

DATE May 4, 2015

**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.

<b>Activity ID</b>	<b>Project Title</b>	<b>Contractor</b>
06-2011-003	S.W. 9th Street Widening - Titus Avenue to Kenyon Avenue  CS-TSF-1945(750)--85-77, HSIP-1945(789)--8X-77, STP-U-1945-(797)--70-77	Concrete Technologies, Inc. Brad Baumler, President 1001 SE 37th Street Grimes, IA 50111
06-2011-007	Euclid Avenue Intersection Improvements at Cornell and Oxford Streets  CS-TSF-1945(763)—85-77, CS-TSF-1945(766)—85-77, Polk, STPN-6-4(162)—2J-77	Synergy Contracting LLC Jesse Rognes, Owner/President 1120 2nd Street NE Bondurant, IA 50035
08-2014-002	Williams Street Culvert Replacement South of Timber Lane	J & K Contracting, LLC Jeremy Feldmann, President 1307 East Lincoln Way Ames, IA 50010-1790
11-2014-003	Waveland Trail - I-235 to University Avenue  TAP-T-1945(807)--8V-77	T K Concrete Inc. Tony J. Ver Meer, President 1608 Fifield Road Pella, IA 50219

★ Roll Call Number

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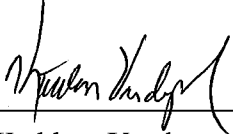
Agenda Item Number

\_\_\_\_\_ 7 \_\_\_\_\_

DATE May 4, 2015

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

FORM APPROVED:



\_\_\_\_\_  
Kathleen Vanderpool  
Deputy City Attorney

*ASC*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
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

7 Copy

### PERMISSION TO SUBLET

**Project** S.W. 9th Street Widening - Titus Avenue to Kenyon Avenue  
**Contractor** Concrete Technologies, Inc.  
**Federal Tax ID** 42-1502977      **Contract No.** 14826      **Sublet Request No.** 3

ITEM TO BE SUBLET	ORGANIZATION TO PERFORM WORK	DBE Y/N	COST OF SPECIALTY ITEMS	TOTAL COST OF WORK SUBLET
Relocate Stop Box and Connection of Existing Subdrain	Kriens Plumbing & Mechanical Corporation 2110 Wakonda View Drive Des Moines, IA 50321 (515) 288-8688	No		\$2,985.46

	Previous Request	This Request	Total To Date
Cost of Items Sublet	\$1,316,142.75	\$2,985.46	\$1,319,128.21 (a)
Cost of Specialty Items Sublet			(b)
Cost of Sublet Items Less Specialty Items	\$1,316,142.75	\$2,985.46	\$1,319,128.21 (c)
Contract Amount			\$2,169,385.85 (d)
Contract Amount Less Total Specialty Items (d-b)			\$2,169,385.85 (e)
Percentage of Contract Sublet to Date (c/e)			60.81%

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

ENGINEERING DEPARTMENT  
"ORIGINAL DOCUMENT"  
(when in red)

# IOWA DOT

## SUBCONTRACT REQUEST

Contractor Concrete Technologies County Polk  
 Contractor Vendor ID 42-1502977 Contract ID No. 77-1945-797  
 Letting Date 02-18-2014 Bid Order Bid Order 109

This is to request that the following subcontractor be authorized 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 authorization 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 Kriens Plumbing Subcontractor Vendor ID 01-0942778  
 Address 2110 Wakonda View Drive, Des Moines Ia 50321  
 Telephone No. 515-288-8688

**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. The subcontract agreement shall be in writing and a copy of FHWA-1273 shall be attached.
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 authorization 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		\$0.00		\$0.00	<input type="checkbox"/>
C/O	Relocation of Curb Stop Box	1	\$1,800.11		\$1,800.11	<input type="checkbox"/>
C/O	Connection of Sub Drain to Storm Sewer	1	\$1,185.35		\$1,185.35	<input type="checkbox"/>
C/O						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
Signature (Prime Contractor) <i>Cresto Petersen</i>			<b>Totals Carried From Back</b>		\$0.00	
			<b>Totals</b>		\$0.00 (a)	\$2,985.46

	Totals	Specialty Items	Totals Less Specialty Items	(b)	Format: 0.00
Contract Amount					$\left(\frac{a}{b}\right) 100$
					% Prev. Sublets
					Total % To Date

