

DATE August 23, 2010

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
PUMP STATION EMERGENCY POWER GENERATION - PHASE 1
\$1,259,051.50

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,259,051.50, executed by Biermann's University Electric Company, Inc., Gary P. Cornelius, President, 512 Elm Street, Des Moines, IA, 50309 dated August 23, 2010, for the construction of the following improvement:

Pump Station Emergency Power Generation - Phase 1, 08-2010-003
08-DRI-205

The improvement includes installing new generators for various storm water pump stations, including removing pavement and existing fence and constructing new generator pads, fence, and Portland Cement Concrete driveways, surface restoration and other incidental items; in accordance with the contract documents, including Plans File Nos. 516-114/127, at the following storm water pump stations in Des Moines:

2nd Avenue and Franklin Avenue Pump Station - 2nd Avenue and Franklin Avenue
SW 5th Street Pump Station - SW 5th Street and Murphy Street
SW 7th Street Pump Station - SW 7th Street at the Raccoon River
SW 28th and Bell Avenue Pump Station - SW 28th Street and Sunset Road

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.

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.

★ **Roll Call Number**

Agenda Item Number

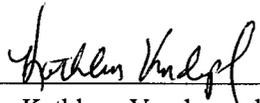
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DATE August 23, 2010

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 Storm-16, Storm Water Pump Station Emergency Power Generation, STE084, Being: \$987,908.90 in HUD Disaster funds from the Iowa Department of Economic Development for 100% of construction costs associated with the Pump Station Emergency Power Generation with a \$2,500,000 maximum in Federal Jumpstart Infrastructure Assistance funds to fund both Pump Station Emergency Power Generation, Phase 1 and Phase 2. Phase 2 contract cost is \$1,380,187.48 leaving \$1,119,812.52 available for Phase 1 work. The SW 28th and Bell Pump Station is not eligible for IDED funds, so the remaining \$271,142.60 is funded with Storm Water Utility Funds.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GREISS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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



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CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION
Pump Station Emergency Power Generation - Phase 1

Activity ID 08-2010-003

On August 10, 2010, Biermann's University Electric Company, Inc., Gary P. Cornelius, President, 512 Elm Street, Des Moines, IA 50309 submitted a proposal for construction of the Pump Station Emergency Power Generation - Phase 1, Activity ID 08-2010-003, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$1,259,051.50. 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 Biermann's University Electric Company, Inc., 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>\$4,380.00</u>
	Estimated DBE/TSB Participation	<u>\$4,380.00</u>
	Biermann's University Electric Company, Inc. Amount	<u>\$1,259,051.50</u>
	Percentage of DBE/TSB Participation	<u>0.35%</u>