

DATE October 8, 2007

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON
M. L. KING JR. PARK SHELTER & CONGREGATE MEAL SITE;
RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS ROCHON CORPORATION OF IOWA, INC., RON ROCHON, PRESIDENT, \$920,750.00

WHEREAS, on August 20, 2007, under Roll Call No. 07-1579, 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:

M. L. King Jr. Park Shelter & Congregate Meal Site, 11-2006-028

The improvement includes construction of an approximately 4,200 square foot, wood-framed building for use by the Parks and Recreation Department as an enclosed shelter for community use and as a Congregate Meal Site administered by Polk County. Work includes concrete footings, slabs, wood-framed construction, plumbing, electrical, HVAC, restrooms, and kitchen, all in accordance with the contract documents including Plan File Nos. 474-034/056, at the M. L. King Jr. Park, East 17th Street and Garfield Avenue, Des Moines, Iowa. This project is seeking a certified rating level from the Leadership in Energy and Environmental Design Rating System for New Construction.

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 September 27, 2007, sealed bids for said improvement were received and opened at a public meeting presided over by the Chief Civil Engineer, and the bid received from Rochon Corporation of Iowa, Inc., Ron Rochon, President, 3401 106th Circle, Urbandale, IA, 50322, was read under advisement because Proposal Attachment: Part F - Additional Requirements, Item 1 - Identity of Subcontractors was not properly completed in that Rochon Corporation of Iowa, Inc. checked the box to indicate that the it intends to utilize subcontractors over \$25,000; however, did not list the subcontractors in the space provided, but instead stated "TBD"; and

WHEREAS, Staff contacted Rochon Corporation of Iowa, Inc. after the bid opening on September 27, 2007 to requested a list of proposed subcontractors and Matt Stence, Vice President of Rochon Corporation of Iowa, Inc., faxed letter at 2:27 p.m. on September 27, 2007 with a listing of seven proposed subcontractors over \$25,000 that should have been listed on its Proposal Attachment: Part F - Additional Requirements, Item 1 - Identity of Subcontractors; and after further review, the Legal Department has determined that this was a minority irregularity that could be waived.

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.

DATE October 8, 2007

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 Rochon Corporation of Iowa, Inc., waives said minor irregularity, and hereby receives the bid submitted by Rochon Corporation of Iowa, Inc..

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

Rochon Corporation of Iowa, Inc.	Urbandale, IA
	Bid read under advisement
Schroeder Companies, Inc.	Urbandale, IA
	Bid read under advisement

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 September 27, 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 Rochon Corporation of Iowa, Inc., Ron Rochon, President, 3401 106th Circle, Urbandale, IA, 50322 in the amount of \$920,750.00, and said bid be and the same is hereby accepted.

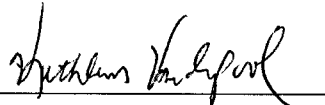
BE IT FURTHER RESOLVED: That the bid security of the unsuccessful bidders be and is hereby authorized and directed to be returned.

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 07-617 attached.)

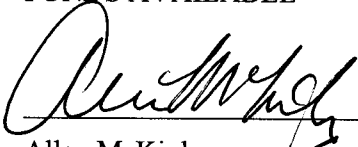
Moved by _____ to adopt.

FORM APPROVED:



 Kathleen Vanderpool
 Deputy City Attorney

FUNDS AVAILABLE



 Allen McKinley
 Des Moines Finance Director

★ **Roll Call Number**

Agenda Item Number

55

DATE October 8, 2007

Funding Source: 2007-2008 CIP, Page Park-19, Park Redevelopment, PKS100, Being: 50% of the project costs with a maximum of \$550,000 from Polk County per 28E Agreement approved July 23, 2007, under Roll Call Number 07-1467, with the remaining costs in Des Moines G. O. Bonds from PKS100. Said 28E Agreement continues in effect through June 30, 2057, and also states that Polk County shall pay 50% of the annual operating expenses including utilities, custodial care, general repairs, and major structural repair and improvements.

