

DATE August 6, 2007

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON WOODLAND CEMETERY ORNAMENTAL FENCE; RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS AMERICAN FENCE CO. OF IOWA, INC., MARK A. WOLODKEWITSCH, MANAGER, \$60,577.67

WHEREAS, on July 9, 2007, under Roll Call No. 07-1248, 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:

Woodland Cemetery Ornamental Fence, 11-2007-018

The improvement includes the construction of 14 masonry piers and the installation of 775 feet of ornamental painted steel fence along the east side of the Woodland Cemetery adjacent to the west right-of-way line of the Martin Luther King Jr. Parkway from approximately the north right-of-way line of Center Street to the south right-of-way line of Olive Street. This contract also includes the reinstallation of 40.0 feet of an existing 6 foot high vinyl clad chain link fence, the installation of a 20.0 foot wide service gate constructed of 2-10 foot wide chain link fence gate panels, the removal of 775 feet of existing chain link fence, the addition of a construction sign, and the purchase and delivery of extra fence panels and mounting hardware; all in accordance with the contract documents including Plan File Nos. 479-136/138 along the east property line of Woodland Cemetery in Des Moines, Iowa

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 July 24, 2007, sealed bids for said improvement were received and opened at a public meeting presided over by the Jurisdictional Engineer, and the bid received from American Fence Co. of Iowa, Inc., Mark A. Wolodkewitsch, Manager, 1922 Delaware Avenue, Des Moines, IA, 50317, was read under advisement because American Fence Co. of Iowa, Inc. did not submit Page 3 of the Proposal Attachment with its bid; and

WHEREAS, said Page 3 of the Proposal Attachment includes part of the Contract Compliance Program Requirements (which did not apply to this project) and General Additional Requirements; however, the bidder is not required to provide any information on any of these missing pages. Engineering Department Staff contacted Mr. Mark A. Wolodkewitsch, Manager to verify that American Fence Co. of Iowa, Inc. would comply with these requirements. Mr. Wolodkewitsch stated that American Fence Co. of Iowa, Inc. would comply with the requirements, and that they inadvertently left the page out when they assembled their proposal. Even though American Fence Co. of Iowa, Inc. did not return all the proposal sheets, American Fence Co. of Iowa, Inc. did complete and returned all the proposal sheets requiring information to be supplied by the bidder. The Engineering Department will include said missing pages in the contract documents to be signed by American Fence Co. of Iowa, Inc. After further review, the Engineering and Legal Departments have determined that this was a minority irregularity that could be waived by the City Council.

DATE August 6, 2007

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 American Fence Co. of Iowa, Inc., waives said minor irregularity, and hereby receives the bid submitted by American Fence Co. of Iowa, Inc..

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

American Fence Co. of Iowa, Inc.	Des Moines, IA
	Bid read under advisement
Brocon Services LLC	Johnston, IA
Concrete Technologies, Inc.	Urbandale, IA
Smith Seeding, Inc.	Eldridge, IA

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 July 24, 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 American Fence Co. of Iowa, Inc., Mark A. Wolodkewitsch, Manager, 1922 Delaware Avenue, Des Moines, IA, 50317 in the amount of \$60,577.67, 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**

Agenda Item Number

56

DATE August 6, 2007

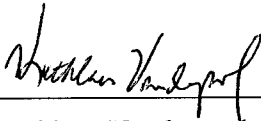
BE IT FURTHER RESOLVED: That the Jurisdictional Engineer is hereby directed to secure execution by the lowest responsible, responsive Bidder and its surety of the contract documents in the form heretofore approved by this Council; that the Jurisdictional Engineer is directed to thereafter present said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

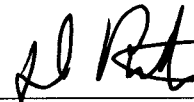
(City Council Communication Number 07-486 attached.)

