



DATE April 5, 2021

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2021 RIVERWALK IMPROVEMENTS - BALUSTRADE REPLACEMENT
\$156,455.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$156,455.00, executed by TNT Tuckpointing and Building Restoration, L.L.C., Joshua L. Smyser, Member, 202 Iowa Street, Stockton, IA, 52769 dated April 5, 2021, for the construction of the following improvement:

2021 Riverwalk Improvements - Balustrade Replacement, 042021011

The improvement includes removal of existing sections of balustrade wall and replacement with cast stone balustrade wall; all in accordance with the contract documents, including Plan File Nos. 626-179/187, located along the west side of the Des Moines River near the Martin Luther King Jr. Parkway bridge, and on the east side of the Des Moines River just north of the Martin Luther King Jr. Parkway bridge, 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 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 and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering 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.

BE IT FURTHER RESOLVED: That the Director of Finance 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.



Roll Call Number

Agenda Item Number

36A

DATE April 5, 2021

(City Council Communication Number 21-158 attached)

Moved by _____ to adopt.

FORM APPROVED s/ Kathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney

Funding Source: 2021-2022 CIP, Page Park - 71, Principal Riverwalk, PK162, G. O. Bonds

SLN

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
WESTERGAARD				
GRAY				
BOESEN				
VOSS				
MANDELBAUM				
GATTO				
TOTAL				
MOTION CARRIED				APPROVED

I, P. Kay Cmelik, 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.

Mayor

City Clerk

36A

Department of Engineering
City of Des Moines, Iowa



CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION
2021 Riverwalk Improvements - Balustrade Replacement

Activity ID 042021011

On March 9, 2021, TNT Tuckpointing and Building Restoration, L.L.C., Joshua L. Smyser, Member, 202 Iowa Street, Stockton, IA 52769 submitted a proposal for construction of the 2021 Riverwalk Improvements - Balustrade Replacement, Activity ID 042021011, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$156,455.00. 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 TNT Tuckpointing and Building Restoration, L.L.C., 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
	TNT Tuckpointing and Building Restoration, L.L.C. Amount	\$156,455.00
	Percentage of DBE/TSB Participation	0.00%

Clerk Copy
36A

PERMISSION TO SUBLET

Project 2021 Riverwalk Improvements - Balustrade Replacement
Contractor TNT Tuckpointing and Building Restoration, L.L.C.
Federal Tax ID 391898798 **Contract No.** 15482 **Sublet Request No.** 1

ITEM TO BE SUBLET	ORGANIZATION TO PERFORM WORK	DBE Y/N	COST OF SPECIALTY ITEMS	TOTAL COST OF WORK SUBLET
Traffic Control	Jackson Contracting LLC 3409 Brook Ridge Ct. Des Moines, IA 50317 (515) 306-4487	No		\$1,849.00

	Previous Request	This Request	Total To Date	
Cost of Items Sublet		\$1,849.00	\$1,849.00	(a)
Cost of Specialty Items Sublet				(b)
Cost of Sublet Items Less Speciality Items				(c)
Contract Amount			\$156,455.00	(d)
Contract Amount Less Total Specialty Items (d-			\$156,455.00	(e)
Percentage of Contract Sublet to Date (c/e)			1.18%	

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

21- 4/5/21
Roll Call No. Date

20A

Stroud, Jackie L.

From: Josh Smyser <josh@tnttuckpointing.com>
Sent: Monday, March 15, 2021 7:08 AM
To: Knudtson, Jake P.
Subject: RE: 2021 Balustrade Replacement Project - Sub Contractor Approval

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jake,

Our sub/supplier list is pretty small:

Jackson Contracting, LLC	Traffic Control	\$1,849
Edwards Cast Stone	Cast Stone Supplier	\$49,387
Kings Materials	Masonry Supplier	\$1,200

Looking forward to working with you on this one.

Thanks,

Josh Smyser
Owner, TNT Tuckpointing & Building Restoration, LLC
Office: 563-785-0120 Fax: 888-461-7027

From: Knudtson, Jake P. <JPKnudtson@dmgov.org>
Sent: Wednesday, March 10, 2021 9:52 AM
To: Josh Smyser <josh@tnttuckpointing.com>
Subject: 2021 Balustrade Replacement Project - Sub Contractor Approval

Hi Josh,

You are the apparent low bidder on the 2021 Riverwalk Improvements – Balustrade Replacement project. Please submit a list of any subs, amount, and item of work. Please designate if the sub is only a supplier.

Thanks, looking forward to working with you.

JAKE KNUDTSON, E.I.T. | CITY OF DES MOINES
Civil Engineer I | Engineering Department
(515) 208-4045
DSM.city | 400 Robert D. Ray Drive | Des Moines, Iowa 50309

