

DATE October 22, 2007

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
SKYWALKS 11D-12D & 11C-12B AT ALLIED
\$ 1,664,000.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$1,664,000.00, executed by Neumann Brothers, Inc., Marshall G. Linn III, President/CEO, 1435 Ohio Street, Des Moines, IA, 50314 dated October 22, 2007, for the construction of the following improvement:

Skywalks 11D-12D & 11C-12B at Allied, 12-2007-001

The improvement includes construction of two separate skywalk bridges including steel fabrication and erection, curtain wall, concrete work, roofing, mechanical, electrical, HVAC, drywall, painting, floor coverings and finish work all in accordance with the contract documents including Plan File Nos. 474-58/83 over 12th Street north of Walnut Street (11D-12D) and diagonally over the intersection of 12th and Mulberry Streets (11C-12B), Des Moines, Iowa

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

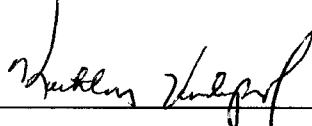
51A

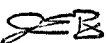
DATE October 22, 2007

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
 Deputy City Attorney

Funding Source: 2007-2008 CIP, Page Sidewalk-6, Downtown Skywalk System, SID094, Various Funding, Being:  \$369,119.76 in private funds from Nationwide and \$1,294,880.24 in TIF-backed G.O. Bonds based on the Engineer's Estimate including an interim loan of \$155,000 in TIF-backed G.O. Bonds from CIP Page Street-25, STR138

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

SIA

Department of Engineering
City of Des Moines, Iowa



CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION

Skywalks 11D-12D & 11C-12B at Allied

Activity ID 12-2007-001

On October 9, 2007, Neumann Brothers, Inc., Marshall G. Linn III, President/CEO, 1435 Ohio Street, Des Moines, IA 50314 submitted a proposal for construction of the Skywalks 11D-12D & 11C-12B at Allied, Activity ID 12-2007-001, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$1,664,000.00. 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 Neumann Brothers, 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>
Bonnies Barricades	Traffic Control	\$14,300.00
	Estimated DBE/TSB Participation	\$14,300.00
	Neumann Brothers, Inc. Amount	\$1,664,000.00
	Percentage of DBE/TSB Participation	0.86%

SIA

PERMISSION TO SUBLET

Project Skywalks 11D-12D & 11C-12B at Allied **Date** October 15, 2007
Contractor Neumann Brothers, Inc. **Contract No.** 14320
Federal Tax ID 42-0435640 **Activity ID** 12-2007-001

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 Street Des Moines, IA. 50314 (515) 282-8877 Federal Tax ID 42-1250395	Yes	\$14,300.00
Steel Erection	Northwest Steel Erection 5125 Beisser Drive Grimes, IA. 50111 Shaun O'Toole (515) 986-0380 Federal Tax ID 47-0799239	No	\$177,500.00
Air Barrier	CK Fairco 101-1/2 E Jefferson, Suite 2 Winterset, IA. 50273 Chris Fairholm (515) 462-9032 Federal Tax ID 42-1514120	No	\$3,350.00
Roofing	Bailey Roofing 10110 Dennis Drive Urbandale, IA. 50322 Joe Battin (515) 253-0191 Federal Tax ID 42-1327245	No	\$86,420.00
Curtain Wall and Metal Panels	Premier Glazing Systems 8302 Westown Pkwy, Suite 7103 West Des Moines, IA. 50266 Tony Benetti (515) 987-2327 Federal Tax ID 20-2787103	No	\$511,690.00
Framing, Drywall, Acoustic, Spray Insulation	Olympic Wall Systems 317 East Court Avenue Des Moines, IA. 50309 Brandon Hove (515) 244-8339 Federal Tax ID 41-1365639	No	\$114,490.00

Painting	Color, Inc. 2122 Fleur Drive Des Moines, IA. 50321 Jim Agan (515) 288-4855 Federal Tax ID 42-0670208	No	\$9,210.00
Flooring	Allied Construction Services 2122 Fleur Drive Des Moines, IA. 50321 Ed Brooks (515) 288-4855 Federal Tax ID 42-0670201	No	\$15,660.00
Plumbing & HVAC	CMK Enterprise 1650 Destination Drive, Suite A Grimes, IA. 50111 Lee Wolfe (515) 986-1464 Federal Tax ID 20-5592849	No	\$85,438.00
Fire Sprinkler	Midwest Automatic Sprinkler 1821-1823 Raccoon Street Des Moines, IA. 50317 Collin Lyddon (515) 262-0361 Federal Tax ID 42-1094154	No	\$4,360.00
Electrical	Commonwealth Electric Company 1530 2 nd Avenue Des Moines, IA. 50314 Jeffery Gero (515) 288-5783 Federal Tax ID 47-0708027	No	\$103,639.00
Cost of Items Sublet This Request			<u>\$1,106,057.00</u>
Cost of Items Previously Sublet			<u>\$0.00</u>
Total Cost of Items Sublet			<u>\$1,106,057.00</u>
Cost of Specialty Items		<u>\$1,091,757.00</u>	
(a) Total Cost of Sublet Items Less Specialty Items			<u>\$14,300.00</u>
Total Contract Amount		<u>\$1,664,000.00</u>	
(b) Total Contract Amount Less Specialty Items			<u>\$572,243.00</u>
Percentage of Contract to be Sublet (a ÷ b)			2.5%

Permission is subject to subcontractors' compliance with the City of Des Moines Contract Compliance Program, and clearance of subcontractors by the Engineering Department is required prior to their starting work. Permission is given with the understanding that the prime contractor shall be held responsible for the subcontractor's full compliance of all terms of the contract.