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 Park-6, Cemetery Infrastructure and Improvements, PKS138, G. O. Bonds



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

MOTION CARRIED

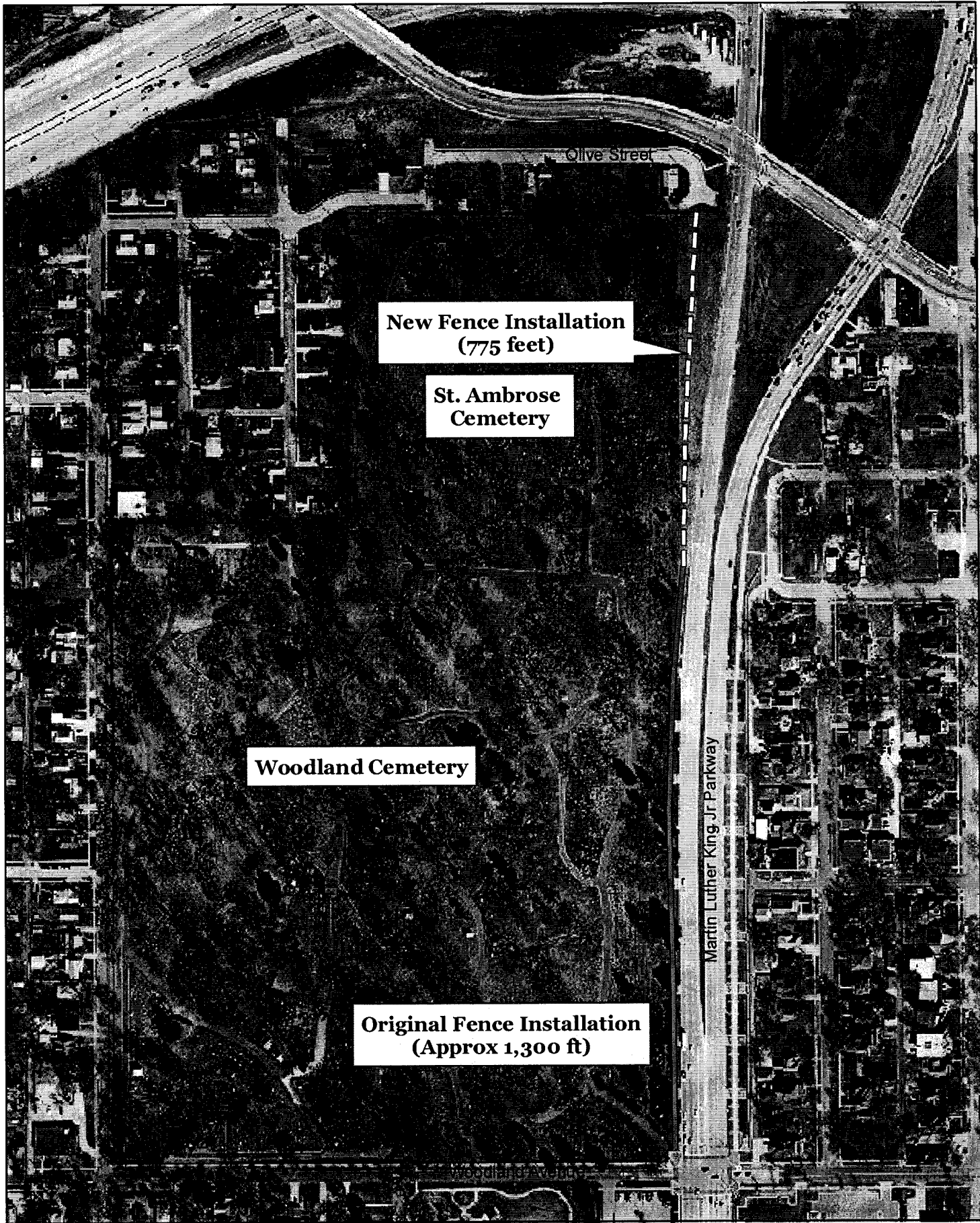
APPROVED

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.

