

DATE October 8, 2007

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
M. L. KING JR. PARK SHELTER & CONGREGATE MEAL SITE  
\$ 920,750.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$920,750.00, executed by Rochon Corporation of Iowa, Inc., Ron Rochon, President, 3401 106th Circle, Urbandale, IA, 50322 dated October 8, 2007, 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.

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 the City Clerk be and is hereby authorized and directed to return the Contractor's bid security.

BE IT FURTHER RESOLVED: That the attached communication from said Contractor requesting permission to sublet designated items and the attached Permission to Sublet form, be and are hereby approved subject to each subcontractor's compliance with the City of Des Moines Contract Compliance Program. The City Manager is hereby directed to sign said Permission to Sublet form granting permission for said listed subcontractor to work on said improvement upon each subcontractor's compliance with the City of Des Moines Contract Compliance Program as monitored by the Engineering Department.

★ **Roll Call Number**

Agenda Item Number

SSA

DATE October 8, 2007

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*  
 Kathleen Vanderpool  
 Deputy City Attorney

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.

*DEB*

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

55A

Department of Engineering  
City of Des Moines, Iowa



**CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION**

**M. L. King Jr. Park Shelter & Congregate Meal Site**

**Activity ID 11-2006-028**

On September 27, 2007, Rochon Corporation of Iowa, Inc., Ron Rochon, President, 3401 106th Circle, Urbandale, IA 50322 submitted a proposal for construction of the M. L. King Jr. Park Shelter & Congregate Meal Site, Activity ID 11-2006-028, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$920,750.00. 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 Rochon Corporation of Iowa, 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>
None	N/A	\$0.00
	Estimated DBE/TSB Participation	\$0.00
	Rochon Corporation of Iowa, Inc. Amount	\$920,750.00
	Percentage of DBE/TSB Participation	0.00%