

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: May 24, 2010
	Agenda Item No. 56 Roll Call No. <u>10-847</u> Communication No. <u>10-299</u> Submitted by: Jeb E. Brewer, P.E. City Engineer

AGENDA HEADING:

Hearing on 2010 Americans with Disabilities (ADA) Sidewalk Ramp Program: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating lowest responsible bidder as Edge Commercial, LLC, D. J. Opdahl, Partner, \$155,730.

SYNOPSIS:

This is a public hearing to allow for public input on the 2010 ADA Sidewalk Ramp Program and to take the necessary actions as required by Iowa Code to authorize a contract for construction of the proposed project. This project provides for the installation of new sidewalk ramps where required and the reconstruction of existing sidewalk ramps to bring them into compliance with the Americans with Disabilities Act. The ramps will be constructed throughout the City at the highest priority locations included in the Phase III (Curb Ramps) Transition Plan approved by the City Council by Roll Call No. 09-2124 on November 23, 2009.

FISCAL IMPACT:

Amount: \$155,730 Construction Contract (\$199,275 City Engineer's Estimate)

Funding Source: 2010-2011 CIP, Page Street-11, City Sidewalks - ADA Compliance, SID095, G. O. Bonds

ADDITIONAL INFORMATION:

The ADA Act of 1990 recognizes and protects the civil rights of people with disabilities. It covers a wide range of disability, from physical conditions affecting mobility, stamina, sight, hearing, and speech to conditions such as emotional illness and learning disorders. The ADA addresses access for three specific areas: 1) the workplace (Title I); 2) state and local government services (Title II); and 3) places of public accommodation and commercial facilities (Title III).

The Phase III Curb Ramp Transition Plan includes the inventory and evaluation of intersection curb ramps within the City, and prioritizes and coordinates the repair and replacement of these sidewalks with the various City Departments involved in the construction and reconstruction activities. This Phase III Plan was presented to the Access Advisory Board (AAB) to establish a priority for the replacement and repair of the curb ramps for incorporation into the transition plan in compliance with ADA Guidelines. The AAB approved the Phase III Plan on October 21, 2009. On November 23, 2009, under Roll Call No. 09-2124, the City Council approved the Phase III Transition Plan that involves the repair of existing

curb ramps and the construction of new curb cut ramps in sidewalks throughout the City and directed staff to proceed with the established priorities as funding became available.

On April 26, 2010, under Roll Call No. 10-580, the City Council received and filed plans, specifications, form of contract documents, and City Engineer's estimate for the construction of the 2010 ADA Sidewalk Ramp Program. 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 2010 ADA Sidewalk Ramp Program, 09-2010-001. The improvements includes construction of sidewalk ramps with Portland cement concrete sidewalk four (4) inches, six (6) inches or eight (8) inches thick, together with all necessary appurtenances; in accordance with the contract documents, at various locations determined by the "Americans with Disabilities Act, City of Des Moines, Iowa, Transition Plan, For Curb Ramps" throughout the City of Des Moines, Iowa.

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

Edge Commercial, LLC, Waukee, IA
MPS Engineers, P.C., West Des Moines, IA
Absolute Concrete Construction, Inc., Slater, IA
Johnson Concrete & Petroleum Const. Inc., Des Moines, IA
T K Concrete Inc., Pella, IA
Ti-Zack Concrete, Inc., Le Center, MN

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 11, 2010.

The City Engineer has determined that the lowest responsive, responsible bid for the construction of said improvement was submitted by Edge Commercial, LLC, D. J. Opdahl, Partner, 3155 SE Mische Drive, Suite 2, Waukee, IA, 50111 in the amount of \$155,730, 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 26, 2010

Roll Call Number: 10-580

Action: [2010](#) ADA Sidewalk Ramp Program: Receiving of bids, (5-11-10), and Setting date of hearing, (5-24-10). (Construction Estimate - \$199,275). ([Council Communication No. 10-225](#)) Moved by Coleman to adopt. Motion Carried 7-0.

Date: November 23, 2009

Roll Call Number: [09-2124](#)

Action: [Phase III](#) (Curb Ramps) of the ADA Transition Plan. ([Council Communication No. 09-812](#)) Moved by Coleman to approve. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): Access Advisory Board

Date: October 21, 2009

Action: Approved the Phase III Transition Plan Curb Ramps as presented

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Partial payments to the contractor and final acceptance of work.

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