

DATE April 9, 2007

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON 5TH & KEO PARKING GARAGE REHABILITATION - PHASE 2; RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS WESTERN WATERPROOFING CO., INC., WILLIAM BISHOP, PRESIDENT, \$749,379.60

WHEREAS, on March 12, 2007, under Roll Call No. 07-432, plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of construction cost were filed with the City Clerk, for the construction of the following improvement:

5th & Keo Parking Garage Rehabilitation - Phase 2, 04-2007-006

The improvement includes partial depth floor repairs, overhead PC plank repair, expansion joint replacement, crack and joint seal, remove and replace 1"-1.5" joint, tool and seal control joints, cove sealant, traffic topping, supplemental reinforcement supply and install, painting structural steel, floor drains and piping, drywall repair, fireproofing repair and traffic paint markings in accordance with the contract documents, including Plan Files 472-053/064 at the City of Des Moines Parking Garage, 5th Avenue and Watson Powell Jr. Parkway, Des Moines, IA

WHEREAS, notice of the hearing on the plans, specifications, form of contract documents, and Engineer's estimate of construction cost was published as required by law.

WHEREAS, on March 27, 2007, sealed bids for said improvement were received and opened at a public meeting presided over by the Chief Civil Engineer, and the bid received from Western Waterproofing Co., Inc., William Bishop, President, 1829 Industrial Circle, West Des Moines, IA, 50265, was read under advisement because Western Waterproofing Co., Inc. attached the following items to its proposal:

1. Approved Applicator Certification Letter - For Iso-Flex Waterproofing Systems by LymTal International, Inc.
2. Certificate of Approved Applicator For Iso-Flex Products.
3. Sample Warranty Form for LymTal Deck Coating Systems.
4. Approved Applicator Agreement for LymTal Deck Coating Systems.
5. Letter from Western Waterproofing indicating they will be the "Single Installer" of all waterproofing items. Letter also describes by bid item the work to be performed by Western Waterproofing and designated subcontractors.
6. Letter from Western Waterproofing indicating Acceptable Previous Work on Walker Projects with attachments.

WHEREAS, Engineering Department Staff has reviewed said additional information attached to the proposal submitted by Western Waterproofing Co., Inc., and determined that Iso-Flex 760 U HL AR and 760 U AL by LymTal are approved Traffic Toppings under the contract specifications and the other information submitted by Western Waterproofing Co., Inc. regarding subcontractors and previous project references would have been requested by the Engineering Department prior to contract award; therefore, said attached items do not condition or alter the bid submitted by Western Waterproofing Co., Inc. After further review, the Engineering and Legal Departments have determined that said additional information attached to the proposal submitted by Western Waterproofing Co., Inc., is a minor irregularity that can be waived by the City Council.

★ **Roll Call Number**

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NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the hearing on the plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of construction cost for said improvement be closed; and that said plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of construction cost are hereby approved as the plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of construction cost for said improvement.

BE IT FURTHER RESOLVED: That the City Council concurs in the recommendation of the Engineering Department and the Legal Department regarding the bid submitted by Western Waterproofing Co., Inc., waives said minor irregularity, and hereby receives the bid submitted by Western Waterproofing Co., Inc..

BE IT FURTHER RESOLVED: That sealed bids for said improvement were submitted by the following bidders:

Western Waterproofing Co., Inc.	West Des Moines, IA Bid read under advisement
RAM Building Restoration and Waterproofing LLC.	Minneapolis, MN
The Truesdell Corporation	Phoenix, AZ
Aduddell Industries - Restoration Division	St. Paul, MN
Restoration Systems, Inc.	Chaska, MN
E & H Restoration, L.L.C.	Davenport, IA Bid read under advisement

which were received and opened at a public meeting presided over by the Jurisdictional Engineer in the City Council Chambers, 2nd Floor, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa at 11:00 a.m. on March 27, 2007. Said bids and the attached tabulation of bids for said improvement be and are hereby received and filed.

BE IT FURTHER RESOLVED: That the Jurisdictional Engineer has determined that the lowest responsive, responsible bid for the construction of said improvement was submitted by Western Waterproofing Co., Inc., William Bishop, President, 1829 Industrial Circle, West Des Moines, IA, 50265 in the amount of \$749,379.60, and said bid be and the same is hereby accepted.

