

DATE July 26, 2010

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2010 EXPANDED STREET RESURFACING PROGRAM - CONTRACT 1
\$817,066.25

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$817,066.25, executed by OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, James Gauger, President, 5550 NE 22nd Street, P.O. Box 3365, Des Moines, IA, 50316-0365 dated July 26, 2010, for the construction of the following improvement:

2010 Expanded Street Resurfacing Program - Contract 1, 06-2010-015

The improvement includes scarification of existing streets, furnish and place Hot Mix Asphalt (HMA) and other incidental items in accordance with the contract documents, including Plan File Nos. 521-075/093 at the following locations in Des Moines, Iowa:

- 4th Street from Forest Avenue to Orchard Avenue
- 7th Street from Forest Avenue to College Avenue
- S.W. 7th Street from Boulder Avenue to Park Avenue
- E. 10th Street from Des Moines Street to Lyon Street
- 11th Street from Enos Avenue to University Avenue
- 15th Street from University Avenue to Carpenter Avenue
- E. 16th Street from Maple Street to Walker Street
- S.W. 30th Street from Bell Avenue to Park Avenue
- E. 31st Street from John Patterson Drive to Guthrie Avenue
- 38th Street from Adams Avenue to Douglas Avenue
- Allison Avenue from 6th Avenue to 7th Street
- Boulder Avenue from S.W. 7th Street to S.W. 9th Street
- Boyd Street from E. 9th Street from E. 13th Street
- Carpenter Avenue from 25th Street to 27th Street
- Cleveland Avenue from Penn Avenue to E. 9th Street
- Forest Avenue from 5th Street to 6th Avenue
- Holland Drive from Hickman Road to Maryland Pike
- E. Madison Avenue from E. 10th Street to E. 14th Street
- Oxford Street from E. Hull Avenue to Tiffin Avenue
- E. Sheridan Avenue from North Union Street to Columbia Street
- Walker Street from Penn Avenue to E. 9th Street
- Walker Street from E. 9th Street to E. 12th Street

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, subject to receipt of the contract, bond, and certificate of insurance acceptable to the Engineering and Legal Departments. 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.

★ **Roll Call Number**

Agenda Item Number

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DATE July 26, 2010

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, subject to receipt of the contract, bond, and certificate of insurance acceptable to the Engineering and Legal Departments, 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.

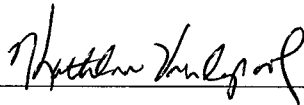
BE IT FURTHER RESOLVED: That after said contract has been executed by the Mayor, the City Clerk be and is hereby authorized and directed to return the Contractor's bid security.

BE IT FURTHER RESOLVED: That the attached Permission to Sublet form, from said Contractor requesting permission to sublet designated items, be and is hereby approved, subject to receipt of the contract, bond, and certificate of insurance acceptable to the Engineering and Legal Departments; and each subcontractor is hereby granted permission to work on said improvement.

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: 2010-2011 CIP, Page Street-47, Special City-wide Street Improvements, STR217, Being: Gaming Monies from the Agreement with Polk County and The Racing Association of Central Iowa

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GREISS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED		APPROVED		

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.

Mayor

City Clerk

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Department of Engineering
City of Des Moines, Iowa



CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION
2010 Expanded Street Resurfacing Program - Contract 1

Activity ID 06-2010-015

On July 13, 2010, OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, James Gauger, President, 5550 NE 22nd Street, P.O. Box 3365, Des Moines, IA 50316-0365 submitted a proposal for construction of the 2010 Expanded Street Resurfacing Program - Contract 1, Activity ID 06-2010-015, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$817,066.25. 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 OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, 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>
Bonnies Barricades	Traffic Control	\$9,314.80
	Estimated DBE/TSB Participation	\$9,314.80
	OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving Amount	\$817,066.25
	Percentage of DBE/TSB Participation	1.14%

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PERMISSION TO SUBLET

Date July 14, 2010

Project 2010 Expanded Street Resurfacing - Contract 1

Contract No. 14568

Contractor Des Moines Asphalt & Paving Co.

Activity ID 06-2010-015

Federal Tax ID 33-1189877

Project No. _____

ITEM REQUESTED BY THE CONTRACTOR TO BE SUBLET	ORGANIZATION REQUESTED TO PERFORM WORK	STATE IF ORGANIZATION IS DBE/TSB	COST OF WORK REQUESTED TO BE SUBLET
Intakes & Base Repair	Underground Co. 12245 Dakota Street Carlisle, Ia 50047 Federal Tax ID 42-1281051	No	\$46,860.00
Traffic Control	Bonnie's Barricades 1547 Michigan St Des Moines, Ia 50314 Federal Tax ID 42-1250395	Yes	\$6,175.00

Cost of Items Sublet This Request	\$53,035.00
Cost of Items Previously Sublet	\$0.00
Total Cost of Items Sublet	\$53,035.00
Cost of Specialty Items	\$0.00
(a) Total Cost of Sublet Items Less Specialty Items	\$53,035.00
Total Contract Amount	\$817,066.25
(b) Total Contract Amount Less Specialty Items	\$817,066.25
Percentage of Contract to be Sublet (a ÷ b)	6.49%

The prime contractor's request for Permission to Sublet the above items of work is approved with the understanding that the prime contractor shall be held responsible for the subcontractors' full compliance of all terms of the contract.

Form Routing: Project Engineer
Engineering Administration
City Clerk
Engineering Administration
Distribution

Approved:

Roll Call No.

Date

47A

Hansen, Jeffery B.

From: Rhinehart, Carla (OMG Midwest) [crhinehart@omgmidwest.com]
Sent: Wednesday, July 14, 2010 8:35 AM
To: Hansen, Jeffery B.
Cc: Beaird, Brian (OMG Midwest)
Subject: 2010 Contract 1 06-2010-015

Jeff,
Here's our subcontractor information:

Bonnie's Barricades	The Underground Co.
1547 Michigan St.	12245 Dakota St.
Des Moines, IA 50314	Carlisle, IA 50047
515-282-8877	515-282-8455
Fed ID: 42-1250395	Fed ID: 42-1281051

We have a blanket certificate of insurance on file with the City of Des Moines.
Jim Doran should have a copy of it.

Please let me know if you need anything else.

Thanks,
Carla Rhinehart
OMG Midwest, Inc. D.B.A.
Des Moines Asphalt & Paving
Project Coordinator
Phone: 515-262-8296
Fax: 515-645-9759
e-mail: crhinehart@omgiowa.com