



**Roll Call Number**

22-1946

**Agenda Item Number**

66A

DATE December 12, 2022

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
MCKINLEY AVENUE RECONSTRUCTION FROM SOUTH UNION STREET TO SW 9TH STREET  
\$5,065,871.77

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$5,065,871.77, executed by All Star Concrete, L.L.C., Alex Vazquez, Member and Manager, 4989 NW Johnston Drive, Johnston, IA, 50131 dated December 12, 2022, for the construction of the following improvement:

McKinley Avenue Reconstruction from South Union Street to SW 9th Street , 062021008

The improvement includes reconstructing McKinley Avenue with Portland Cement Concrete (PCC) roadway paving, PCC sidewalks, PCC driveways, and PCC multi-use trail, storm sewer, storm sewer intakes and manholes, subdrain, clearing and grubbing, earthwork and grading, water main construction, traffic signals, pavement markings, signage, erosion control, and restoration; all in accordance with the contract documents, including Plan File No.648-001/217, located along McKinley Avenue from South Union Street to SW 9th 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 22-577 attached)

Moved by Gatto to adopt. Second by Voss

**FORM APPROVED**

**FUNDS AVAILABLE**

sl Kathleen Vanderpool  
Kathleen Vanderpool  
Deputy City Attorney

Nickolas J. Schaul  
Nickolas J. Schaul  
Director of Finance

SLN  
pw

Funding Source: 2022-23 CIP, Page 115, McKinley Avenue Improvements, ST212, G.O. Bonds, Being: \$4,335,703.83 in G.O. Bonds and the remaining \$730,167.94 from Des Moines Water Works.

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