



**Roll Call Number**

24-0285

**Agenda Item Number**

49

**Date** February 19, 2024

**PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON  
2024 NEIGHBORHOOD SIDEWALK PROGRAM CONTRACT 2;  
RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS TK CONCRETE, INC., TONY J. VER MEER, PRESIDENT, \$510,574**

WHEREAS, on January 22, 2024, under Roll Call No. 24-0089, plans, specifications, form of contract documents, and Engineer's estimate of construction cost were filed with the City Clerk, for the construction of the following improvement:

2024 Neighborhood Sidewalk Program Contract 2, Activity ID 092022005

The improvement includes construction of Portland Cement Concrete (PCC) sidewalk, PCC ADA-compliant curb ramps, grading, pavement removal, subdrain, storm sewer, modular block retaining walls, water service modifications, surface restoration, traffic control, and other incidental items, all in accordance with the contract documents including Plan File No. 660/197-263, along the following residential streets in Des Moines, Iowa:

- Aurora Avenue from 62nd Street to Merle Hay Road (south side)
- Merle Hay Road from Douglas Avenue to Aurora Avenue (east side)
- Fagen Drive from Beaver Avenue to 38th Street (south side)
- East Ovid Avenue from North Union Street to East 12th Street (south side)
- Willowmere Drive from SW 23rd Street to Fleur Drive (south side)
- Miller Avenue from SE 5th Street to SE 8th Street (north side)

WHEREAS, notice of the hearing on the plans, specifications, form of contract documents, and Engineer's estimate of construction cost was published as required by law.

WHEREAS, in accordance with said notice, those interested in said proposed plans, specifications, form of contract documents, and Engineer's estimate of construction cost both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That upon due consideration of the facts, and any and all statements of interested persons, any objections to the plans, specifications, form of contract documents, and Engineer's estimate of construction cost for said improvement are overruled and the hearing is closed and that said plans, specifications, form of contract documents, and Engineer's estimate of construction cost are hereby approved.

BE IT FURTHER RESOLVED: That sealed bids for said improvement were submitted by the following bidders:

- TK Concrete, Inc., Pella, IA - Low Bid
- Brothers Cleaning Corporation d/b/a Brothers Concrete, Des Moines, IA
- MPS Engineers, P.C. dba Kingston Services, P.C., Des Moines, IA
- Howser Concrete Unlimited, Jordan, MN

which were received and opened at a public meeting presided over by the Engineer in the City Council Chambers, 2nd Floor, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa at 11:00 a.m. on February 06, 2024. Said bids and the attached tabulation of bids for said improvement be and are hereby received and filed.



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BE IT FURTHER RESOLVED: That the Des Moines City Engineer, as the Engineer, has determined that the lowest responsive, responsible bid for the construction of said improvement was submitted by TK Concrete, Inc., Tony J. Ver Meer, President, 1608 Fifield Road, Pella, IA, 50219 in the amount of \$510,574, and said bid be and the same is hereby accepted.

BE IT FURTHER RESOLVED: That the bid security of the unsuccessful bidders be and is hereby authorized and directed to be returned in accordance with the Instructions to Bidders.

BE IT FURTHER RESOLVED: That the Engineer is hereby directed to secure execution by the lowest responsible, responsive Bidder and its surety of the contract documents in the form heretofore approved by this Council; that the Engineer is directed to thereafter present said contract documents to this Council for approval and authorization to the Mayor to sign; and that 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 the City Council hereby authorizes the necessary closure of all public grounds, streets, sidewalks, alleys, bridges, culverts, overpasses, underpasses, grade crossing separations and approaches, public ways, squares, and commons for the Project.

(Council Communication No. 24-065 attached)

Moved by Gatto to adopt. Second by Voso

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 171, Sidewalks - School and Priority Routes, SW081, Being: General Fund made possible by American Rescue Plan Act (ARPA) funding

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include BOESEN, COLEMAN, GATTO, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL.

MOTION CARRIED APPROVED
Connie Boeser 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