JEB

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

MOTION CARRIED

APPROVED

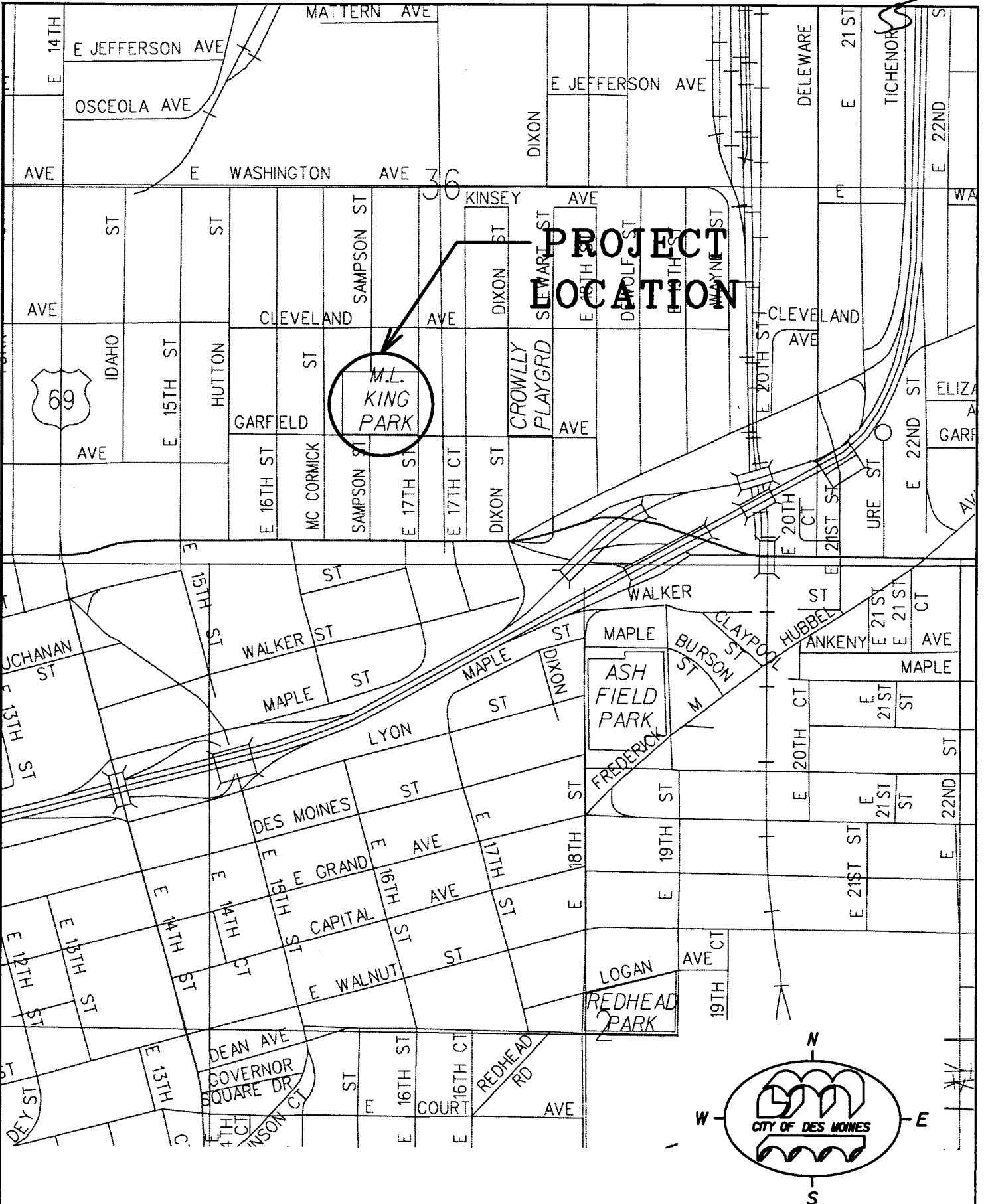
I, Diane Rauh, City Clerk of said City Council, hereby certify that at a meeting of the City Council, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk

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M.L. KING PARK SHELTER ACTIVITY I.D. 11-2006-028

