

DATE April 21, 2008

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
2008 STORM SEWER REPAIR CONTRACT 1  
\$ 402,504.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$402,504.00, executed by The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA, 50047 dated April 21, 2008, for the construction of the following improvement:

2008 Storm Sewer Repair Contract 1, 08-2008-001

The improvement includes construction of new storm sewers to modify the existing storm sewer system at two locations: 1) the intersection of Grand Avenue & 45th Street and 2) 16th Street from Euclid Avenue to Douglas Avenue, Des Moines, Iowa. These projects will allow for the abandonment of deteriorated, undersized storm sewers that are located on private property. This contract includes construction of the storm sewers, manholes, intakes, restoration of pavement, landscaping, and other incidental items; in accordance with the contract documents including Plan File Nos. 489-001/024

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 after said contract has been executed by the Mayor, 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.

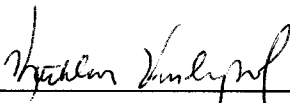
★ **Roll Call Number**

**Agenda Item Number**  
66A

DATE April 21, 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 Storm-5, City-wide Storm Water Utility Projects, STE057, Storm Water Utility Funds



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**  
**2008 Storm Sewer Repair Contract 1**

**Activity ID 08-2008-001**

On April 8, 2008, The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047 submitted a proposal for construction of the 2008 Storm Sewer Repair Contract 1, Activity ID 08-2008-001, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$402,504.00. 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 The Underground Company, 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>
<u>Bonnies Barricades</u>	<u>Traffic Control</u>	<u>\$6,994.00</u>
	Estimated DBE/TSB Participation	<u>\$6,994.00</u>
	The Underground Company, Ltd. Amount	<u>\$402,504.00</u>
	Percentage of DBE/TSB Participation	<u>1.74%</u>

66 A

**PERMISSION TO SUBLET**

Date April 16, 2008  
 Project 2008 Storm Sewer Repair Contract 1 Contract No. 14357  
 Contractor The Underground Company, Ltd. Activity ID 08-2008-001  
 Federal Tax ID 42-1472902 Project No. \_\_\_\_\_

ITEM TO BE SUBLET	ORGANIZATION TO PERFORM WORK	STATE IF ORGANIZATION IS DBE	COST OF WORK TO BE SUBLET
Item #'s 44, 45	Bonnie' Barricades 1547 Michigan Street Des Moines, Iowa 50314 515-282-8877 Fed. ID: 42-1250395	Yes	\$6,994.00
Item # 22	DPLM Advantage PO Box 3031 Des Moines, Iowa 50316 515-289-1370 Fed. ID: 26-1609976	No	\$880.00
Item # 11	JC Tree Service 4513 30th Ave. Norwalk, Iowa 50211 515-285-7200 Fed. ID: 42-1451348	No	\$600.00
Item #'s 15, 16	Des Moines Asphalt and Paving 5550 NE 22nd Street STE 100 Des Moines, Iowa 50316 262-8296 Fed. ID: 33-1189877	No	\$11,556.00

Cost of Items Sublet This Request	\$20,030.00
Cost of Items Previously Sublet	\$0.00
Total Cost of Items Sublet	\$20,030.00
Cost of Specialty Items	\$0.00
(a) Total Cost of Sublet Items Less Specialty Items	\$20,030.00
Total Contract Amount	\$402,504.00
(b) Total Contract Amount Less Specialty Items	\$402,504.00
Percentage of Contract to be Sublet (a ÷ b)	4.98%

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 subcontractors' full compliance of all terms of the contract.

Attachment: Contractor's Letter Requesting Subletting  
 \_\_\_\_\_  
 City Engineer  
 \_\_\_\_\_  
 Date 04/16/2008

Form Routing: Project Engr.  
 City Engr. \_\_\_\_\_  
 Engr. Admin. \_\_\_\_\_  
 City Clerk/City Manager \_\_\_\_\_  
 Engr. Admin. \_\_\_\_\_  
 Distribution \_\_\_\_\_  
 \_\_\_\_\_  
 City Manager \_\_\_\_\_  
 \_\_\_\_\_  
 Roll Call No. \_\_\_\_\_  
 \_\_\_\_\_  
 Date \_\_\_\_\_