

DATE July 15, 2013

**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>
06-2010-018	SE Connector Paving - S.E. 9th Street to S.E. 15th Street	Elder Corporation Jared R. Elder II, President 5088 E. University Avenue Des Moines, IA 50327
	NHSX-U-1945 (408)--8S-77, NHSX-U-1945(408) --8S-77, NHSX-U-1945(408)--8S-77	
09-2012-002	2012 Sidewalk Replacement Program	T K Concrete Inc. Tony J. Ver Meer, President 1608 Fifield Road Pella, IA 50219
11-2013-002	2013 Park ADA Parking Lot Improvements	T K Concrete Inc. Tony J. Ver Meer, President 1608 Fifield Road Pella, IA 50219
12-2008-001	Grand Avenue Bridge over Walnut Creek	Jenco Construction Inc. Herluf H.S. Jensen, President 6804 NW 2nd Street Des Moines, IA 50313
	BRM-1945(738)--8N-77	

★ **Roll Call Number**

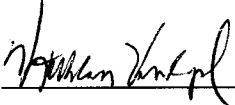
**Agenda Item Number**

7

DATE July 15, 2013

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* 7

### PERMISSION TO SUBLET

**Project** SE Connector Paving - S.E. 9th Street to S.E. 15th Street

**Contractor** Elder Corporation

**Federal Tax ID** 42-1248691      **Contract No.** 14773      **Sublet Request No.** 2

<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>
Trenchless Sanitary Sewer	The Driller, LLC 5125 E. Universtiy Avenue Des Moines, IA 50327-7007 (515) 266-2261 Federal Tax ID 42-0842454	No		\$72,410.00

	Previous Request	This Request	Total To Date	
Cost of Items Sublet	\$3,611,397.39	\$72,410.00	\$3,683,807.39	(a)
Cost of Specialty Items Sublet				(b)
Cost of Sublet Items Less Speciality Items	\$3,611,397.39	\$72,410.00	\$3,683,807.39	(c)
Contract Amount			\$7,130,000.00	(d)
Contract Amount Less Total Specialty Items (d-b)			\$7,130,000.00	(e)
Percentage of Contract Sublet to Date (c/e)			51.67%	

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.

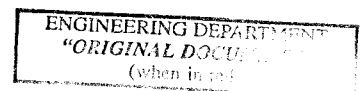
Attachment: Contractor's Letter  
Requesting Subletting

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



## **Craig Bouska**

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**From:** Brent Thompson  
**Sent:** Friday, June 28, 2013 2:46 PM  
**To:** 'Craig Bouska'  
**Subject:** Revised Subcontractor File  
**Attachments:** Pages from BO 107 130319 77\_1945\_408r.pdf - Adobe Acrobat Pro.pdf; BO 107 130319 77\_1945\_408r.CON

See Attached.

**Brent Thompson**  
Cell 515-205-3478  
Email [Brent@eldercorp.com](mailto:Brent@eldercorp.com)

**ELDER CORPORATION**  
5088 E. University Ave, Des Moines, IA 50327

[www.eldercorp.com](http://www.eldercorp.com)

*"Built On Solid Ground, with Great People."*

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 terms 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: The Driller, LLC

Subcontractor Number: DR027

(Federal Tax Return U.S. Treasury Dept. Form 941)

Address: 5125 E. University

Division of Labor Registration: Y

Des Moines, IA 50327

Telephone No.: 515-266-2261

The following conditions apply if this is a Federal Aid Contract:

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.

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.

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.

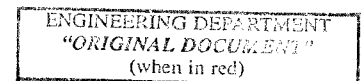
Line	Item Description	Quantity	Unit Price	"A"	\$ Amount	Partial Item
150	SAN SWR G-MAIN, TREN	70.000	\$403.00000	\$0.00000	\$28,210.00	Y
160	SAN SWR G-MAIN, TREN	100.000	\$442.00000	\$0.00000	\$44,200.00	Y
180	MOBILIZATION	1.000	\$0.00000	\$0.00000	\$0.00	Y

Signature (Prime Contractor) Totals: \$0.00 (a) \$72,410.00

Contract Amount (b) Pct. Sublet (a/b)\*100

\$7,130,000.00 1.01556

Article 1108.01 of the Standard Specifications requires the contractor to submit "Subcontract Request and Approval" to the Contracting Authority with the signed contract. Any additional subcontractor requests or changes after the contract has been signed should be submitted to the Project Engineer with the justification as required by the Iowa Code.



