

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: August 23, 2010
	Agenda Item No. 44 Roll Call No. <u>10-1411</u> Communication No. <u>10-525</u> Submitted by: Jeb E. Brewer, P.E. City Engineer

AGENDA HEADING:

Hearing on 2010 Park Playground Improvements: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids and designating lowest responsible bidder as T K Concrete Inc., Tony J. VerMeer, President, 1608 Fifield Road, Pella, IA 50219, \$227,467.

SYNOPSIS:

This is a public hearing to allow for public input on the 2010 Park Playground Improvements and 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 playground equipment, including curbing and poured in place resilient playground surfacing at Drake Park. Also included in the project is new curbing and poured in place resilient playground surfacing around the rocket slide in Union Park. New sidewalks and ramps will be constructed to make these playground facilities handicapped accessible and improve access for all users.

FISCAL IMPACT:

Amount: \$227,467 Construction Contract (\$220,500 City Engineer's Estimate)

Funding Source: 2010-2011 CIP, Page Park-13, Neighborhood Park Improvements, PKS137, G. O. Bonds.

ADDITIONAL INFORMATION:

On July 26, 2010, under Roll Call No. 10-1190, the City Council received and filed plans, specifications, form of contract documents and City Engineer's estimate for the construction of the 2010 Park Playground Improvements. Before the City Council can enter into a contract, it must hold a public hearing and approve the proposed plans, specifications, form of contract documents and engineer's estimate for the construction of the 2010 Park Playground Improvements, 11-2010-010. The improvement includes the installation of modular playground equipment, resilient surfacing, PCC flatwork, earthwork and restoration; all in accordance with the contract documents including Plan File Nos. 523-37/42 at Union Park, 725 Thompson Avenue, and Drake Park, 2300 Drake Park Avenue, located in Des Moines, Iowa.

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

T K Concrete Inc., Pella, IA
Johnson Concrete & Petroleum Const. Inc., Des Moines, IA, bid not read

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, IA 50309, at 11:00 a.m. on August 10, 2010. The bid from Johnson Concrete & Petroleum Const. Inc. was not read because the bidder failed to complete Proposal Attachment, Part F, Item 2, Contract Compliance Program, where the bidder is required to identify the pre-bid contracts made with Disadvantaged Business Enterprises and/or Targeted Small Businesses. Failure to make and disclose these pre-bid contracts causes the bid to be non-responsive, and results in the bid not being read.

The City Engineer has determined that the lowest responsive, responsible bid for the construction of said improvement was submitted by T K Concrete Inc., 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: July 26, 2010

Roll Call Number: [10-1190](#)

Action: Ordering construction of the following: [2010](#) Park Playground Improvements: Receiving of bids, (8-10-10), Setting date of hearing, (8-23-10). (Construction Estimate - \$220,500). ([Council Communication No. 10-465](#)) 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.

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