



Roll Call Number

22-1940

Agenda Item Number

63A

DATE December 12, 2022

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
HAMILTON DRAIN STORM WATER IMPROVEMENTS PHASE 3
\$7,723,556.90

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$7,723,556.90, executed by RW Excavating Solutions, LC, Dan E. Wilson, Managing Member, 13293 S. 88th Avenue W, Prairie City, IA, 50228 dated December 12, 2022, for the construction of the following improvement:

Hamilton Drain Storm Water Improvements Phase 3, 082022002

The improvement includes the construction of 15-inch to 72-inch diameter storm sewer, concrete box culverts, manholes, intakes, subdrain, sanitary sewer, Portland Cement Concrete (PCC) pavement, Hot Mix Asphalt (HMA) paving, removals, PCC sidewalk, PCC driveways, earthwork, water main adjustments, traffic control, fencing, site furnishings, erosion control, and surface restoration; all in accordance with the contract documents, including Plan File No. 649-001/296, for the construction of storm water detention basins located at 3801 E. 9th Street and 3610 E. 12th Street, and construction of trunk storm sewer from the cul-de-sac in the 3900 block of Amherst Street to the intersection of E. Euclid Avenue and Wright 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 22-574 attached)

Moved by Westergaard to adopt. Second by Voss

FORM APPROVED

FUNDS AVAILABLE

s/ Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

Nickolas J. Schaul
Nickolas J. Schaul
Director of Finance

SLN
pw

Funding Source: 2022-23 CIP, Page 107, Hamilton Drainage Area Improvements, SM133, Being: \$7,000,000 American Rescue Plan Act (ARPA) Funding (Storm Water), \$529,410 ARPA Funding (Water Main), and the remaining \$194,146.90 in Storm Water Utility Funds from SM133

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

I, Laura Baumgartner, 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

Laura Baumgartner
City Clerk