Mayor

City Clerk



Woodland Cemetery

**Original Fence Installation
(Approx 1,300 ft)**

**New Fence Installation
(775 feet)**

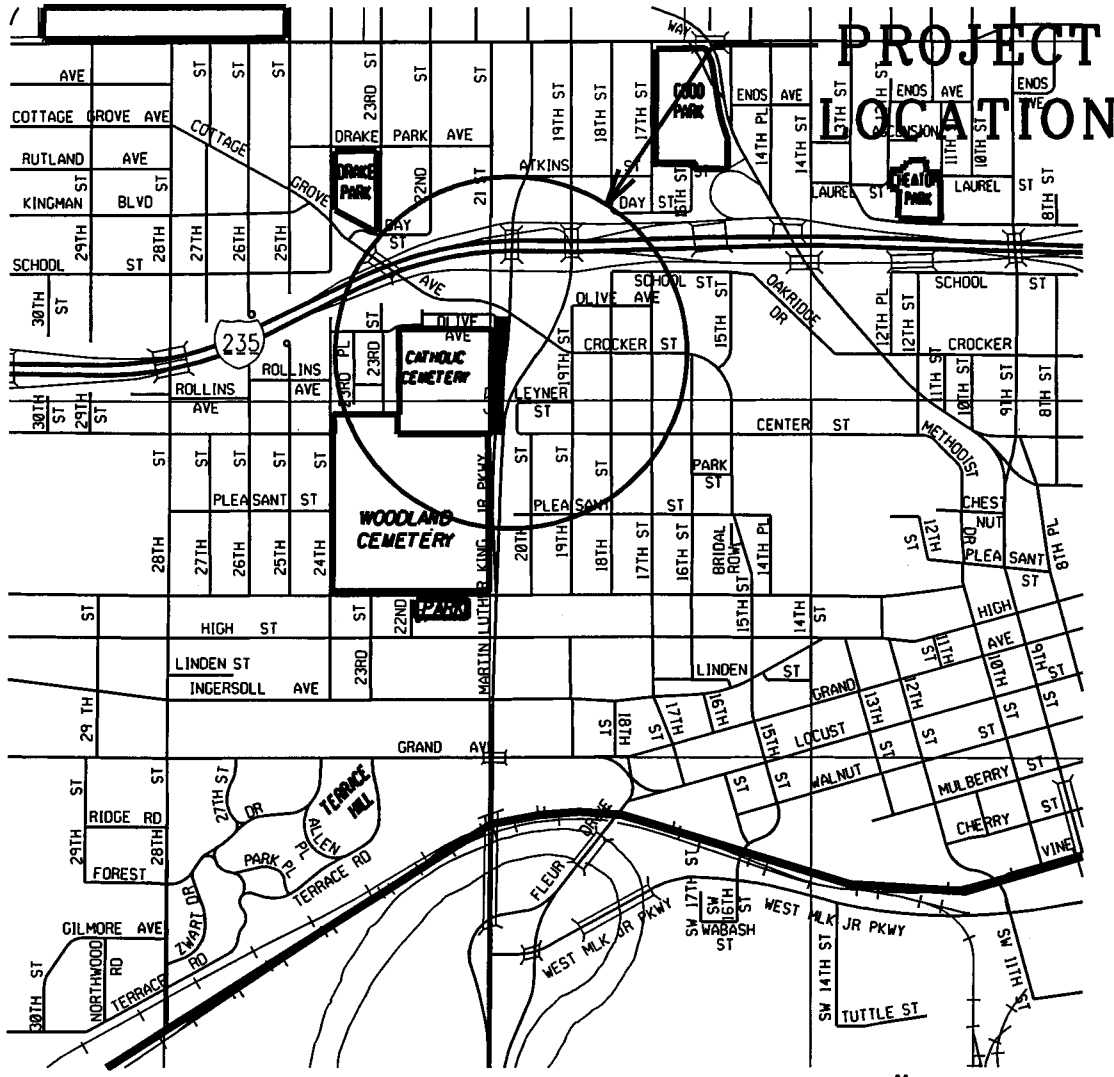
**St. Ambrose
Cemetery**

Olive Street

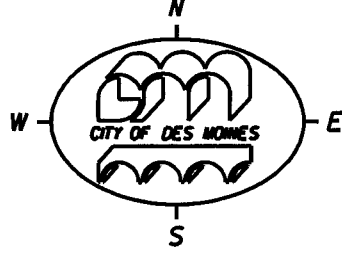
Martin Luther King Jr Parkway



NOT TO SCALE



**PROJECT
LOCATION**



**WOODLAND CEMETERY
ORNAMENTAL FENCE
ACTIVITY ID 11-2007-018**

TABULATED BY: Eugene J. Schmitt
CHECKED BY: *[Signature]*
APPROVED BY: *John F. McKa*

