

★ Roll Call Number

Agenda Item Number

11

DATE June 9, 2008

COMMUNICATION FROM CONTRACTORS  
REQUESTING PERMISSION TO SUBLET  
CERTAIN ITEMS ON PUBLIC IMPROVEMENT PROJECTS

BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached communication from each contractor requesting permission to sublet designated items and the attached Permission to Sublet form, for each project listed below, 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 each Permission to Sublet form granting permission for each listed subcontractor to work on the designated project upon each subcontractor's compliance with said Contract Compliance Program as monitored by the Engineering Department.

Activity ID	Project Title	Contractor
07-2006-006	21st Street and Carpenter Avenue Storm Sewer Improvements	Reilly Construction Co., Inc. Chris R. Reilly, President 110 Main Street PO Box 99 Ossian, IA 52161

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:

*Kathleen Vanderpool*  
Kathleen Vanderpool  
Deputy City Attorney

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

**PERMISSION TO SUBLET**

Date May 29, 2008  
 Project 21st & Carpenter Ave Storm Sewer Improvements  
 Contractor Reilly Construction Co., Inc.  
 Federal Tax ID 42-0818173  
 Contract No. 14361  
 Activity ID 07-2006-006  
 Project No. \_\_\_\_\_

ITEM TO BE SUBLET	ORGANIZATION TO PERFORM WORK	STATE IF ORGANIZATION IS DBE	COST OF WORK TO BE SUBLET
46, 47, 48, 49, 50, 51, 52, 53, 54, 55	Halbrook Excavating 4807 SE Rio Ct Ankeny, IA 50021 (515) 289-2506 Federal Tax ID 42-1417064	No	\$101,085.00
46, 47, 48, 49, 50, 51, 52, 53, 54, 55	R. D. McKinney Plumbing & Excavation P.O. Box 434 Waukee IA 50263 (515) 987-4715 Federal Tax ID 42-1469140	No	(\$101,085.00)

*Delete R. D. McKinney Plumbing & Excavation approved  
May 5, 2008 under Roll Call No. 08-830 and replace with Halbrook Evcavation.*

Cost of Items Sublet This Request	\$0.00
Cost of Items Previously Sublet	\$516,950.00
Total Cost of Items Sublet	\$516,950.00
Cost of Specialty Items	\$0.00
(a) Total Cost of Sublet Items Less Specialty Items	\$516,950.00
Total Contract Amount	\$1,398,640.25
(b) Total Contract Amount Less Specialty Items	\$1,398,640.25
Percentage of Contract to be Sublet (a ÷ b)	36.96%

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 John F. McKee City Engineer 05/29/08 Date

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

110 Main Street,  
P.O. Box 99  
Ossian, Iowa 52161  
Office: (563) 532-9211  
Fax: (563) 532-9759  
reilly@reilly-construction.com

# REILLY

CONSTRUCTION CO., INC.

**Clair H. Reilly**  
(1911-1999)  
**Robert M. Reilly**  
Chairman of the Board  
**Chris R. Reilly**  
President  
**Larry Thompson**  
Vice President

May 28, 2008

Mr. Roger Joanning, P.E.  
Engineering Department  
City of Des Moines  
400 Robert D. Ray Drive  
Des Moines, IA 50309

RE: 21<sup>st</sup> Street and Carpenter Ave.  
Storm Sewer Improvements  
Activity ID: 07-2006-006

Dear Mr. Joanning:

Reilly Construction respectfully requests that a change to our Sublet list be considered. RD McKinney Plumbing & Excavating, originally quoted bid items 46, 47, 48, 49, 50, 51, 52, 53, 54, and 55 for a total quote of \$101,085.00. They have since, withdrawn their quote.

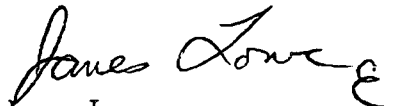
We have secured Halbrook Excavating to perform the work on all the above items along with potholing for the existing utilities.

Attached you will find a copy of the letter RD McKinney sent to Reilly Construction declining items as discussed.

Thank you.

Sincerely yours,

REILLY CONSTRUCTION CO., INC.

  
James Lowe  
VP Underground Division

Clc

**FAXED**

**R.D. McKINNEY**  
PLUMBING AND EXCAVATING, INC.

//

P.O. Box 434 •  
Waukee, IA 50263 •



• Phone (515) 987-4715  
• FAX (515) 987-5278

May 13, 2008

City of Des Moines  
Reilly Construction Co.

To Whom it May Concern:

It is with regret that we inform you that R.D. McKinney Plumbing and Excavating, Inc. is withdrawing our bid for the job at 21<sup>st</sup> Street & Carpenter Avenue in Des Moines. We have prior commitments and unfortunately cannot get to your job in a timely manner. We do however look forward to working with you in the future. Thanks for your understanding.

Respectfully,

Ryan McKinney  
Director of Operations  
515-202-1975