



Roll Call Number

Agenda Item Number

SIA

DATE February 11, 2008

**APPROVAL OF CONTRACT AND BOND
 AND PERMISSION TO SUBLET ON
 AMERICAN DISCOVERY TRAIL SEGMENT 3 FROM NORTH VALLEY DRIVE TO BILL RILEY TRAIL
 ALONG WALNUT CREEK
 \$ 356,974.84**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$356,974.84, executed by Sheets Excavating, Ltd., Charles Sheets, President, 122 Hillcrest Ridge, Montezuma, IA, 50171-3760 dated February 11, 2008, for the construction of the following improvement:

American Discovery Trail Segment 3 from North Valley Drive to Bill Riley Trail along Walnut Creek, 11-2004-017

STP-ES-1945(705)--81-77

The improvement includes construction of a 10 foot wide hot mix asphalt trail 6.0 inches thick, earthwork, clearing and grubbing, culverts, and other incidental items; in accordance with the contract documents, including Plan File Nos. 479-097/130, on the American Discovery Trail from the existing American Discovery Trail at North Valley Drive north of Walnut Creek to the Bill Riley Trail south of the existing railroad crossing

the same to be performed in accordance with the plans and specifications which have been heretofore approved by this Council, be and the same are hereby approved. The attached "Contractor's Anticipated DBE/TSB Utilization" shows the Contractor's efforts to solicit DBE/TSB Participation in accordance with the Disadvantaged Business Enterprise/Targeted Small Business (DBE/TSB) Program.

BE IT FURTHER RESOLVED: That the Mayor be and is hereby authorized and directed to execute said contract on behalf of the City of Des Moines, and the City Clerk, be and is hereby authorized and directed to attest to same. No contract shall be deemed to exist between the City of Des Moines and said Bidder until said contract has been executed by the Bidder, and shall have been approved by this Council and executed by the Mayor and attested to by the City Clerk.

BE IT FURTHER RESOLVED: That the City Clerk be and is hereby authorized and directed to return the Contractor's bid security.

BE IT FURTHER RESOLVED: That the attached communication from said Contractor requesting permission to sublet designated items and the attached Permission to Sublet form, be and are hereby approved subject to each subcontractor's compliance with the City of Des Moines Contract Compliance Program. The City Manager is hereby directed to sign said Permission to Sublet form granting permission for said listed subcontractor to work on said improvement upon each subcontractor's compliance with the City of Des Moines Contract Compliance Program as monitored by the Engineering Department.

★ **Roll Call Number**

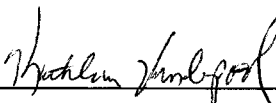
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BE IT FURTHER RESOLVED: That the Des Moines Finance Director is hereby authorized to encumber this contract amount against the funds as identified below, and to acquire Builder's Risk Insurance, if appropriate, for the above referenced improvement.

Moved by _____ to adopt.

FORM APPROVED 
 Kathleen Vanderpool
 Deputy City Attorney

Funding Source: 2007-2008 CIP, Page Park-22, Recreation Trails, PKS045, Various Funding, Being: \$272,895.07 - 80% of Division 1 construction cost of \$341,118.84 from Federal STP Grant (Roll Call No. 01-2113 - \$773,000 max total for trail Segments 1, 3, and 4); and \$84,079.77 - City G.O. Bonds for 20% of Division 1 construction cost and 100% of Division 2 construction cost.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED APPROVED

 Mayor

I, Diane Rauh, City Clerk of said City Council, hereby certify that at a meeting of the City Council, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 City Clerk

51A

Department of Engineering
City of Des Moines, Iowa



CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION

American Discovery Trail Segment 3 from North Valley Drive to Bill Riley Trail along Walnut Creek

Activity ID 11-2004-017

On January 16, 2008, Sheets Excavating, Ltd., Charles Sheets, President, 122 Hillcrest Ridge, Montezuma, IA 50171-3760 submitted a proposal for construction of the American Discovery Trail Segment 3 from North Valley Drive to Bill Riley Trail along Walnut Creek, Activity ID 11-2004-017, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$356,974.84. The proposal included a statement that the Disadvantaged Business Enterprise/Targeted Small Business (DBE/TSB) Program shall apply to this project.

The Engineering Department has prepared this report summarizing the information that Sheets Excavating, Ltd., has submitted indicating that it anticipates utilizing the following DBE/TSB companies on this project:

<u>DBE/TSB Name</u>	<u>Description of Work</u>	<u>Estimated Amount</u>
None	N/A	\$0.00
	Estimated DBE/TSB Participation	\$0.00
	Sheets Excavating, Ltd. Amount	\$356,974.84
	Percentage of DBE/TSB Participation	0.00%

SIA



Iowa Department of Transportation
SUBCONTRACT REQUEST AND APPROVAL

Contractor Sheets Excavating, Ltd.
Contractor Identification Number 42-1389010
Letting Date Jan. 16, 2008

County Polk
Contract ID No. Activity #11-2004-017
Bid Order 157

This is to request that the following subcontractor be approved to perform the work for the items listed below. It is clearly understood by both the prime contractor and the subcontractor that all items of the prime contract shall apply. It is also clearly understood that the subcontractor is not a third-party beneficiary of the contract between the prime contractor and the DOT.

When this subcontractor is being used to satisfy an established DBE goal, the actual amount to be paid to the DBE is indicated in Column "A". The approval of the DOT is limited to the question of whether the subcontractor is a DBE and shall in no sense be construed as an endorsement of the DBE or an expression of opinion by the DOT on the subcontractor's ability to comply with the contract.

Subcontractor Jasper Construction Services, Inc.
Address 928 N. 19th Ave. E.
Newton, IA 50208

Subcontractor Number 39-1870523
(Federal Tax Return U.S. Treasury Dept. Form 941)
Division of Labor Registration Yes No
Telephone No. 641-792-8650

The following conditions apply if this is a Federal Aid Contract:

1. The prime contractor is responsible for compliance by the subcontractor with Required Contract Provisions for Federal Aid Contracts, Form FHWA-1273, dated as per contract, relative to projects financed under the Federal Highway Act relative to wages and payrolls, and all terms of the prime contract applicable to the work performed by the subcontractors. A copy of FHWA-1273 shall be attached to the subcontract.
2. The prime contractor is responsible for checking and submitting subcontractor's payrolls at the same time the prime contractor's payrolls are submitted when payment of predetermined wages is required.
3. I do hereby certify that in requesting approval to sublet a portion of this project we have taken affirmative action to seek out and consider disadvantaged business enterprises as potential subcontractors and/or material suppliers.

Line No.	Item Description	Quantity	Unit Price	"A"	\$ Amount	Part Item
0350	Mobilization				0.00	
	Headwall	Lump sum	4750.00		4,750.00	
Signature (Prime Contractor)		Totals Carried From Back		0	0.00	
		Totals		0	(a) \$4,750.00	

	Totals	Specialty Items	Totals Less Specialty Items	($\frac{a}{b}$) 100	% Sublet this approval
Contract Amount	*356,974.84		(b)*356,974.84		1.331

Recommended by:

County/City Engineer

1-30-08
Date

% Prev. Sublets	50.719
Total % To Date	52.050