CONTRACTOR'S BID TABULATION
PROJECT: WOODLAND CEMETERY ORNAMENTAL FENCE

ESTIMATE

ITEM	DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
1	Removal of Chain Link Fence	775 LF	\$20.00	\$15,500.00
2	Reinstall Chain Link Fence	40 LF	\$30.00	\$1,200.00
3	Ornamental Fence, Painted Steel	775 LF	\$125.00	\$96,875.00
4	Masonry Pier	14 EA	\$3,200.00	\$44,800.00
5	Fence Gate, 20 foot	1 EA	\$2,500.00	\$2,500.00
6	Project Sign	1 LS	\$500.00	\$500.00
7	Fence Panels, Post, Mounting Hardware, Extra	1 LS	\$2,125.00	\$2,125.00

TOTAL CONSTRUCTION COST
PERCENT OF ENGINEER'S ESTIMATE

\$163,500.00
-62.95%
Low

AMERICAN FENCE CO. Des Moines, Iowa	BROCON SERVICES Johnston, Iowa	CONCRETE TECHNOLOGIES, INC. Urbandale, Iowa
BID SECURITY 10% Bid Bond	BID SECURITY 10% Bid Bond	BID SECURITY 10% Bid Bond
BID PRICE	BID PRICE	BID PRICE
UNIT PRICE	UNIT PRICE	UNIT PRICE
AMOUNT	AMOUNT	AMOUNT
\$4.97	\$8.00	\$3.50
\$38.55	\$24.00	\$11.00
\$35.56	\$52.00	\$100.00
\$1,601.28	\$3,320.00	\$1,700.00
\$3,101.00	\$1,750.00	\$1,200.00
\$697.00	\$560.00	\$350.00
\$1,409.00	\$1,585.00	\$1,200.00
\$3,851.75	\$6,200.00	\$2,712.50
\$1,542.00	\$960.00	\$440.00
\$27,559.00	\$40,300.00	\$77,500.00
\$22,417.92	\$46,480.00	\$23,800.00
\$3,101.00	\$1,750.00	\$1,200.00
\$697.00	\$560.00	\$350.00
\$1,409.00	\$1,585.00	\$1,200.00
\$60,577.67	\$97,855.00	\$107,202.50
-62.95%	-40.15%	-34.43%
Low		

Bid read under advisement.
Bidder did not submit
Page 3 of 3 of Proposal
Attachment Part F which
does not require bidder
information.

56

TABULATED BY: Eugene J. Schmitt
CHECKED BY: _____

APPROVED BY: _____

CONTRACTOR'S BID TABULATION
PROJECT: WOODLAND CEMETERY ORNAMENTAL FENCE

ESTIMATE

ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE	AMOUNT	UNIT	PRICE	AMOUNT
1	Removal of Chain Link Fence	775 LF		\$20.00	\$15,500.00			
2	Reinstall Chain Link Fence	40 LF		\$30.00	\$1,200.00			
3	Ornamental Fence, Painted Steel	775 LF		\$125.00	\$96,875.00			
4	Masonry Pler	14 EA		\$3,200.00	\$44,800.00			
5	Fence Gate, 20 foot	1 EA		\$2,500.00	\$2,500.00			
6	Project Sign	1 LS		\$500.00	\$500.00			
7	Fence Panels, Post, Mounting Hardware, Extra	1 LS		\$2,125.00	\$2,125.00			
					\$163,500.00			
TOTAL CONSTRUCTION COST								\$139,875.00
PERCENT OF ENGINEER'S ESTIMATE								-14.45%

SMITH SEEDING, INC.
Eldridge, Iowa

BID SECURITY
10% Bid Bond

BID PRICE