



**Roll Call Number**

23-0184

**Agenda Item Number**

45A

**Date** February 06, 2023

**APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
FLEUR DRIVE RECONSTRUCTION, PHASE 3 FROM  
WATROUS AVENUE TO MCKINLEY AVENUE  
\$7,322,217.50**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$7,322,217.50, executed by InRoads, LLC, Joseph J. Manatt, CEO, 4761 NE 20<sup>th</sup> Lane, Des Moines, IA, 50313 dated February 06, 2023, for the construction of the following improvement:

Fleur Drive Reconstruction, Phase 3 from Watrous Avenue to McKinley Avenue, 062020011

The improvement includes reconstruction of the northbound and southbound lanes of Fleur Drive with Portland Cement Concrete (PCC) curb and gutter, 10-inch Hot Mix Asphalt (HMA) paving, 12-inch modified subbase, PCC sidewalk and driveways, retaining wall, pavement removal, storm sewer, subdrain, earthwork and grading, new irrigation system, traffic signalization, pavement markings, erosion control, and restoration; all in accordance with contract documents, including Plan File No. 651-001/236, located along Fleur Drive from Watrous Avenue to McKinley Avenue, 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.



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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.

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 23-048 attached)

Moved by Mandelbaum to adopt. Second by Latto

FORM APPROVED:

FUNDS AVAILABLE

s/Kathleen Vanderpool

s/Nickolas J. Schaul

Kathleen Vanderpool  
Deputy City Attorney

Nickolas J. Schaul  
Director of Finance

SLN  
pw

Funding Source: 2022-23 CIP, Page 125, Roadway Reconstruction - Fleur Drive, ST267, Being: \$4,464,246.50 in G.O. Bonds; \$2,000,000 in G.O. Bonds to be issued; \$719,271 in G.O. Bonds Issued and to be transferred from PK195, Fleur Drive Medians; \$105,200 in private contributions to be transferred from PK195, Fleur Drive Medians; and the remaining \$33,500 from Des Moines Water Works



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COUNCIL ACTION	Yeas	Nays	Pass	Absent
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED		APPROVED		
<i>J. M. Franklin Cownie</i>		_____ Mayor		

CERTIFICATE

I, Laura Baumgartner, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, 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.

*Laura Baumgartner*

City Clerk