | | ✓ |
| MANDELBAUM | ✓ | | | |
| SHEUMAKER | ✓ | | | |
| VOSS | ✓ | | | |
| WESTERGAARD | ✓ | | | |
| TOTAL | 6 | | | 1 |

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. Frankhu Cownie
Mayor

P. Kay Cmelik
City Clerk