

DATE March 19, 2018

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2018 SKYWALK HVAC REPLACEMENT
\$ 234,000.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$234,000.00, executed by Excel Mechanical Company, Inc., Alisa K. Smith, President, 5636 NE 17th Street, Des Moines, IA, 50313 dated March 19, 2018, for the construction of the following improvement:

2018 Skywalk HVAC Replacement, 04-2018-002

The improvement includes removal and replacement of four (4) Skywalk HVAC units, screen wall improvements, hand rail installation, electrical upgrades, and traffic control; all in accordance with the contract documents, including Plan File Nos. 564-148/161, located at Skywalk bridges 4F-4J, 5E-5F, 7De-7Ee, 7Dw-7Ew in downtown 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 and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering Department. 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 and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering and Department, 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 in accordance with the Instructions to Bidders.

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 and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering Department; and each subcontractor is hereby granted permission to work on said improvement.

★ **Roll Call Number**

Agenda Item Number

67A

DATE March 19, 2018

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 18-135 attached)

Moved by _____ to adopt.

FORM APPROVED *Kathleen Vanderpool*
Kathleen Vanderpool
Deputy City Attorney

AC Funding Source: 2018-2019 CIP, Page Street – 37, Skywalk System, SW094, TIF-Backed G. O. Bonds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
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



CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION
2018 Skywalk HVAC Replacement

Activity ID 04-2018-002

On March 6, 2018, Excel Mechanical Company, Inc., Alisa K. Smith, President, 5636 NE 17th Street, Des Moines, IA 50313 submitted a proposal for construction of the 2018 Skywalk HVAC Replacement, Activity ID 04-2018-002, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$234,000.00. The proposal included a statement that the Disadvantaged Business Enterprise/Targeted Small Business (DBE/TSB) Program shall not apply to this project.

The Engineering Department has prepared this report summarizing the information that Excel Mechanical Company, 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
	Excel Mechanical Company, Inc. Amount	\$234,000.00
	Percentage of DBE/TSB Participation	0.00%