



Roll Call Number

24-0292

Agenda Item Number

52A

Date February 19, 2024

**APPROVAL OF CONTRACT AND BOND ON
WOODLAND CEMETERY RETAINING WALL REPLACEMENT
\$601,232**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$601,232.00, executed by Miner Hardscape, LLC, Matthew J. Miner, Owner, 17981 Hwy 141, PO Box 457, Granger, IA, 50109 dated February 19, 2024, for the construction of the following improvement:

Woodland Cemetery Retaining Wall Replacement, Activity ID 112023012

The improvement includes clearing and grubbing, demolition of existing retaining walls, installation of large precast concrete block retaining wall systems, Portland Cement Concrete (PCC) sidewalk, chain-link fence replacement, traffic control, erosion control, and surface restoration, all in accordance with the contract documents, including Plan File No. 661-001/042 located at Woodland Cemetery, 2019 Woodland Avenue, 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. 24-067 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



Funding Source: 2023-24 CIP, Page 75, Cemetery Infrastructure and Improvements, PK138, G.O. Bonds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
COLEMAN	✓			
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
Connie Boesen Mayor

Laura Baumgartner City Clerk