Attachment: Contractor's Letter
Requesting Subletting



City Engineer

16 Oct 07
Date

Form Routing: Project Engr. - City Engr. -
Engr. Admin. - City Clerk/City Manager -
Engr. Admin. - Distribution

City Manager

Date

Form Distribution: Original - Project File
Copy - Project Engineer
Copy - Prime Contractor

ENG. 90-59

Roll Call No.

Date

NEUMANN BROTHERS, INC.

1435 OHIO STREET
DES MOINES, IA 50314
Ph : (515)243-0156



Letter of Transmittal

Transmittal #: 1

To: Mark Hutchens
Ph: (515)283-4045 Fax: 515-237-1814
Des Moines; City of
802 Robert D Ray Dr
Des Moines, IA 50309

Date: 10/12/2007
Job: 07-8-014 Skywalks 11D-12D & 11C-12B

Subject: Permission to Subcontract

- WE ARE SENDING YOU: Attached Under separate cover - *via Fax*
- THE FOLLOWING ITEMS: Shop drawings Prints Plans
- Copy of letter Change order Specifications
- Samples Other

Document Type	Copies	Date	No.	Description
Other	1	10/12/07		Subcontractor Listing

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit ___ copies for approval
- For your use Approved as noted Submit ___ copies for distribution
- As requested Returned for corrections Return ___ corrected prints
- For review and comment Other
- FOR BIDS DUE Returning Loaned Prints

Remarks: Attached is the list of subcontractors you requested. Please let me know if you have any questions. Thank you.

Copy To:

From: Pottratz, Daniel C. (Neumann Brothers, Inc.)

Signature: 



Skywalks Project Subcontractors

<u>Division</u>	<u>Work Description</u>	<u>Subcontractor Name</u>	<u>DBE? State</u>	<u>Tentative Amount</u>
1	Traffic Barricades	Bonnie's Barricades 1547 Michigan Street Des Moines, IA 50314-3532 ph: (515) 282-8877 fx: (515) 282-4620 Federal Tax ID #42-1250395	Yes Iowa	\$14,300.00
5	Structural Steel Erection	Northwest Steel Erection 5125 Beisser Drive Grimes, IA 50111 ph: (515) 986-0380 fx: (515) 986-0384 Shaun O'Toole Federal Tax ID #47-0799239	No	\$177,500.00
7	Install Air Barrier	CK Fairco 101-1/2 E. Jefferson, Suite 2 Winterset, IA 50273 ph: (515) 462-9032 fx: (515) 462-9036 Chris Fairholm Federal Tax ID #42-1514120	No	\$3,350.00
7	Roofing	Bailey Roofing 10110 Dennis Drive Urbandale, IA 50322 ph: (515) 253-0191 fx: (515) 253-0206 Joe Battin Federal Tax ID #42-1327245	No	\$66,420.00
8	Curtain Wall and Metal Panels	Premier Glazing Systems 8302 Westown Pkwy, Suite 7103 West Des Moines, IA 50266 ph: (515) 987-2327 fx: (515) 987-2458 Tony Benetti	No	\$511,690.00

<u>Division</u>	<u>Work Description</u>	<u>Subcontractor Name</u> Federal Tax ID #20-2787103	<u>DBE? State</u>	<u>Tentative Amount</u>
9	Framing, Drywall, Acoustic, Spray Insulation	Olympic Wall Systems 317 E Court Avenue Des Moines, IA 50309 ph: (515) 244-8339 fx: (515) 244-8406 Brandon Hove Federal Tax ID #41-1365639	No	\$114,490.00
9	Paint	Color, Inc. 2122 Fleur Drive Des Moines, IA 50321 ph: (515) 288-4855 fx: (515) 288-2069 Jim Agan Federal Tax ID #42-0670208	No	\$9,210.00
9	Flooring	Allied Construction Services 2122 Fleur Drive Des Moines, IA 50321 ph: (515) 288-4855 fx: (515) 288-2069 Ed Brooks Federal Tax ID #42-0670201	No	\$15,660.00
15	Plumbing and HVAC	CMK Enterprise 1850 Destination Dr., Suite A Grimes, IA 50111 ph: (515) 986-1464 fx: (515) 986-1473 Lee Wolfe Federal Tax ID #20-5592849	No	\$85,438.00
15	Fire Sprinkler	Midwest Automatic Sprinkler 1821-1823 Raccoon Street Des Moines, IA 50317 (515)262-9311 fx: (515) 265-0361 Collin Lyddon Federal Tax ID #42-1094154	No	\$4,360.00
16	Electrical	Commonwealth Electric Company 1530 2nd Avenue	No	\$103,639.00

SIA

<u>Division</u>	<u>Work Description</u>	<u>DBE? State</u>	<u>Tentative Amount</u>
	<u>Subcontractor Name</u> Des Moines, IA 50314 ph: (515) 288-5783 fx: (515) 288-0841 Jeffery Gero Federal Tax ID #47-0708027		
	Total		\$1,106,057.00