



Roll Call Number

23-0447

Agenda Item Number

68A

Date March 27, 2023

**APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
4TH & GRAND PARKING GARAGE SKYWALK IMPROVEMENTS
\$199,999**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$199,999, executed by Bergstrom Construction, Inc., Tom Gorgas, President, 1719 Hull Avenue, Des Moines, IA, 50313 dated March 27, 2023, for the construction of the following improvement:

4th & Grand Parking Garage Skywalk Improvements, 042023007

The improvement includes the removal and replacement of the current lighting fixtures, ceiling tile, carpet, diffusers, and environmental doors. The lighting fixtures will be replaced with LED fixtures. The project will also include installation of new environmental doors on the west end of Skywalk Bridge 4E, painting of handrails and walls where applicable, and installation of new security cameras; all in accordance with the contract documents, including Plan File No. 646-177/189, located at the 4th & Grand Parking Garage, 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.

(Council Communication No. 23-137 attached)

Moved by Mandelbaum to adopt. Second by Voss

FORM APPROVED:

FUNDS AVAILABLE:

s/Kathleen Vanderpool

s/Nickolas J. Schaul

Kathleen Vanderpool
Deputy City Attorney

Nickolas J. Schaul
Director of Finance

Funding Source: 2022-23 CIP, Page 170, Skywalk System, SW094, Tax Increment Funding Bonds

SLN^{pw}

COUNCIL ACTION	Yeas	Nays	Pass	Absent
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER				✓
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1

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.

J. M. Franklin Cownie Mayor

Laura Baumgartner City Clerk