



Roll Call Number
23-1503

Agenda Item Number
78A

Date October 23, 2023

**APPROVAL OF CONTRACT AND BOND ON
E. UNIVERSITY AVENUE IMPROVEMENTS FROM E. 14TH STREET TO E. 17TH COURT
\$1,200,932.38**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,200,932.38, executed by OMG Midwest, Inc. dba Des Moines Asphalt & Paving, Kevin Bragg, President, 2401 SE Tones Drive, Ste. 13, Ankeny, IA, 50021 dated October 23, 2023, for the construction of the following improvement:

E. University Avenue Improvements from E. 14th Street to E. 17th Court, Activity ID 062023013

The improvement includes placement of new High-Intensity Activated CrossWalk (HAWK) pedestrian signals, school flasher assemblies, Hot Mix Asphalt (HMA) pavement, Portland Cement Concrete (PCC) sidewalk and driveways, pavement removal, storm sewer improvements, pavement markings, traffic control, erosion control, surface restoration, and other incidental items, all in accordance with the contract documents, including Plan File No. 656-161/255, located on E. University Avenue from E. 14th Street to E. 17th Court and the intersection of E. 14th Street and Garfield Avenue in 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.



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(Council Communication No. 23-461 attached)

Moved by Westergaard 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

SLN

Funding Source: 2023-24 CIP, Page 163, East University - E. 14th St. to I-235, ST315, Being: \$500,000 (Max) in Iowa DOT Traffic Safety Improvement Funds under CS-TSF-1945(871)--85-77 and the remaining \$700,932.38 in G.O. Bonds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			

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.

MOTION CARRIED APPROVED
J. M. Franklin Cownie Mayor

Laura Baumgartner City Clerk