

★ **Roll Call Number**

**Agenda Item Number**

12

DATE June 25, 2012

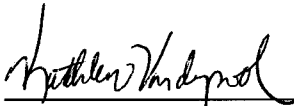
**COMMUNICATION FROM CONTRACTORS  
REQUESTING PERMISSION TO SUBLET  
CERTAIN ITEMS ON PUBLIC IMPROVEMENT PROJECTS**

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>  |
|--------------------|----------------------|--|
| 11-2012-003        | Downtown Dog Park    | Joiner Construction Co., Inc.<br>Zeb Joiner, Vice President<br>11996 490th Street<br>Plano, IA 52581 |

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

FORM APPROVED:



Kathleen Vanderpool  
Deputy City Attorney



| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE         |      |      |      |        |
| COLEMAN        |      |      |      |        |
| GRIESS         |      |      |      |        |
| HENSLEY        |      |      |      |        |
| MAHAFFEY       |      |      |      |        |
| MEYER          |      |      |      |        |
| MOORE          |      |      |      |        |
| 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

Copy 12

### PERMISSION TO SUBLET

**Project** Downtown Dog Park  
**Contractor** Joiner Construction Co., Inc.  
**Federal Tax ID** 42-1487117      **Contract No.** 14721      **Sublet Request No.** 2

| <b>ITEM TO BE SUBLET</b> | <b>ORGANIZATION<br/>TO PERFORM<br/>WORK</b>  | <b>DBE<br/>Y/N</b> | <b>COST OF<br/>SPECIALTY<br/>ITEMS</b> | <b>TOTAL COST<br/>OF WORK<br/>SUBLET</b> |
|--------------------------|--|--------------------|--|--|
| Fencing                  | S & W Fence<br>Des Moines, IA 50309  | No                 |  | (\$50,000.00)                            |
| Fencing                  | Pierce Construction & Fence<br>Co. LLC<br>138 North Moore St.<br>P.O. Box 1601<br>Ottumwa, IA 52501<br>(641) 777-1653<br>Federal Tax ID 90-0367673 | No                 |  | \$63,600.00                              |

|  | Previous<br>Request | This<br>Request | Total<br>To Date |     |
|--|---------------------|-----------------|------------------|-----|
| Cost of Items Sublet                             | \$87,000.00         | \$13,600.00     | \$100,600.00     | (a) |
| Cost of Specialty Items Sublet                   |                     |                 |                  | (b) |
| Cost of Sublet Items Less Speciality Items       | \$87,000.00         | \$13,600.00     | \$100,600.00     | (c) |
| Contract Amount                                  |                     |                 | \$151,507.20     | (d) |
| Contract Amount Less Total Specialty Items (d-b) |                     |                 | \$151,507.20     | (e) |
| Percentage of Contract Sublet to Date (c/e)      |                     |                 | 66.40%           |     |

The prime contractor's request for Permission to Sublet the above items of work is approved with the understanding that the prime contractor shall be held responsible for the subcontractors' full compliance of all terms of the contract.

Attachment: Contractor's Letter  
Requesting Subletting

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

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

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Roll Call No.
Date

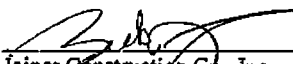


11996 490<sup>th</sup> Street \* Plano, IA 52581 \* 641-649-2646 \* 641-649-2608 FAX

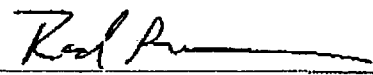
6/11/12

To whom it may concern:

Joiner Construction Co., Inc. and S&W Fence made a verbal agreement of price on the fence portion of the Downtown Dog Park Project on May 21<sup>st</sup> 2012 via telephone. After being awarded the project as lowest bidder, Joiner Construction and S&W Fence found that the material priced was not the same as per discussion so the \$50,000.00 price would no longer hold true. S&W Fence then said that they would like to withdraw their bid due to underpricing materials and labor for the type of materials being used. All parties concur and agree to the statement above.

  
 Joiner Construction Co., Inc.  
 Zeb Joiner - Vice President

6/20/12  
 Date

  
 S&W Fence  
 Rod Pearson - President

6/19/12  
 Date

**Craig Bouska**

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**From:** Danielle Joiner  
**Sent:** Monday, June 11, 2012 3:15 PM  
**To:** Craig Bouska  
**Cc:** Zeb Joiner  
**Subject:** Revised Subcontractor List  
**Attachments:** Downtown Dog Park Sublet Form.xlsx

Craig,  
Here is a revised list of the subcontractors and a more accurate dollar value of their subcontracts.  
Please cc me on any emails directed to Zeb so I can also be of assistance.  
Thanks,

*Danielle Joiner  
Joiner Const. Co., Inc.  
11996 490th Street  
Plano, IA 52581  
641-649-2646 Office  
641-649-2608 Fax  
641-895-1202 Cell*

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Activity ID 11-2012-003  
 DATE 6/5/2012

**PERMISSION TO SUBLET**

|                    |                               |
|--------------------|-------------------------------|
| Project:           | Downtown Dog Park             |
| Contractor:        | Joiner Construction Co., Inc. |
| Federal Tax ID:    | 42-1487117                    |
| Contract No.       | 14721                         |
| Sublet Request No. | 1                             |

| Item to be Sublet   | Organization To Perform Work   | DBE Y/N | Cost of Specialty Items | Total Cost of Work Sublet |
|---|--|---------|-------------------------|---------------------------|
| Pavement<br>Traffic Control   | Concrete Connection LLC<br>PO BOX 65206<br>West Des Moines, IA 50265<br>(515) 255-0260 Office<br>(515) 202-1279 Dave Cell<br>Dave Bartholomew-owner<br>fed id- 27-1910353  | N       |                         | \$32,000.00               |
| Fence   | Pierce Construction & Fence Co LLC<br>138 North Moore St.<br>P.O. Box 1601<br>Ottumwa, IA 52501<br>641-777-1653 Scott's Cell<br>Scott Pierce - Owner<br>Jared Pierce - VP<br>641-777-0899 Jared's Cell<br>fed id- 90-0367673 | N       |                         | \$63,600.00               |
| Erosion Control<br>Seeding, Fertilizing<br>Mulch, Watering<br>Sodding | 3D Erosion Control<br>201 Fulton Dr<br>Des Moines, IA 50315<br><br>Terry Venticher<br>Terry Venticher cell 515-689-1918<br>fed id- 45-2785283  | N       |                         | \$3,000.00                |
| Concrete Sawing<br>Joint Sealing<br>Pavement Markings                 | Henriksen Contracting, LLC<br>3754 SE Capitol Circle<br>Grimes, IA 50111<br><br>Charlie Henriksen<br>Charlie Henriksen cell 515-559-3230<br>fed id- 20-4117039   | N       |                         | \$2,000.00                |

ENGINEERING DEPARTMENT  
 "ORIGINAL DOCUMENT"  
 (when in red)