

DATE November 9, 2009

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
POLICE ACADEMY HVAC UPGRADE  
\$ 92,470.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$92,470.00, executed by Brockway Mechanical & Roofing Company, Inc., Mark J. Brockway, President & CEO, 5805 Enterprise Drive, Grimes, IA, 50111 dated November 9, 2009, for the construction of the following improvement:

Police Academy HVAC Upgrade, 10-2009-006

The improvement includes the replacement of two existing roof top units (RTU) with six new units. The installation of the new units necessitates the replacement of the acoustical lay-in ceiling in the main hallway. The work will be performed at the Des Moines Police Academy at 433 E. Army Post Road, 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, 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.

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.

★ **Roll Call Number**

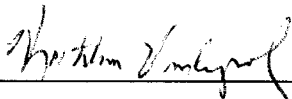
**Agenda Item Number**


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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: 2009-2010 CIP, Page Building-13, HVAC, Electrical, and Plumbing Improvements, BLD074, G. O. Bonds

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

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Department of Engineering  
City of Des Moines, Iowa



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

**Police Academy HVAC Upgrade**

**Activity ID 10-2009-006**

On October 27, 2009, Brockway Mechanical & Roofing Company, Inc., Mark J. Brockway, President & CEO, 5805 Enterprise Drive, Grimes, IA 50111 submitted a proposal for construction of the Police Academy HVAC Upgrade, Activity ID 10-2009-006, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$92,470.00. The proposal included a statement that the Disadvantaged Business Enterprise/Targeted Small Business (DBE/TSB) Program shall not apply to this project.

The Engineering Department has prepared this report summarizing the information that Brockway Mechanical & Roofing 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>
None	N/A	\$0.00
	Estimated DBE/TSB Participation	\$0.00
	Brockway Mechanical & Roofing Company, Inc. Amount	\$92,470.00
	Percentage of DBE/TSB Participation	0.00%

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### PERMISSION TO SUBLET

**Project** Police Academy HVAC Upgrade **Date** October 28, 2009  
**Contractor** Brockway Mechanical & Roofing Co., Inc. **Contract No.** 13901  
**Federal Tax ID** 42-1232251 **Activity ID** 10-2009-006

<b>ITEM TO BE SUBLET</b>	<b>ORGANIZATION TO PERFORM WORK</b>	<b>STATE IF ORGANIZATION IS DBE</b>	<b>COST OF WORK TO BE SUBLET</b>
Electrical	DePenning & Assoc. Inc. 113 S. 12 <sup>th</sup> Ave. West Newton, IA 50208 Carroll DePenning (641) 791-7372 20-8194018	No	\$4,940.00
Ceiling	Allied Construction Services 2122 Fleur Drive Des Moines, IA 50321 Chuck Gehringer (515) 288-4855 42-0670201	No	\$3,788.00
Testing & Balancing	Precision Test & Balance 14241 Elm Clive, IA 50325 Phil Doud (515) 288-2332 42-0670201	No	\$2,730.00
Duct Cleaning	Clean Air Systems, Inc. 201 Bluff St. Polk City, IA 50226 James (515) 232-3030 42-1483322	No	\$5,340.00
Cost of Items Sublet This Request			<u>\$16,798.00</u>
Cost of Items Previously Sublet			<u>\$0.00</u>
Total Cost of Items Sublet			<u>\$16,798.00</u>
Cost of Specialty Items		<u>\$16,798.00</u>	
(a) Total Cost of Sublet Items Less Specialty Items			<u>\$0.00</u>
Total Contract Amount		<u>\$92,470.00</u>	
(b) Total Contract Amount Less Specialty Items			<u>\$75,672.00</u>
Percentage of Contract to be Sublet (a ÷ b)			0%

54A

Tenney, Jill E.

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**From:** Cale Samberg [csamberg@brockwaycompany.com]  
**Sent:** Thursday, October 29, 2009 9:04 AM  
**To:** Tenney, Jill E.  
**Subject:** Des Moines Police Academy  
**Attachments:** AR-M257\_20091029\_085022.pdf

Attached is a copy of our subcontractors for this project. I am still waiting to hear from the duct cleaning contractor so I'll forward on their tax ID as soon as I receive it. Let me know if you have any questions. Thanks,

Cale A. Samberg  
Estimator/Project Manager

Brockway Mechanical and Roofing Co.  
1025 Osborn St.  
Burlington, Iowa 52601

P: 319.753.2753  
F: 319.753.1662

DEVICE NAME: Brockway Company  
DEVICE MODEL: SHARP AR-M257  
LOCATION: BCI Office

FILE FORMAT: PDF G4  
RESOLUTION: 300dpi

Attached file is scanned image in PDF format.  
This file can be read by Adobe Acrobat Reader.  
The reader can be downloaded from the following URL:

<http://www.adobe.com/>

Precision Test & Balance \$2,730.00 Attn: Phil Doud

14241 Elm

Clive, Ia 50325 ID#: 42-1487393

Allied Construction Services Inc. \$3,788.00 Attn: Chuck Gehringes

2122 Fleur Dr.

Des Moines, Ia 50321 ID#: 42-0670201

Defenning & Associates Inc. \$4,940.00 Attn: Carroll Defenning

1113 S. 12th Ave. West

Newton, Ia 50808 ID#: 20-8994018

Clean Air Systems Inc. \$5,340.00 Attn: James

201 Bluff St.

Polk City, Ia 50226 ID#: 42-1483322