

DATE March 11, 2013

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
GRAY'S LAKE NORTHWEST SHORELINE RETAINING WALL  
\$ 49,920.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$49,920.00, executed by J & K Contracting, LLC, Jeremy Feldmann, President, 1307 East Lincoln Way, PO Box 1790, Ames, IA, 50010-1790 dated March 11, 2013, for the construction of the following improvement:

Gray's Lake Northwest Shoreline Retaining Wall, 11-2013-003

The improvement includes installation of a sheet pile retaining wall and drainage system, and other incidental items; all work in accordance with the contract documents, including Plan File Nos. 549-007/012, at Gray's Lake Park in 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**

40A

DATE March 11, 2013

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.

(City Council Communication Number 13-117 attached)

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

FORM APPROVED \_\_\_\_\_

Kathleen Vanderpool  
Deputy City Attorney

*JB* Funding Source: 2013-2014 CIP, Page Park - 10, Gray's Lake Park Improvements, PKS140, G. O. Bonds

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  
40A*

### PERMISSION TO SUBLET

**Project** Gray's Lake Northwest Shoreline Retaining Wall  
**Contractor** J & K Contracting, LLC  
**Federal Tax ID** 56-2645555      **Contract No.** 14763      **Sublet Request No.** 1

<b>ITEM TO BE SUBLET</b>	<b>ORGANIZATION TO PERFORM WORK</b>	<b>DBE Y/N</b>	<b>COST OF SPECIALTY ITEMS</b>	<b>TOTAL COST OF WORK SUBLET</b>
Project Sign	Bonnies Barricades 1547 Michigan Street Des Moines, IA 50314-3532 (515) 282-8877 Federal Tax ID 42-1250395	Yes		\$100.00

	Previous Request	This Request	Total To Date
Cost of Items Sublet		\$100.00	\$100.00 (a)
Cost of Specialty Items Sublet			(b)
Cost of Sublet Items Less Specialty Items		\$100.00	\$100.00 (c)
Contract Amount			\$49,920.00 (d)
Contract Amount Less Total Specialty Items (d-b)			\$49,920.00 (e)
Percentage of Contract Sublet to Date (c/e)			0.20%

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

\_\_\_\_\_  
Roll Call No.

\_\_\_\_\_  
Date