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ENGINEERING DEPARTMENT  
CITY OF DES MOINES, IOWA

Activity ID 11-2013-002  
Date 7/2/2013

### PERMISSION TO SUBLET

**Project** 2013 Park ADA Parking Lot Improvements

**Contractor** T K Concrete Inc.

**Federal Tax ID** 39-1898532      **Contract No.** 14781      **Sublet Request No.** 2

<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>
Signs and Pavement Markings	Iowa Plains Signing 1110 W. 6th Avenue Slater, IA 50244 (515) 685-3536 Federal Tax ID 42-1501734	No		\$14,420.00
Site Restoration & Erosion Control	Soil-Tek PO Box 738 Grimes, IA 50111 (515) 986-3527 Federal Tax ID 20-0521477	No		\$17,450.00

	Previous Request	This Request	Total To Date	
Cost of Items Sublet	\$102,969.00	\$31,870.00	\$134,839.00	(a)
Cost of Specialty Items Sublet				(b)
Cost of Sublet Items Less Speciality Items	\$102,969.00	\$31,870.00	\$134,839.00	(c)
Contract Amount			\$416,669.00	(d)
Contract Amount Less Total Specialty Items (d-b)			\$416,669.00	(e)
Percentage of Contract Sublet to Date (c/e)			32.36%	

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

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Roll Call No.

\_\_\_\_\_

Date





Lewis, Brett &lt;balewis@dmgov.org&gt;

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**RE: 2013 ADA Parking Lot Improvements - Tax Exempt Certificates**

1 message

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**Jared Jones** <jared@vermeergroup.com>  
To: "Lewis, Brett" <balewis@dmgov.org>

Tue, Jul 2, 2013 at 3:15 PM

Brett,

Iowa Plains Signing is handling line items 27-32 (\$14,420) and Soil-Tek is handling line items 35-43 (\$17,450).

Thanks.

Jared

**From:** Lewis, Brett [mailto:balewis@dmgov.org]  
**Sent:** Thursday, June 27, 2013 9:04 AM  
**To:** Jared Jones  
**Subject:** Re: 2013 ADA Parking Lot Improvements - Tax Exempt Certificates

Jared,

I assume these companies will be sub-contractors on the project? If so, I'll need an estimated amount of work that both will be doing on the project and the items they'll be working on.

Thanks,

Brett

On Wed, Jun 26, 2013 at 11:31 PM, Jared Jones &lt;jared@vermeergroup.com&gt; wrote:

Brett,

Below is the information for a few additional Tax Exempt Certificates we're needing:

Iowa Plains Signing, Inc.  
1110 W 6<sup>th</sup> Avenue (Hwy 210W)  
PO Box 654  
Slater, IA 50244  
515-685-3536

ENGINEERING DEPARTMENT "ORIGINAL DOCUMENT" (when in red)
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### PERMISSION TO SUBLET

**Project** 2012 Sidewalk Replacement Program  
**Contractor** T K Concrete Inc.  
**Federal Tax ID** 39-1898532      **Contract No.** 14719      **Sublet Request No.** 2

<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>
Modular Wall	Frontline Lawn & Landscapes, LLC 509 10th Avenue NW Altoona, IA 50009 (515) 778-3969 Federal Tax ID 20-4941836	No		\$2,500.00

	Previous Request	This Request	Total To Date
Cost of Items Sublet	\$9,500.00	\$2,500.00	\$12,000.00 (a)
Cost of Specialty Items Sublet			(b)
Cost of Sublet Items Less Speciality Items	\$9,500.00	\$2,500.00	\$12,000.00 (c)
Contract Amount			\$292,725.00 (d)
Contract Amount Less Total Specialty Items (d-b)			\$292,725.00 (e)
Percentage of Contract Sublet to Date (c/e)			4.10%

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.

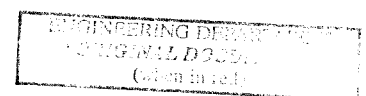
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                              Copy - Prime Contractor

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Roll Call No.

