 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	March 9, 2015
	Agenda Item No.	14
	Roll Call No.	<u>15-0372</u>
	Communication No.	<u>15-106</u>
	Submitted by:	Pamela S. Cooksey, P.E., City Engineer

AGENDA HEADING:

Approving contract and bond for construction of an improvement with an estimated cost which is less than the Iowa Code competitive bid threshold, Sanitary Sewer Gatewell 280 Repair near SW 7th Street, J & K Contracting, LLC, Jeremy Feldmann, President, \$90,000.

SYNOPSIS:

Recommend receive and file bids, designate lowest bidder, approve contract and bond, and permission to sublet for Sanitary Sewer Gatewell 280 Repair near SW 7th Street, 07-2015-001. This project provides for the replacement of an existing sluice gate and operator. The gate was not operating correctly; therefore, the Army Corps of Engineers has identified this gatewell to be replaced as part of the levee maintenance requirements.

FISCAL IMPACT:

Amount: \$90,000 Construction Contract (\$39,000 City Engineer's Estimate)

Funding Source: Recommended 2015-2016 CIP, Page Sanitary – 6, Citywide Sanitary Sewers, SS054, Sanitary Sewer Funds

ADDITIONAL INFORMATION:

For projects where the Engineer's estimated cost for the improvement is less than the competitive bid threshold, which is currently \$135,000, a competitive bid process is utilized in accordance with the Code of Iowa and the Des Moines City Council.

Sections 26.3 and 26.12 of the Code of Iowa exempt the governing body from advertisement for sealed bids and holding a public hearing on the proposed plans, specifications, form of contract and estimated cost of the improvement when the Engineer's estimated cost for the improvement is less than the competitive bid threshold (currently \$135,000 for this type of work) established in Section 314.1B.

On February 12, 2007, under Roll Call Number 07-0291, the Des Moines City Council approved bidding and contracting process changes for construction of improvements which included “Part II: New Competitive Quotation Process for Public Improvements”, which the City Engineer has utilized for this project. Engineering and Legal Department Staff have utilized this process to determine the lowest responsive, responsible bidder for construction of the following improvement. The estimated

cost of said improvement is \$39,000.00, which is less than the competitive bid threshold established in Section 314.1B of the Code of Iowa.

The Engineering Department has prepared plans, specifications, form of contract documents, and Engineer's estimate for the construction of the following improvement:

Sanitary Sewer Gatewell 280 Repair near SW 7th Street, 07-2015-001

The improvement includes the replacement of an existing 36-inch sluice gate, stem, guide brackets and operator within the existing structure, modifications to the existing handrails and access hatch, bypass pumping, and other incidental items necessary to complete the project; all in accordance with the contract documents, including Plan File Nos. 566-148/150, located on the south side Raccoon River just east of SW 7th Street, Des Moines, Iowa.

Said plans and specifications were issued to contractors that normally bid on City of Des Moines projects of a similar nature, as part of a solicitation for proposals for said improvement; requesting the contractors to submit proposals to the Des Moines City Engineer on or before 11:00 a.m. on February 25, 2015.

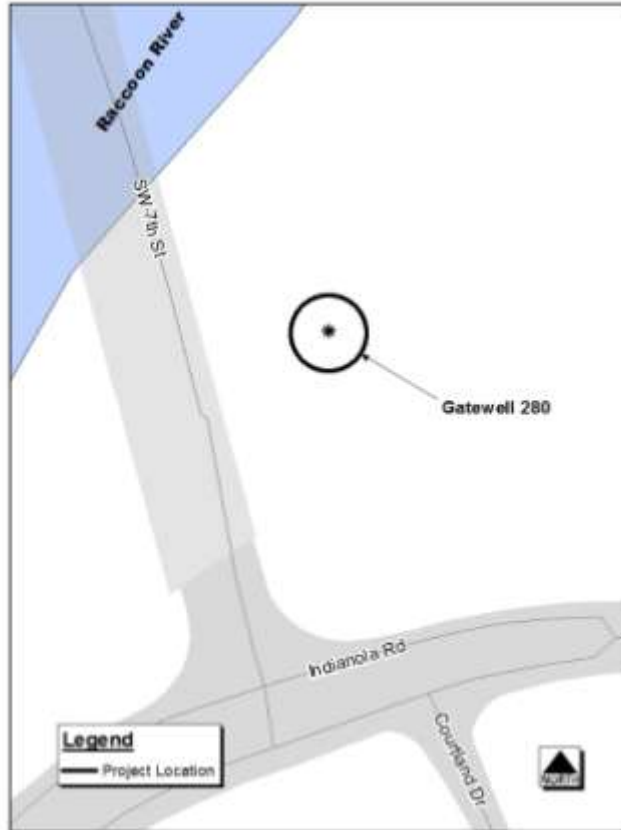
Bids for said improvement were submitted by the following bidders:

J & K Contracting, LLC, Ames, IA,
Neuvirth's Construction, Inc., Blair, NE,
PCI Roads, LLC, St. Michael, MN, Bid not read

After contacting bidders it was determined that the required bypass pumping cost was nearly 2.5 times more than what the consultant had estimated in the Engineer's probable cost estimate. This additional cost was due to the redundancies required for the bypass pumping. These redundancies are necessary to prevent potential sewer backup damages during project construction. This being the case, the low bid is a reasonable bid. The gatewell replacement and operation needs to proceed in order for protection, and the construction cannot be deferred until fall, waiting to see if there would be a better bidding climate for this project; there are no significant design changes foreseen that would expect the cost to be noticeably less. Therefore, the Public Works Department requests the award of this project to the low bidder, J & K Contracting, LLC, in the amount of \$90,000.

The Des Moines City Engineer has determined that the lowest responsible, responsive bid was submitted by J & K Contracting, LLC, Jeremy Feldmann, President, 1307 East Lincoln Way, Ames, IA, 50010-1790, in the amount of \$90,000, and recommends that said bid be accepted.

The Des Moines City Engineer has secured execution of contract documents for said public improvements by the lowest responsive, responsible bidder for presentation to the City Council for approval and authorization for the Mayor to sign.



PREVIOUS COUNCIL ACTION(S): NONE

Date: February 12, 2007

Roll Call Number: [07-0291](#)

Action: [Summary](#) of Bidding/Contracting Process Changes for construction of public improvements, February 2007. ([Council Communication No.07-062](#)) Moved by Kiernan 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.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the first floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to cityclerk@dmgov.org.