

DATE August 10, 2009

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
S.E. 5TH STREET SIDEWALK FROM E. MILLER AVENUE TO E. WATROUS AVENUE
\$ 49,705.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$49,705.00, executed by MPS Engineers, P.C., Umesh G. Shetye, President, 4949 Westown Parkway, Suite 165-126, West Des Moines, IA, 50266 dated August 10, 2009, for the construction of the following improvement:

S.E. 5th Street Sidewalk from E. Miller Avenue to E. Watrous Avenue, 09-2009-001

The improvement includes construction of Class 'B' and Class 'C' Portland cement concrete sidewalk four (4) inches thick, (six(6) inches through driveways), together with all appurtenances in accordance with the contract documents, including Plan File Nos. 506-020/027 at the following locations:

- S.E. 5th Street from E. Miller Avenue to E. Watrous Avenue (west side)
- Fleur Drive from McKinley Avenue to 150 feet north (east side)

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 Permission to Sublet form, from said Contractor requesting permission to sublet designated items, be and is hereby approved; and each subcontractor is hereby granted permission to work on said improvement.

★ **Roll Call Number**

Agenda Item Number

73A

DATE August 10, 2009

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 *Ann DiDonato*
 Ann DiDonato
 Assistant City Attorney

FB Funding Source: 2009-2010 CIP, Page Sidewalk-7, School Routes and Priority Sidewalks, STR081, Being: \$27,375.20 in G. O. Bonds from STR081 and \$22,329.80 in Community Development Block Grant (CDBG) funds from NDD-South Park Neighborhood Sidewalk,CDBG2008053

| 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

73A

Department of Engineering
City of Des Moines, Iowa



CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION
S.E. 5th Street Sidewalk from E. Miller Avenue to E. Watrous Avenue

Activity ID 09-2009-001

On July 28, 2009, MPS Engineers, P.C., Umesh G. Shetye, President, 4949 Westown Parkway, Suite 165-126, West Des Moines, IA 50266 submitted a proposal for construction of the S.E. 5th Street Sidewalk from E. Miller Avenue to E. Watrous Avenue, Activity ID 09-2009-001, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$49,705.00. 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 MPS Engineers, P.C., 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>MPS Engineers, P.C.</u> | <u>Bidder is a DBE</u> | <u>\$49,705.00</u> |
| | Estimated DBE/TSB Participation | <u>\$49,705.00</u> |
| | MPS Engineers, P.C. Amount | <u>\$49,705.00</u> |
| | Percentage of DBE/TSB Participation | <u>100.00%</u> |

73A

PERMISSION TO SUBLET

Date July 31, 2009

Project SE 5th St. Sidewalk From E Miller Ave. to E. War

Contract No. 14476

Contractor MPS Engineers, P.C.

Activity ID 09-2009-001

Federal Tax ID 42-1483396

Project No. _____

| ITEM TO BE SUBLET | ORGANIZATION TO PERFORM WORK | STATE IF ORGANIZATION IS DBE | COST OF WORK TO BE SUBLET |
|---|---|------------------------------------|---------------------------------|
| Traffic Control | Bonnie's Barricades 1547 Michigan T Des Moines, IA 50314 (515) 282-8877 Federal Tax ID 42-1250395 | Yes | \$2,788.00 |
| Retaining Wall | Iowa Landscape Supply 4041 E 16th St Des Moine, IA 50313 (515) 262-2367 Federal Tax ID 42-1270601 | No | \$4,600.00 |
| Cost of Items Sublet This Request | | | \$7,388.00 |
| Cost of Items Previously Sublet | | | \$0.00 |
| Total Cost of Items Sublet | | | \$7,388.00 |
| Cost of Specialty Items | | \$0.00 | |
| (a) Total Cost of Sublet Items Less Specialty Items | | | \$7,388.00 |
| Total Contract Amount | | \$49,705.00 | |
| (b) Total Contract Amount Less Specialty Items | | | \$49,705.00 |
| Percentage of Contract to be Sublet (a ÷ b) | | | 14.86% |

Permission to Sublet is given 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

73A



4949 Westtown Parkway,
Suite 165-126
West Des Moines, IA 50266

FAX

Fax Transmittal Form

To

Name: Steve Inman, Senior Engineering Technician
Organization Name/Dept: City of Des Moines
CC:
Phone number: 515-237-1327
Fax number: 515-237-1814

From

Sender's Name: Umesh Shetye
Sender's Title
Company: MPS Engineers, P.C.

Date sent: July 30, 2009
Time sent: 1:15 pm
of pages including cover page: 1

Urgent
For Review
Please Comment
Please Reply

Message:

Steve:

We are going to use the following sub-contractors for the SE 5th sidewalk project...

Bonnie's Barricades: Scope -- Provide traffic control and project sign. Federal Tax ID # 42-1250395. Amount - \$2,788.

Iowa Landscape Supply: Scope -- Block retaining wall with use of Keystone Compac unit 8" x 8" x 12". Federal Tax ID # 42-1270601. Amount - \$4,600.

Do you need the list of suppliers for this project? If so, let me know.

Regards,

Umesh