

★ Roll Call Number

Agenda Item Number

8

DATE September 28, 2009

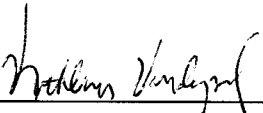
COMMUNICATION FROM CONTRACTORS  
REQUESTING PERMISSION TO SUBLET  
CERTAIN ITEMS ON PUBLIC IMPROVEMENT PROJECTS

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; and each subcontractor is hereby granted permission to work on said improvement.

Activity ID	Project Title	Contractor
06-2009-008	6th Avenue Resurfacing - University Avenue to Des Moines River Bridge	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
	ESL-1945(753)--7S-77	

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

FORM APPROVED:



Kathleen Vanderpool  
Deputy City Attorney



COUNCIL ACTION	YEAS	NAYS	PASS	ABSEN.
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

SUBCONTRACT REQUEST AND APPROVAL

8

Contractor: OMG D/B/A DES MOINES ASPHALT & PAVING County: POLK  
Contractor Identification Number: 0.050 Contract ID No.: 77-1945-753  
(Number used on employers qrtly Federal Tax Return U.S. Treasury Dept. Form 941)  
Letting Date: 04-28-09 Bid Order: 160

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Number of subcontractors:  
6

Total Contract Amount:  
\$543,031.13

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Total Subcontractor Amount Entered:  
178509.925000

Total Subcontractor % of Contract Entered:  
32.872871

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 (Number used on employers qrtly Federal Tax Return U.S. Treasury Dept. Form 941)  
 Letting Date: 04-28-09 Bid Order: 160

This is to request that the following subcontractor be approved to perform the work for the items listed below. It is clearly understood by both the prime contractor and the subcontractor that all terms of the prime contract shall apply. It is also clearly understood that the subcontractor is not a third-party beneficiary of the contract between the prime contractor and the DOT. When this subcontractor is being used to satisfy an established DBE goal, the actual amount to be paid to the DBE is indicated in Column "A". The approval of the DOT is limited to the question of whether the subcontractor is a DBE and shall in no sense be construed as an endorsement of the DBE or an expression of opinion by the DOT on the subcontractor's ability to comply with the contract.

Subcontractor: USA STAFFING INC. Subcontractor Number: US005  
 (Federal Tax Return U.S. Treasury Dept. Form 941)  
 Address: 425 FRANKLIN ST., S Division of Labor Registration: Y  
 WATERLOO, IA 50703 Telephone No.: 319/287-6030

- The following conditions apply if this is a Federal Aid Contract:
1. The prime contractor is responsible for compliance by the subcontractor with Required Contract Provisions for Federal Aid Contracts, Form FHWA-1273, dated as per contract, relative to projects financed under the Federal Highway Act relative to wages and payrolls, and all terms of the prime contract applicable to the work performed by the subcontractors. A copy of FHWA-1273 shall be attached to the subcontract.
  2. The prime contractor is responsible for checking and submitting subcontractor's payrolls at the same time the prime contractor's payrolls are submitted when payment of predetermined wages is required.
  3. I do hereby certify that in requesting approval to sublet a portion of this project we have taken affirmative action to seek out and consider disadvantaged business enterprises as potential subcontractors and/or material suppliers.

Line No.	Item Description	Quantity	Unit Price	"A"	\$ Amount	Partial Item
0230	FLAGGER	4.000	\$295.00000	\$0.00000	\$1,180.00	Y
Signature (Prime Contractor) Totals:				\$0.00 (a)	\$1,180.00	
Contract Amount (b)						Pct. Sublet (a/b)*100
\$543,031.13						0.21729

Article 1108.01 of the Standard Specifications requires the contractor to submit "Subcontract Request and Approval" to the Contracting Authority with the signed contract. Any additional subcontractor requests or changes after the contract has been signed should be submitted to the Project Engineer with the justification as required by the Iowa Code.

**Hlavka, Gary D.**

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**From:** Rhinehart, Carla (OMG Midwest) [crhinehart@omgmidwest.com]  
**Sent:** Thursday, September 10, 2009 1:40 PM  
**To:** Hlavka, Gary D.  
**Subject:** Emailing: 77\_1945\_753.CON  
**Attachments:** 77\_1945\_753.CON

<<77\_1945\_753.CON>> Gary,  
Here is the corrected Sub Request & Approval

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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](mailto:crhinehart@omgiowa.com)

The message is ready to be sent with the following file or link attachments:

77\_1945\_753.CON

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.