



# Council Communication

Office of the City Manager

<b>Date</b>	May 21, 2007
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<b>Agenda Item No.</b>	<b>54</b>
<b>Roll Call No.</b>	<b>07-</b>
<b>Communication No.</b>	<b>07-303</b>
<b>Submitted by:</b>	<b>Jeb E. Brewer, P.E.</b> <b>City Engineer</b>

## **AGENDA HEADING:**

Hearing on Pennsylvania Avenue and Filmore Street Traffic Signal Installation: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsible bidder as Baker Electric, Inc., Britt Baker, CEO, 111 Jackson Avenue, Des Moines, IA, 50315, \$58,746.

## **SYNOPSIS:**

This is a public hearing to allow for public input on the Pennsylvania Avenue and Filmore Street Traffic Signal Installation and take the necessary actions as required by Iowa Code to authorize a contract for construction of the proposed project. The project consists of removal of the existing traffic signal and installation of a new traffic signal at the intersection of Pennsylvania Avenue and Filmore Street. The work is being coordinated with the Des Moines School District, which has agreed to fund 50% of the construction cost, up to a maximum of \$40,000. The work is scheduled for completion this August, in time for the opening of the new George Washington Carver Elementary School (formerly Longfellow School).

## **FISCAL IMPACT:**

Amount: \$58,746 Construction Contract (\$80,000 City Engineer's Estimate)

Funding Source: 2007-2008 CIP, Page Traffic-5, City-wide Signals, Channelization, and School Crossing Protection Program, TFC091, various funding, being: 50% of the construction cost (maximum of \$40,000) from the Des Moines Independent Community School District, and \$29,373 in G. O. Bonds

## **ADDITIONAL INFORMATION:**

On April 23, 2007, under Roll Call No. 07-724, the City Council received and filed plans, specifications, form of contract documents, and City Engineer's estimate for the construction of the Pennsylvania Avenue and Filmore Street Traffic Signal Installation. Before the City Council can enter into a contract, it must hold a public hearing and approve the proposed plans, specifications, and form of contract documents and engineer's estimate for the construction of the Pennsylvania Avenue and Filmore Street Traffic Signal Installation, 04-2007-011. The improvement includes construction of a traffic signal in accordance with the contract documents including Plan File Nos. 472-118/122 at the intersection of Pennsylvania Avenue and Filmore Street, Des Moines, Iowa.

Sealed bids for said improvement were submitted by the following bidders:

Baker Electric, Inc., Des Moines, IA, Bid read under advisement  
The Waldinger Corporation, Des Moines, IA, Bid read under advisement  
Iowa Signal Inc., Des Moines, IA

The bids were received and opened at a public meeting presided over by the City Engineer in the City Council Chambers, 2nd Floor, City Hall, 400 Robert D Ray Drive, Des Moines, Iowa at 11:00 a.m. on May 8, 2007. The bid received from Baker Electric, Inc., was read under advisement because Baker Electric, Inc. did not submit Pages 2 and 3 of the Proposal and Page 3 of the Proposal Attachment with its bid. Said Pages 2 and 3 of the Proposal include, General Bidder Acknowledgements, the Non-Collusion Affidavit, and Additional Requirements while Page 3 of the Proposal Attachment includes part of the Contract Compliance Program Requirements and General Additional Requirements; however, the bidder is not required to provide any information on any of these missing pages. Engineering Department Staff contacted Mr. John Layland, Executive Vice President, to verify that Baker Electric, Inc. would comply with these requirements. Mr. Layland stated that Baker Electric, Inc. would comply with the requirements as it has on previous projects with the City of Des Moines and that they inadvertently left the pages out when they copied the proposal from two-sided to one-sided. Within the past year, Baker Electric, Inc. has been awarded two other City of Des Moines contracts that included the same proposal requirements, and Baker Electric, Inc. did include said pages in its proposal on these two projects. Even though Baker Electric, Inc. did not return all the proposal sheets, Baker Electric, Inc. did complete and return all the proposal sheets requiring information to be supplied by the bidder. The Engineering Department will include said missing pages in the contract documents to be signed by Baker Electric, Inc. After further review, the Engineering and Legal Departments have determined that this was a minor irregularity that could be waived by the City Council.

The City Engineer has determined that the lowest responsive, responsible bid for the construction of said improvement was submitted by Baker Electric, Inc., in the amount of \$58,746, and said bid should be accepted. The Finance Director has determined that funds are available for said improvement as stated above.

#### **PREVIOUS COUNCIL ACTION(S):**

Date: April 23, 2007

Roll Call Number: 07-724

Action: Ordering construction of the following: Pennsylvania Avenue and Filmore Street Traffic Signal Installation – Receiving of bids, (5-8-07), and Setting date of hearing, (5-21-07). (Construction Estimate - \$80,000). (Council Communication No. 07-229) Moved by Hensley to adopt. Motion Carried 7-0.

#### **BOARD/COMMISSION ACTION(S): NONE**

#### **ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Partial payments to the contractor and final acceptance of work.