



**Date** June 26, 2023

**APPROVAL OF CONTRACT AND BOND ON  
DEMOLITION OF FORMER PUBLIC WORKS FACILITY AT  
216 SE 5TH STREET AND 108 SE 5TH STREET  
\$615,000**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$615,000, executed by Earth Services & Abatement, LLC dba Iowa Demolition, Mike Berst, Managing Director, 1901 Easton Boulevard, Des Moines, IA, 50316 dated June 26, 2023, for the construction of the following improvement:

Demolition of Former Public Works Facility at 216 SE 5th Street and 108 SE 5th Street,  
252023037

The work includes the removal and disposal of regulated hazardous materials and demolition of designated buildings, structures, and pavements, all in accordance with the contract documents, including Plan File No. 655-086/093, located at 216 SE 5th Street and 108 SE 5th 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 City Engineer is hereby authorized to approve requests to sublet work from the Contractor, 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.

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.



**Roll Call Number**

23-1948

**Agenda Item Number**

60A

**Date** June 26, 2023

(Council Communication No. 23.300 attached)

Moved by Mandelbaum to adopt. Second by Gatto

**FORM APPROVED:**

s/Kathleen Vanderpool

Kathleen Vanderpool  
Deputy City Attorney

**FUNDS AVAILABLE:**

s/Nickolas J. Schaul

Nickolas J. Schaul  
Director of Finance

**SLN**

Funding Source: 2023-24 CIP, Page 59, Municipal Service Center - Phase 2, BL128

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

J. M. Frankhu Cownie 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