BE IT FURTHER RESOLVED: That the bid security of the unsuccessful bidders be and is hereby authorized and directed to be returned.

★ **Roll Call Number**

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DATE April 9, 2007

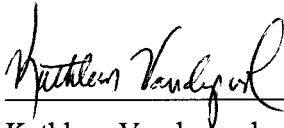
BE IT FURTHER RESOLVED: That the Jurisdictional Engineer is hereby directed to secure execution by the lowest responsible, responsive Bidder and its surety of the contract documents in the form heretofore approved by this Council; that the Jurisdictional Engineer is directed to thereafter present said contract documents to this Council for approval and authorization to the Mayor to sign; and that 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.

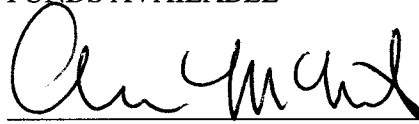
(City Council Communication Number 07-194 attached.)

Moved by _____ to adopt.

FORM APPROVED:

FUNDS AVAILABLE





Kathleen Vanderpool
Deputy City Attorney

Allen McKinley
Des Moines Finance Director

Funding Source: 2007-2008 CIP, Page Parking-6, Parking Facility Rehab/Repair Program, PKG016, Parking System Revenue

SEB

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

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, 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

TABULATED BY: Jon Fussell
CHECKED BY: *[Signature]*
APPROVED BY: *[Signature]*

CONTRACTOR'S BID TABULATION
PROJECT: 5th AND KEO PARKING GARAGE REHABILITATION - PHASE 2

ESTIMATE

ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE	AMOUNT	Western Waterproofing Co., Inc. West Des Moines, IA 10% Bid Bond	RAM Building Restoration And Waterproofing, LLC Little Canada, MN 10% Bid Bond	The Truesdell Corp. Tempe, AZ 10% Bid Bond	Aududell Industries Fridley, MN 10% Bid Bond
						BID PRICE	BID PRICE	BID PRICE	BID PRICE
			UNIT	PRICE	AMOUNT	UNIT	PRICE	AMOUNT	UNIT
						PRICE	PRICE	AMOUNT	PRICE
						AMOUNT	AMOUNT	AMOUNT	AMOUNT
0001	Project Mobilization	1 LS		\$64,000.00	\$64,000.00				
0002	Floor Repair - Partial Depth	4950 SF		\$22.00	\$108,900.00				
0003	Floor Repair - Install Ramp	1 LS		\$4,000.00	\$4,000.00				
0004	Overhead Precast Plank Repair	220 SF		\$40.00	\$8,800.00				
0005	Expansion Joint - Premolded	120 LF		\$45.00	\$5,400.00				
0006	Seal Cracks and Joints	22990 LF		\$3.50	\$80,465.00				
0007	Remove and Replace 1"-1.5" Joint	360 LF		\$4.00	\$1,440.00				
0008	Cove Sealant	3410 LF		\$3.00	\$10,230.00				
0009	Traffic Topping - Vehicular	173630 SF		\$2.50	\$434,075.00				
0010	Traffic Topping - Sidewalks	22250 SF		\$3.00	\$66,750.00				
0011	Mechanical - Supplementary Floor Drains	3 EA		\$1,100.00	\$3,300.00				
0012	Mechanical - Pipe and Hangers	300 LF		\$50.00	\$15,000.00				
0013	Mechanical - Replace Drain Grates	8 EA		\$150.00	\$1,200.00				
0014	Electrical Allowance	1 LS		\$10,000.00	\$10,000.00				
0015	Drywall - Repair	300 SF		\$10.00	\$3,000.00				
0016	Fireproofing - Repair	1060 SF		\$9.00	\$9,540.00				
0017	Straighten Handrail	1 LS		\$1,000.00	\$1,000.00				
0018	Repair Handrail	1 LS		\$1,500.00	\$1,500.00				
0019	Add Supplemental Reinforcement	1000 LBS		\$6.00	\$6,000.00				
0020	Paint Traffic Markings	1 LS		\$5,000.00	\$5,000.00				
0021	Paint Structural Steel	5520 SF		\$5.00	\$27,600.00				
	TOTAL CONSTRUCTION COST				\$667,200.00				
	PERCENT OF ENGINEER'S ESTIMATE								

\$749,379.60
-15.72%
LOW BID

Bid Read Under
Advisement Bidder
Submitted Various Items
Attached To Proposal.

