

★ **Roll Call Number**

Agenda Item Number

12

Date July 25, 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>
12-2009-003	Fleur Drive Viaduct over American Discovery Trail Rehabilitation	Herberger Construction Co., Inc. 1099 Inwood Street, P.O. Box 326 Indianola, Iowa 50125

Moved by _____ to adopt.

FORM APPROVED:

Kathleen Vanderpool by AD

Kathleen Vanderpool
Deputy City Attorney

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

MOTION CARRIED APPROVED

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, 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



Iowa Department of Transportation
SUBCONTRACT REQUEST AND APPROVAL

Contractor Herberger Construction Company Inc.
Contractor Identification Number 42-1161562
Letting Date February 15, 2011

County Polk County
Contract ID No. 77-1945-778
Bid Order 13

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 Davis JD Steel LLC
Address 210 Washington Street
Bellevue, Nebraska 68005

Subcontractor Number 20-3880452
(Federal Tax Return U.S. Treasury Dept. Form 941)
Division of Labor Registration Yes No
Telephone No. 402-731-5323

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
180	Epoxy Reinforcing Steel Place Only	159,555.00 LB	\$0.17		\$27,204.13	X
					\$0.00	
					\$0.00	
					\$0.00	
					\$0.00	
					\$0.00	
					\$0.00	
Signature (Prime Contractor)		Totals Carried From Back				
		Totals		\$0.00	\$27,204.13	

	Totals	Specially Items	Totals Less Specialty Items	($\frac{a}{b}$) 100	% Sublet this approval
Contract Amount	\$ 1,123,427.72	\$ 0.00	(b) \$ 1,123,427.72		2.422
Recommended by:				% Prev. Sublets	38.146
				Total % To Date	40.568

County/City Engineer _____ Date _____

ENGINEERING DEPARTMENT
"ORIGINAL DOCUMENT"
(when in red)