TABULATED BY: Jill Spradling

APPROVED BY: *John F. McKee*

CONTRACTOR'S BID TABULATION

PROJECT: M.L. KING JR. PARK SHELTER & CONGREGATE MEAL SITE

ESTIMATE

ITEM	DESCRIPTION	QUANTITY	PRICE	AMOUNT
1	Enclosed Shelter Building	1 LS	\$799,529.00	\$799,529.00
2	HMA Base	200 TON	\$65.00	\$13,000.00
3	HMA Surface	350 TON	\$65.00	\$22,750.00
4	Curb & Gutter, 24" PCC	900 LF	\$25.00	\$22,500.00
5	Earthwork - Site	1 JOB	\$20,000.00	\$20,000.00
6	Additional Topsoil	100 CY	\$30.00	\$3,000.00
7	Pulverize Asphalt Tennis Court	820 SY	\$2.00	\$1,640.00
8	Parking Lot Lighting	1 JOB	\$20,000.00	\$20,000.00
9	Lot Striping	1 JOB	\$1,500.00	\$1,500.00
10	Sanitary Sewer MH and Plugs	1 JOB	\$15,000.00	\$15,000.00
11	Sidewalk, 4" PCC	700 SY	\$32.00	\$22,400.00
12	Driveway, 6" PCC	200 SY	\$35.00	\$7,000.00
13	Plantings	1 JOB	\$10,000.00	\$10,000.00
14	Project Sign	1 EA	\$500.00	\$500.00
15	Unsuitable Soil, Remove & Replace	100 CY	\$40.00	\$4,000.00
	TOTAL BASE BID			\$962,819.00

Alternates

1	Add open air shelter @ east end of building	1 LS	\$19,680.00	\$19,680.00
2	Geo-thermal in lieu of forced air	1 LS	\$39,592.00	\$39,592.00
3	Standing seam metal roof in lieu of asphalt shingles	1 LS	\$30,592.00	\$30,592.00
4	Brick veneer in lieu of Split faced CMU veneer	1 LS	\$12,383.00	\$12,383.00
5	Cedar siding in lieu of metal	1 LS	\$21,200.00	\$21,200.00
	TOTAL CONSTRUCTION COST			\$1,065,066.00

STAFF RECOMMENDS ACCEPTANCE OF BASE
BID PLUS ALTERNATES 1 AND 2 ONLY
PERCENT OF ENGINEER'S ESTIMATE

Rochon Corp. Urbandale, Iowa		Schroeder Co., Inc. Urbandale, Iowa	
BID SECURITY		BID SECURITY	
PRICE	AMOUNT	PRICE	AMOUNT
\$720,650.00	\$720,650.00	\$706,777.00	\$706,777.00
\$100.00	\$20,000.00	\$96.45	\$19,290.00
\$78.00	\$27,300.00	\$78.00	\$27,300.00
\$18.00	\$16,200.00	\$14.00	\$12,600.00
\$21,000.00	\$21,000.00	\$24,700.00	\$24,700.00
\$38.00	\$3,800.00	\$36.50	\$3,650.00
\$5.00	\$4,100.00	\$5.00	\$4,100.00
\$9,500.00	\$9,500.00	\$6,100.00	\$6,100.00
\$400.00	\$400.00	\$350.00	\$350.00
\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
\$30.00	\$21,000.00	\$24.75	\$17,325.00
\$32.00	\$6,400.00	\$31.35	\$6,270.00
\$10,800.00	\$10,800.00	\$6,085.00	\$6,085.00
\$500.00	\$500.00	\$650.00	\$650.00
\$39.00	\$3,900.00	\$39.00	\$3,900.00
	\$870,550.00		\$844,097.00

Bid read under advisement.
Bidder stated it intends to use subcontractors under Proposal Attachment Part F, Item 1; however entered "TBD" in the space provided to identify subcontractors

Bid read under advisement.
Bidder identified Alternate Nos. 2, 3, and 4 as "Add" and Alternate No. 5 as "Deduct."

\$920,750.00
-9.9%

\$931,497.00
-8.9%

\$1,022,091.00