Reviewed by: *Panela Godwin* County/City Engineer  
 Date: 4.28.15

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 "LEGAL DOCUMENT"  
 (when in red)

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ENGINEERING DEPARTMENT  
CITY OF DES MOINES, IOWA

Activity ID 06-2011-007  
Date 4/16/2015

### PERMISSION TO SUBLET

**Project** Euclid Avenue Intersection Improvements at Cornell and Oxford Streets

**Contractor** Synergy Contracting LLC

**Federal Tax ID** 80-0075006      **Contract No.** 14820      **Sublet Request No.** 4

<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>
Streetscape plantings & manufactured soil	Beautiful Lawns By Long LLC PO Box 68 Martensdale, IA 50160 (515) 988-5527 Federal Tax ID 26-4261284	No	\$24,000.00	\$24,000.00

ENGINEERING DEPARTMENT  
"CONFIDENTIAL DOCUMENT"  
(when in red)

	Previous Request	This Request	Total To Date
Cost of Items Sublet	\$861,646.75	\$24,000.00	\$885,646.75 (a)
Cost of Specialty Items Sublet	\$301,105.00	\$24,000.00	\$325,105.00 (b)
Cost of Sublet Items Less Speciality Items	\$560,541.75		\$560,541.75 (c)
Contract Amount			\$1,246,336.77 (d)
Contract Amount Less Total Specialty Items (d-b)			\$921,231.77 (e)
Percentage of Contract Sublet to Date (c/e)			60.85%

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
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ENGINEERING DEPARTMENT
"ORIGINAL DOCUMENT"
(when in red)

**Rydberg, Bruce K.**

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**From:** Synergy <jwrognes@synergycontracting.net>  
**Sent:** Thursday, April 16, 2015 12:28 PM  
**To:** Rydberg, Bruce K.  
**Subject:** Re: new planting sub

It will be under 25k

Sent from my iPhone

On Apr 16, 2015, at 12:08 PM, Rydberg, Bruce K. <[BKRydberg@dmgov.org](mailto:BKRydberg@dmgov.org)> wrote:

What's the total subcontract dollar amount? Is Beautiful Lawns doing all of the remaining plantings?

You said earlier this week that Perfect Cut was still doing the planting. Is that still the case?

It is my understanding Some of the plantings take a while to get.

It's fine if this is a complete trade out from Perfect cut to Beautiful Lawns if that is what you want. But I just want to make sure I submit this change correctly and that you can get all the material.

[BKRydberg@dmgov.org](mailto:BKRydberg@dmgov.org)  
515-283-4074

**From:** Synergy [<mailto:jwrognes@synergycontracting.net>]  
**Sent:** Thursday, April 16, 2015 11:57 AM  
**To:** Rydberg, Bruce K.  
**Subject:** RE: new planting sub

Beautiful Lawns By Long LLC  
PO Box 68  
Martensdale Iowa 50160

26-4261284 EIN

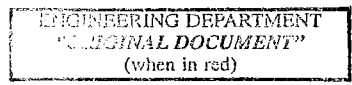
515-988-5527 Brandan Long

This company already work for the city doing

**From:** Rydberg, Bruce K. [<mailto:BKRydberg@dmgov.org>]  
**Sent:** Friday, April 03, 2015 4:17 PM  
**To:** [bbeaird@omgmidwest.com](mailto:bbeaird@omgmidwest.com)  
**Cc:** Jesse Rognes [jwrognes@synergycontracting.net](mailto:jwrognes@synergycontracting.net); Kamp, David M.; [JEFF.DEVRIES@DOT.IOWA.GOV](mailto:JEFF.DEVRIES@DOT.IOWA.GOV)  
**Subject:** Des Moines Euclid Asphalt acceptance TSF-1945(763 & 766)-85-77

Brian Beaird  
Des Moines Asphalt/OMG Midwest

RE: Asphalt pavement smoothness & distress issues  
Euclid Ave. Oxford & Cornell, Activity ID 06-2011-007  
DOT Proj Nos. CS-TSF-1945(763 & 766)-85-77



