

DATE March 12, 2007

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
NORTHWEST COMMUNITY CENTER PARK SHELTER
\$ 98,575.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$98,575.00, executed by Legacy Construction Associates, Inc., Randall D. Trabing, President, 903 S Buxton, Indianola, IA, 50125 dated March 12, 2007, for the construction of the following improvement:

Northwest Community Center Park Shelter, 11-2006-025

The improvement includes construction of a park shelter including concrete foundation, sidewalk, masonry pier, steel fabrication and erection, drainage tile and site restoration, all in accordance with the contract documents including Plan File Nos. 457-141/145 at Northwest Community Center, 5200 Franklin Avenue, 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 Utilization" shows the Contractor's efforts to solicit DBE Participation in accordance with the Disadvantaged Business Enterprise 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.

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

47A

DATE March 12, 2007

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*
 Kathleen Vanderpool
 Deputy City Attorney

~~Being:~~ Funding Source: 2006-2007 CIP, Page Park-11, Neighborhood Park Improvements, PKS137, Various Funding, \$50,000 G. O. Bonds and \$50,000 from Polk County in accordance with the Franklin Field Lease Agreement between Polk County and the City of Des Moines

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

Department of Engineering
City of Des Moines, Iowa



CONTRACTOR'S ANTICIPATED DBE UTILIZATION

Northwest Community Center Park Shelter

Activity ID 11-2006-025

On February 27, 2007, Legacy Construction Associates, Inc., Randall D. Trabing, President, 903 S Buxton, Indianola, IA 50125 submitted a proposal for construction of the Northwest Community Center Park Shelter, Activity ID 11-2006-025, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$98,575.00. The proposal included a statement that the Disadvantaged Business Enterprise (DBE) Program shall apply to this project.

The Engineering Department has prepared this report summarizing the information that Legacy Construction Associates, Inc., has submitted indicating that it anticipates utilizing the following DBE companies on this project:

<u>DBE Name</u>	<u>Description of Work</u>	<u>Estimated Amount</u>
None	N/A	\$0.00
	Estimated DBE Participation	\$0.00
	Legacy Construction Associates, Inc. Amount	\$98,575.00
	Percentage of DBE Participation	0.00%