

DATE February 11, 2008

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
GRAY'S LAKE TERRACE BUILDING SHADE STRUCTURE
\$ 107,300.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$107,300.00, executed by Venter Spooner, Inc., Daniel Venter, President, 6500 NW Beaver Drive, Johnston, IA, 50131-1307 dated February 11, 2008, for the construction of the following improvement:

Gray's Lake Terrace Building Shade Structure, 11-2008-003

The improvement includes construction of a shade structure including steel fabrication and erection, fabrication and installation of a stainless steel cable trellis system, provide and install shade fabric, painting and site restoration all in accordance with the contract documents including Plan File Nos. 475-115/121 at Gray's Lake Park, 2101 Fleur Drive, Des Moines, Iowa

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**

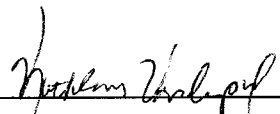
Agenda Item Number


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DATE February 11, 2008

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-10, Gray's Lake Park Improvements, PKS140, Various Funding, Being: \$70,000 in private contributions from the Gray's Lake/Meredith Trail Advisory Group and \$37,300 in G. O. Bonds

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



CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION

Gray's Lake Terrace Building Shade Structure

Activity ID 11-2008-003

On January 29, 2008, Venter Spooner, Inc., Daniel Venter, President, 6500 NW Beaver Drive, Johnston, IA 50131-1307 submitted a proposal for construction of the Gray's Lake Terrace Building Shade Structure, Activity ID 11-2008-003, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$107,300.00. The proposal included a statement that the Disadvantaged Business Enterprise/Targeted Small Business (DBE/TSB) Program shall not apply to this project.

The Engineering Department has prepared this report summarizing the information that Venter Spooner, Inc., 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
	Venter Spooner, Inc. Amount	\$107,300.00
	Percentage of DBE/TSB Participation	0.00%

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PERMISSION TO SUBLET

Project Gray's Lake Terrace Building Shade Structure **Date** January 30, 2008
Contractor Venter Spooner, Inc. **Contract No.** 14339
Federal Tax ID 42-1421025 **Activity ID** 11-2008-003

ITEM TO BE SUBLET	ORGANIZATION TO PERFORM WORK	STATE IF ORGANIZATION IS DBE	COST OF WORK TO BE SUBLET
Painting	Color Inc. 2122 Fleur Drive Des Moines, IA. 50321 Jim Agan (515) 288-4855 Federal Tax ID 42-0670201	No	\$1,687.00
Cost of Items Sublet This Request			<u>\$1,687.00</u>
Cost of Items Previously Sublet			<u>\$0.00</u>
Total Cost of Items Sublet			<u>\$1,687.00</u>
Cost of Specialty Items		<u>\$1,687.00</u>	
(a) Total Cost of Sublet Items Less Specialty Items			<u>\$0.00</u>
Total Contract Amount		<u>\$107,300.00</u>	
(b) Total Contract Amount Less Specialty Items			<u>\$105,613.00</u>
Percentage of Contract to be Sublet (a ÷ b)			0%

Permission is subject to subcontractors' compliance with the City of Des Moines Contract Compliance Program, and clearance of subcontractors by the Engineering Department is required prior to their starting work. Permission is given with the understanding that the prime contractor shall be held responsible for the subcontractor's full compliance of all terms of the contract.

Attachment: Contractor's Letter
Requesting Subletting



City Engineer

2/1/08

Date

Form Routing: Project Engr. - City Engr. -
Engr. Admin. - City Clerk/City Manager -
Engr. Admin. - Distribution

City Manager

Date

Form Distribution: Original - Project File
Copy - Project Engineer
Copy - Prime Contractor

Roll Call No.

Date



General Contractors

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February 1, 2008

City of Des Moines
John McKee, Administrative Services
400 Robert D. Ray Drive
Des Moines, IA 50309-1891

RE: Gray's Lake Terrace Shade Structure
Activity ID: 11-2008-003
Des Moines, Iowa

Dear Mr. McKee,

We are requesting permission to sublet the following contract items to the specified subcontractors:

Paint Subcontractor:
Amount of Subcontract: \$1,687.00
Color, Inc.
2122 Fleur Drive
Des Moines, IA 50321
TIN: 42-0670201
(515)288-4855
Jim Agan, Project Manager

In addition, the TIN number for Venter Spooner Inc., is 42-1421025. Our mailing address is 6500 NW Beaver Drive, Johnston, Iowa, 50131-1307.

If you need any further information regarding this contract, please feel free to contact me.

Sincerely,

VENTER SPOONER INC.

David Stanley
Project Manager

Copy to: File