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### PERMISSION TO SUBLET

**Project** Williams Street Culvert Replacement South of Timber Lane  
**Contractor** J & K Contracting, LLC  
**Federal Tax ID** 56-2645555      **Contract No.** 14878      **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>
Outlet Structure chain Link Fence	Des Moines Steel Fence 5158 NW Beaver Drive Johnston, IA 50131 (515) 270-6227 Federal Tax ID 42-1349195	No		\$3,750.00
Tree Removal	Finco Tree Service 52724 280th Street Kelley, IA 50134 (515) 769-2336 Federal Tax ID 42-1504140	No		\$4,000.00
Martin Marietta Aggregates supplied by MBK Farms	MBK Farms 2636 Settlers Trail St. Charles, IA 50240 Federal Tax ID 27-5335010	No	\$7,000.00	\$7,000.00



	Previous Request	This Request	Total To Date
Cost of Items Sublet	\$26,979.00	\$14,750.00	\$41,729.00 (a)
Cost of Specialty Items Sublet		\$7,000.00	\$7,000.00 (b)
Cost of Sublet Items Less Specialty Items	\$26,979.00	\$7,750.00	\$34,729.00 (c)
Contract Amount			\$197,961.00 (d)
Contract Amount Less Total Specialty Items (d-b)			\$190,961.00 (e)
Percentage of Contract Sublet to Date (c/e)			18.19%

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

Rydberg, Bruce K.

Permission to Sublet Request # Z<sup>7</sup>

**From:** Matt Runge <mrunge@jandkcontracting-ia.com>  
**Sent:** Tuesday, April 14, 2015 10:48 AM  
**To:** Rydberg, Bruce K.  
**Subject:** RE: DSM Williams Street Culvert

Finco - \$4000.00  
DSM Steel Fence - \$3750.00

Thanks,

**MATT RUNGE, COO**  
*J&K Contracting, LLC*  
*1307 East Lincoln Way*  
*Ames, Iowa 50010*  
*Ph# 515-233-5500 Ext. 13*  
*Cell# 515-451-6719*  
*Fax# 515-233-4049*  
[mrunge@jandkcontracting-ia.com](mailto:mrunge@jandkcontracting-ia.com)



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**From:** Rydberg, Bruce K. [mailto:BKRydberg@dmgov.org]  
**Sent:** Tuesday, April 14, 2015 10:45 AM  
**To:** Matt Runge  
**Subject:** RE: DSM Williams Street Culvert

I also need the dollar amount of these subcontracts in order to fill out the permission to subcontract request.

[BKRydberg@dmgov.org](mailto:BKRydberg@dmgov.org)  
515-283-4074

**From:** Matt Runge [mailto:mrunge@jandkcontracting-ia.com]  
**Sent:** Tuesday, April 14, 2015 9:46 AM  
**To:** Rydberg, Bruce K.  
**Subject:** RE: DSM Williams Street Culvert

Bruce,

I want to use the following:

FINCO Tree Service  
Owner: Todd Finch  
52724 280<sup>th</sup> Street  
Kelley, Iowa 50134  
Ph# 515-231-4346  
Fed Tax # 42-1504140  
Contractor's Reg # CO97617

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Des Moines Steel Fence  
Contact: Jeff Donels  
5158 NW Beaver Drive  
Johnston, Iowa 50131  
Ph# 515-270-6227  
Fed Tax # 42-1349195  
Contractor's Reg # C096823

Thanks

**MATT RUNGE, COO**  
*J&K Contracting, LLC*  
*1307 East Lincoln Way*  
*Ames, Iowa 50010*  
*Ph# 515-233-5500 Ext. 13*  
*Cell# 515-451-6719*  
*Fax# 515-233-4049*  
**mrunge@jandkcontracting-ia.com**



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**From:** Rydberg, Bruce K. [<mailto:BKRydberg@dmgov.org>]  
**Sent:** Monday, April 13, 2015 1:25 PM  
**To:** Matt Runge  
**Subject:** RE: DSM Williams Street Culvert

Yes in .pdf format would be fine.

You said also at the preconstruction meeting that you would be sending me the update on the other minor subcontractors that you want to use on this project. If you still are going ahead with these other Subs then I need to process the permission to sublet through the City Council.

Bruce

**From:** Matt Runge [<mailto:mrunge@jandkcontracting-ia.com>]  
**Sent:** Monday, April 13, 2015 9:47 AM  
**To:** Rydberg, Bruce K.  
**Subject:** DSM Williams Street Culvert

Bruce,

Will you take the shop drawings electronically?

