

DATE April 8, 2013

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
MUNICIPAL SERVICE CENTER - PHASE 1
\$15,005,900.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$15,005,900.00, executed by Neumann Brothers, Inc., Marshall G. Linn III, President/CEO, 1435 Ohio Street, Des Moines, IA, 50314 dated April 8, 2013, for the construction of the following improvement:

Municipal Service Center - Phase 1, 10-2012-002

The improvement includes construction of a 88,000 square foot facility for the Park & Recreation Department, the Engineering Department's Traffic & Transportation, and Survey and Testing Lab Divisions, including administrative offices, shops, storage, and interior vehicle parking; all in accordance with the contract documents including Plan File Nos. 539-001/153, located at 1550 Scott Avenue, 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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DATE April 8, 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 13-182 attached)

Moved by _____ to adopt.

FORM APPROVED *Kathleen Vanderpool*
Kathleen Vanderpool
Deputy City Attorney

DEB Funding Source: \$15,005,900 (Construction Contract) 2013-2014 CIP, Page Building - 10, Municipal Service Center, BLD124, Being: \$4,497,260.80 (maximum) in Federal Surface Transportation Program (STP) funds being 80% eligible functional replacement costs under IDOT Project No. NHSX-U-1945(305)--8S-77, \$2,558,639.20 in TIF backed issued G.O. Bonds, \$7,950,000 in TIF backed G.O. Bonds to be issued (\$1,000,000 of the TIF to be issued was intended for STR219, S.E. Connector - that funding will be replaced by G.O. Bonds to be issued)

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

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Department of Engineering
City of Des Moines, Iowa

CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION
Municipal Service Center - Phase 1

Activity ID 10-2012-002

On March 26, 2013, Neumann Brothers, Inc., Marshall G. Linn III, President/CEO, 1435 Ohio Street, Des Moines, IA 50314 submitted a proposal for construction of the Municipal Service Center - Phase 1, Activity ID 10-2012-002, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$14,828,000.00. The proposal included a statement that the Disadvantaged Business Enterprise/Targeted Small Business (DBE/TSB) Program shall apply to this project.

The Engineering Department has prepared this report summarizing the information that Neumann Brothers, 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
	Neumann Brothers, Inc. Amount	\$14,828,000.00
	Percentage of DBE/TSB Participation	0.00%