\$773,841.00
-12.06%

\$782,660.00
-10.80%

\$783,136.50
-10.73%

5A

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ACTIVITY ID: 04-2007-006
 IDOT PROJ NO.: N/A
 BID DATE: 03/27/07

DEPARTMENT OF ENGINEERING
 CITY OF DES MOINES, IOWA

TABULATED BY: *John F. McKeon*
 CHECKED BY: *John F. McKeon*
 APPROVED BY: *John F. McKeon*

CONTRACTOR'S BID TABULATION
 PROJECT: 5th AND KEO PARKING GARAGE REHABILITATION - PHASE 2

ESTIMATE

ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE	AMOUNT	UNIT	PRICE	AMOUNT	UNIT	PRICE	AMOUNT
0001	Project Mobilization	1	LS	\$64,000.00	\$64,000.00						
0002	Floor Repair - Partial Depth	4950	SF	\$22.00	\$108,900.00						
0003	Floor Repair - Install Ramp	1	LS	\$4,000.00	\$4,000.00						
0004	Overhead Precast Plank Repair	220	SF	\$40.00	\$8,800.00						
0005	Expansion Joint - Premolded	120	LF	\$45.00	\$5,400.00						
0006	Seal Cracks and Joints	22990	LF	\$3.50	\$80,465.00						
0007	Remove and Replace 1"-1.5" Joint	360	LF	\$4.00	\$1,440.00						
0008	Cove Sealant	3410	LF	\$3.00	\$10,230.00						
0009	Traffic Topping - Vehicular	173630	SF	\$2.50	\$434,075.00						
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0017	Straighten Handrail	1	LS	\$1,000.00	\$1,000.00						
0018	Repair Handrail	1	LS	\$1,500.00	\$1,500.00						
0019	Add Supplemental Reinforcement	1000	LBS	\$6.00	\$6,000.00						
0020	Paint Traffic Markings	1	LS	\$5,000.00	\$5,000.00						
0021	Paint Structural Steel	5520	SF	\$5.00	\$27,600.00						

TOTAL CONSTRUCTION COST
 PERCENT OF ENGINEER'S ESTIMATE

\$867,200.00
 9.86%

Restoration Systems
 Chaska, MN
 10% Bid Bond
 BID PRICE

UNIT	PRICE	AMOUNT
	\$89,000.00	\$89,000.00
	\$24.00	\$118,800.00
	\$5,000.00	\$5,000.00
	\$75.00	\$16,500.00
	\$55.00	\$6,600.00
	\$3.10	\$71,259.00
	\$15.00	\$5,400.00
	\$3.10	\$10,571.00
	\$2.30	\$399,349.00
	\$2.30	\$51,175.00
	\$1,200.00	\$3,600.00
	\$50.00	\$15,000.00
	\$650.00	\$5,200.00
	\$10,000.00	\$10,000.00
	\$40.00	\$12,000.00
	\$75.00	\$79,500.00
	\$980.00	\$980.00
	\$3,200.00	\$3,200.00
	\$3.20	\$3,200.00
	\$6,200.00	\$6,200.00
	\$9.00	\$49,680.00

\$962,024.00
 9.86%

E & H Restoration, LLC
 Davenport, IA
 10% Bid Bond
 BID PRICE

UNIT	PRICE	AMOUNT
	\$87,063.00	\$87,063.00
	\$35.00	\$173,250.00
	\$2,798.00	\$2,798.00
	\$152.71	\$33,596.20
	\$133.83	\$16,059.60
	\$4.46	\$102,535.40
	\$6.13	\$2,206.80
	\$1.86	\$6,342.60
	\$3.43	\$595,550.90
	\$5.00	\$111,250.00
	\$2,883.00	\$9,649.00
	\$37.49	\$11,247.00
	\$958.00	\$7,664.00
	\$10,000.00	\$10,000.00
	\$24.14	\$7,242.00
	\$6.03	\$6,391.80
	\$2,553.00	\$2,553.00
	\$1,274.00	\$1,274.00
	\$6.15	\$6,150.00
	\$2,530.00	\$2,530.00
	\$8.18	\$45,153.60

\$1,239,506.90
 30.04%

Bid Read Under Adversment.
 Bidder Identified As "Partnership"
 Under Proposal Part G; But
 Company Name Indicates "LLC".