



**CITY COUNCIL
COMMUNICATION:**

ITEM _____

02-194

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

AGENDA:

SYNOPSIS -

APRIL 8, 2002

Greg S. Noble, Murray, Jankins & Noble, Attorneys at Law (2903 Ingersoll Avenue, Des Moines, Iowa 50312-4014), representing AZCON Corp. (Lawrence Wolinski, President, 11185 NW 52nd Avenue, Grimes, Iowa, 50111), has filed a bid protest with the City of Des Moines regarding the Fire Station No. 6 Renovation. The City Engineer has reviewed the protest and has responded to AZCON Corp. that its protest is without merit and is denied, and that Bergstrom Construction, Inc. (Tom Gorgas, President, 1719 Hull Avenue, Des Moines, Iowa, 50313) should be designated as lowest responsible, responsive bidder in the amount of \$388,790, including the Base Bid plus Alternate No. 1 for a fire sprinkler system.

SUBJECT:

BID PROTEST BY
AZCON CORP. FOR
FIRE STATION NO. 6
RENOVATIONS

TYPE:

FISCAL IMPACT -

RESOLUTION

ORDINANCE
RECEIVE/FILE

This project will be funded from General Obligation (G.O.) Bonds in the amount of \$388,790, Capital Improvement Program (CIP) Index Code 412742, New Fire Stations, Account 542010 - Fund CP041 - Organization FIR990000 - Project FIR027 - Activity ID 10-2001-013.

SUBMITTED BY:

JEB E. BREWER, P.E.
CITY ENGINEER

RECOMMENDATION -

Denial of AZCON Corp.'s bid protest and designate Bergstrom Construction, Inc. as lowest responsible, responsive bidder.

BACKGROUND -

On March 19, 2002, sealed bids were received and opened for this improvement.

AZCON Corp., the second low bidder for the work with a bid of \$398,600 for Base Bid plus Alternate No. 1, has filed a protest with the City of Des Moines indicating its objection to designate

Bergstrom Construction, Inc. as lowest responsive, responsible bidder.

The City Engineer and legal staff have reviewed said protest and the City Engineer has responded to AZCON Corp., indicating that AZCON Corp.'s protest is without merit and is denied. (A copy of the City Engineer's response is included with the roll call.)

The roll calls have been prepared by the Engineering Department to deny AZCON Corp.'s bid protest and designate Bergstrom Construction, Inc. as the lowest responsive, responsive bidder.
