



**Roll Call Number**

09-708

**Agenda Item Number**

6B

DATE May 4, 2009

ORDERING CONSTRUCTION OF  
WAVELAND TRAIL PHASE 1 FROM THE WALNUT CREEK TRAIL TO 56TH STREET  
AND FIXING A DATE FOR RECEIVING OF BIDS ON MAY 19, 2009  
AND PUBLIC HEARING ON JUNE 8, 2009  
ENGINEER'S ESTIMATE IS \$330,000.00

WHEREAS, this Council deems it advisable and necessary to construct the below referenced improvement, all in accordance with the plans and specifications, and has caused to be prepared plans, specifications, and form of contract, together with estimate of cost, which are now on file in the City Engineer's Office, 2nd Floor, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa 50309-1891, for public inspection for the construction of said improvements, and said plans, specifications and form of contract are deemed suitable for the making of said improvement, for which the State of Iowa Department of Transportation (IDOT) and the City of Des Moines, (CITY) have an agreement, previously approved by this Council, under which the IDOT has agreed to advertise, receive, open and tabulate sealed bids, and

WHEREAS, before said plans, specifications, form of contract, and estimated cost of the improvement may be approved, and contract for the construction of the improvement entered into, it is necessary to hold a public hearing.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached communication recommending construction of the following improvement and the method of financing; and also including the recommendation of the Des Moines City Engineer, as the Jurisdictional Engineer, submitting plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of cost for the construction of the following improvement:

Waveland Trail Phase 1 from the Walnut Creek Trail to 56th Street, 11-2006-006  
STP-E-1945(693)--8V-77

The improvement includes constructing a 10-foot wide hot mix asphalt trail 6.0 inches thick, earthwork, clearing and grubbing, culverts, and other incidental items; in accordance with the contract documents, including Plans File Nos. 496-001/041, on Waveland Trail from the existing Walnut Creek Trail just east of 63rd Street to 56th Street at Interstate 235 in Des Moines, Iowa

be and the same are hereby approved and accepted. The estimated construction cost for said improvement is \$330,000.00. The proposed plans, specifications, and form of contract documents are available for public inspection in the City Engineer's Office.

BE IT FURTHER RESOLVED: That this Council hereby determines that it is necessary and advisable to construct said improvement in the manner set forth in the plans, specifications, and form of contract documents submitted by the Jurisdictional Engineer; and that payment for the cost of said improvement shall be paid from the funding source identified below.



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BE IT FURTHER RESOLVED: That a public hearing on said plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of construction cost for said improvement be held in the City Council Chambers, 2nd Floor, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on June 8, 2009, at which time this Council will consider any objections offered thereto or to the making of said improvement.

BE IT FURTHER RESOLVED: That proposals will be received by the Iowa Department of Transportation, for the construction of said improvements, and the taking of bids in the manner required by law. Proposals received will be opened and tabulated by the Iowa Department of Transportation on May 19, 2009, after which the bids together with a report and recommendation of the Chief Civil Engineer, will be presented to City Council at its next meeting for action thereon.

BE IT FURTHER RESOLVED: That the City Clerk is further directed to publish a Public Notice of Storm Water Discharge in the Des Moines Register and The Business Record as required by the Iowa Department of Natural Resources.

BE IT FURTHER RESOLVED: That the City Manager be and is hereby authorized and directed to certify the "Notice of Intent for NPDES Coverage under General Permit No. 2 for Storm Water Discharges associated with Industrial Activity for Construction Activities" on behalf of the City of Des Moines and submit said document to the Iowa Department of Natural Resources with appropriate application and permit fees.

BE IT FURTHER RESOLVED: That an appropriate Notice to Bidders and Notice of Public Hearing for said improvement be published in the Des Moines Register as provided and directed by Chapter 26 and/or 314, Code of Iowa.

(City Council Communication Number 09-284 attached.)

Moved by Hensley to adopt.

FORM APPROVED:

Kathleen Vanderpool  
Deputy City Attorney

FUNDS AVAILABLE

Allen McKinley  
Des Moines Finance Director

Funding Source: 2009-2010 CIP, Page Park-22, Recreation Trails, PKS045, Being: 80% of eligible construction costs (\$150,000.00 maximum) in Federal Surface Transportation Program - Transportation Enhancement Funds and \$180,000 in City G. O. Bonds

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			
MOTION CARRIED				APPROVED

*T. M. Franklin Cownie*  
 Mayor

**CERTIFICATE**

I, DIANE RAUH, 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.

*Diane Rauh*  
 City Clerk