**MATT RUNGE, COO**  
*J&K Contracting, LLC*  
*1307 East Lincoln Way*  
*Ames, Iowa 50010*  
*Ph# 515-233-5500 Ext. 13*  
*Cell# 515-451-6719*  
*Fax# 515-233-4049*  
**mrunge@jandkcontracting-ia.com**

To: Matt Runge  
Subject: RE: Des Moines Williams Street Culvert

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If they are a supplier to J & K then you just use your J & K tax certificate as documentation for this supplier just like you would for any other supplier. It doesn't matter that this supplier is also a subsidiary to your company.

If they are actually doing work on site then they are a subcontractor, then you probably need to get permission to subcontract with them even if they are a separate corporate subsidiary of J & K contracting.

Bruce  
[BKRydberg@dmgov.org](mailto:BKRydberg@dmgov.org)  
515-283-4074

From: Matt Runge [<mailto:mrunge@jandkcontracting-ia.com>]  
Sent: Tuesday, April 28, 2015 3:08 PM  
To: Rydberg, Bruce K.  
Subject: Des Moines Williams Street Culvert

Bruce,

J&K's owner owns a subsidiary business called MBK Farms. All of our aggregate purchases run through this company. I need a tax exempt cert for MBK Farms. MBK Farms is not a contractor, but classified as a supplier. However, since they purchase material from different suppliers the J&K Tax Exempt form does not work. We've been issued tax exempt certs from the City of Des Moines for MBK Farms on past projects so it should not be a problem. The information needed is as follows:

MBK Farms  
Owner: Jeremy Feldmann  
2636 Settlers Trail  
St. Charles, IA 50240  
Fed Tax ID# 27-5335010

Please let me know if you have any other questions.

Thanks,

**MATT RUNGE, COO**  
*J&K Contracting, LLC*  
*1307 East Lincoln Way*  
*Ames, Iowa 50010*  
*Ph# 515-233-5500 Ext. 13*  
*Cell# 515-451-6719*  
*Fax# 515-233-4049*  
[mrunge@jandkcontracting-ia.com](mailto:mrunge@jandkcontracting-ia.com)



ENGINEERING DEPARTMENT  
CITY OF DES MOINES, IOWA

Activity ID 11-2014-003  
Date 4/28/2015

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### PERMISSION TO SUBLET

**Project** Waveland Trail - I-235 to University Avenue

**Contractor** T K Concrete Inc.

**Federal Tax ID** 39-1898532      **Contract No.** 14848      **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>
Seeding and erosion matting	Soil-Tek PO Box 738 Grimes, IA 50111 (515) 986-3527 Federal Tax ID 20-0521477	No		\$8,695.50



**SUBCONTRACT REQUEST**

Contractor TK Concrete Inc. County Polk  
 Contractor Vendor ID C0923-36. Contract ID No. 77-1945-807  
 Letting Date May 20<sup>th</sup>, 2014 Bid Order 110

This is to request that the following subcontractor be authorized 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 authorization 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 Soil-Tek Subcontractor Vendor ID S0023  
 Address P.O. Box 738  
Grimes, IA 50111 Telephone No. 515-986-3527

**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. The subcontract agreement shall be in writing and a copy of FHWA-1273 shall be attached.
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 authorization 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
350	Mobilization, Erosion Control	4 each	500.00		2,000.00	<input type="checkbox"/>
300	Turf Reinforcing Mat Type 2	23 SQ	41.00		943.00	<input type="checkbox"/>
290	Stabilizing Crp. Seeding & Fertilizing	1.5 AC	1,179.00		1,768.50	<input type="checkbox"/>
280	Slope Protection, Wood Excelsior Mat	120 SQ	13.00		1,560.00	<input type="checkbox"/>
270	Seeding & Fertilizing	1.5 A.C.	916.00		1,374.00	<input type="checkbox"/>
260	Mulching	1.5 A.C.	700.00		1,050.00	<input type="checkbox"/>
Signature (Prime Contractor) <i>Tony Learner</i>				Totals Carried From Back	\$0.00	\$0.00
				Totals	\$0.00	(a) \$ 8,695.50

Contract Amount	Totals	Specialty Items	Totals Less Specialty Items	% Sublet this approval
\$ 389,716.50	\$ 0	(b) \$ 389,716.50	( $\frac{a}{b}$ ) 100, 22%	Format: 0.00 24%
				Total % To Date 26-29%

Reviewed by:

Pamela S. Cooksey  
County/City Engineer

4-28-15  
Date

ENGINEERING DEPARTMENT  
"ORIGINAL DOCUMENT"  
(when in red)