Date March 27, 2023

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
TUTTLE STREET CONSTRUCTION FROM SW 12TH STREET TO SW 14TH STREET
$1,246,190.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of $1,246,190.00, executed by All Star Concrete, L.L.C., Alex Vazquez, Member and Manager, 4989 NW Johnston Drive, Johnston, IA, 50131 dated March 27, 2023, for the construction of the following improvement:

>   Tuttle Street Construction from SW 12th Street to SW 14th Street, 062023001

>   The improvement includes Portland Cement Concrete (PCC) pavement, modified subbase, subdrain, subgrade treatment, grading, pavement removal, PCC driveways and sidewalk, storm sewer, intakes, water main, traffic control, surface restoration, and other incidental items; all in accordance with the contract documents, including Plan File No. 653-269/312, located on Tuttle Street between S.W. 12th Street and S.W. 14th Street, Des Moines, Iowa
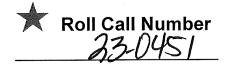
the same to be performed in accordance with the plans and specifications which have been heretofore approved by this Council, be and the same are hereby approved, subject to receipt of the contract and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering 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.

Date <u>March 27, 2023</u>

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. _23.136_ attached)

Moved by ___Mandelbaum___ to adopt.   Second by ___Boesen___

FORM APPROVED:

s/Kathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE:

s/Nickolas J. Schaul

Nickolas J. Schaul
Director of Finance

Funding Source: 2022-23 CIP, Page 149, Tuttle Street Improvements, ST296, Tax Increment Funding Bonds.

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

MOTION CARRIED   APPROVED

_____ 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.

_____ City Clerk