

★ **Roll Call Number**

**Agenda Item Number**

10

DATE January 10, 2011

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

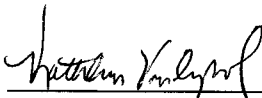
BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached communication from each contractor requesting permission to sublet designated items and the attached Permission to Sublet form, for each project listed below, be and are hereby approved; and each subcontractor is hereby granted permission to work on said improvement.

<u>Activity ID</u>	<u>Project Title</u>	<u>Contractor</u>
12-2007-004	Easton Boulevard Bridge over Four Mile Creek	Herberger Construction Co., Inc. Dean Herberger, President 2508 West 2nd Avenue P.O. Box 326 Indianola, IA 50125

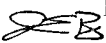
BRM-1945(729)--8N-77

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

FORM APPROVED:



Kathleen Vanderpool  
Deputy City Attorney



COUNCIL ACTION	YEAS	NAYS	PASS	ABSEN.
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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

*Copy*

*Easton Boulevard Bridge over  
Fur Mile Creek  
12-2007-004*

*10*



**Iowa Department of Transportation  
SUBCONTRACT REQUEST AND APPROVAL**

Contractor Herberger Construction Company Inc.  
Contractor Identification Number 42-1161562  
Letting Date May 18, 2010

County Polk Co.  
Contract ID No. 77-1945-729  
Bid Order 013

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 items 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 Breton Enterprises  
Address 255 S. Hickory BLD  
Pleasant Hill, Iowa 50327

Subcontractor Number 20-0398987  
(Federal Tax Return U.S. Treasury Dept. Form 941)  
Division of Labor Registration  Yes  No  
Telephone No. 515-447-6336

**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	Part Item
8003	Utility Conduits Supplie & Install	1.00	LS	\$15,254.35		\$15,254.35	
						\$0.00	
						\$0.00	
						\$0.00	
						\$0.00	
						\$0.00	
						\$0.00	
						\$0.00	
Signature (Prime Contractor) <i>Dennis Herberger</i>		Totals Carried From Back					
		Totals			\$0.00	\$15,254.35	

	Totals	Specially Items	Totals Less Specialty Items		% Sublet this approval
Contract Amount		\$ 0.00	(b)	$(\frac{a}{b}) \cdot 100$	
Recommended by:				% Prev. Sublets	
				Total % To Date	

\_\_\_\_\_  
County/City Engineer

\_\_\_\_\_  
Date