\_\_\_\_\_  
Date





Fenstermann, Matt <mcfenstermann@dmgov.org>

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## 2012 Sidewalk Replacement Program - Request to Sublet

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Jared Jones <jared@vermeergroup.com>  
To: mcfenstermann@dmgov.org

Wed, Jul 10, 2013 at 2:07 PM

Hi Matt,

Since our original subcontractor is too far behind to get to this project soon enough, we are requesting permission to sublet the retaining wall work to Frontline Lawn & Landscapes. The information on them is listed below:

Frontline Lawn & Landscapes

509 10<sup>th</sup> Avenue Northwest

Altoona, IA 50009

515-778-3969

Fed Tax ID: 20-4941836

Amount of Work to Be Sublet: Based on contract – 100 SF @ \$25/SF = \$2,500

Frontline is NOT a DBE

Let me know if you're needing anything further.

Thanks Matt.

**Jared M Jones**

**Project Coordinator**

**TK Concrete Inc**

**1608 Fifield Road**

**Pella, IA 50219**

Office: 641-628-4590

Fax: 641-628-0064

Cell: 515-250-0723

ENGINEERING DEPARTMENT  
"ORIGINAL DOCUMENT"  
(when in red)

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ENGINEERING DEPARTMENT  
CITY OF DES MOINES, IOWA

Activity ID 12-2008-001  
Date 7/11/2013

7

### PERMISSION TO SUBLET

**Project** Grand Avenue Bridge over Walnut Creek

**Contractor** Jenco Construction Inc.

**Federal Tax ID** 42-1252684      **Contract No.** 14702      **Sublet Request No.** 3

<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>
Excavation, Structural Concrete, Reinforcing Steel, Steel Piling	Herberger Construction Co., Inc. 2508 West 2nd Avenue P.O. Box 326 Indianola, IA 50125 (515) 961-5564 Federal Tax ID 42-1161562	No		\$569,205.40

ENGINEERING DEPARTMENT  
"ORIGINAL DOCUMENT"  
(when in red)

	Previous Request	This Request	Total To Date	
Cost of Items Sublet	\$914,140.16	\$569,205.40	\$1,483,345.56	(a)
Cost of Specialty Items Sublet				(b)
Cost of Sublet Items Less Specialty Items	\$914,140.16	\$569,205.40	\$1,483,345.56	(c)
Contract Amount			\$3,316,610.69	(d)
Contract Amount Less Total Specialty Items (d-b)			\$3,316,610.69	(e)
Percentage of Contract Sublet to Date (c/e)			44.72%	

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

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                              Copy - Project Engineer  
                              Copy - Prime Contractor

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Roll Call No.

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Date



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

Grand Avenue Bridge  
 over Walnut Creek  
 Activity ID: 12-2008-001

Contractor Jenco Construction, Inc.  
 Contractor Identification Number JE101  
 Letting Date March 20, 2012

County Polk  
 Contract ID No. 77-1945-738  
 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 DOI.

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 DOI 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 DOI on the subcontractor's ability to comply with the contract.

Subcontractor Herberger Construction  
 Address PO Box 326, 1099 Inwood Street  
Indianola, IA 50125

Subcontractor Number 42-1161562  
(Federal Tax Return U.S. Treasury Dept. Form 991)  
 Division of Labor Registration  Yes  No  
 Telephone No. 515.961-5564

**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
	Mobilization					
0030	Excavation Class 20	633.6 cy	20.00		12,672.00	x
0040	Excavation Class 21	652.5 cy	40.00		26,100.00	x
0050	Structural Concrete	533 cy	300.00		202,540.00	x
0070	Reinforcing Steel	33384 lbs.	00.85		28,376.40	x
0080	Reinforcing Steel Epoxy	27130 lbs	00.90		24,417.00	x
0130	Piles Steel 12 x 53	4080 ft	45.00		183,600.00	x
0140	Piles Steel 14x89	1500 ft.	61.00		91,500.00	x
Signature (Prime Contractor)		Totals Carried From Back		0	0.00	
		Totals		0	(a) \$569,205.40	x

	Totals	Specialty Items	Totals Less Specialty Items		% Sublet this approval
Contract Amount	\$3,518,212.46		(b) \$3,518,212.46	$(\frac{a}{b}) \times 100$	16.178824

Recommended by:

County City Engineer

11 July 2013  
 Date

% Prev. Sublets	25.981647
Total % To Date	42.160471

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 ORIGINAL DOCUMENT  
 (when in red)