



**Roll Call Number**

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**Agenda Item Number**

44A

DATE February 21, 2022

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
NEAL SMITH TRAIL REHABILITATION - EUCLID AVENUE TO SAYLOR CREEK BRIDGE  
\$820,466.50

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$820,466.50, executed by OMG Midwest, Inc. dba Des Moines Asphalt & Paving, Kevin Bragg, President, 2401 SE Tones Drive, Ste. 13, Ankeny, IA, 50021 dated February 21, 2022, for the construction of the following improvement:

Neal Smith Trail Rehabilitation - Euclid Avenue to Saylor Creek Bridge , 112019009

The improvement includes the reconstruction of a Hot Mix Asphalt (HMA) multi-use trail, Portland Cement Concrete (PCC) sidewalk and sidewalk ramps, drainage improvements, fencing, trail signage, traffic control, grading, site restoration, erosion control, and other associated work and incidental items; all in accordance with the contract documents, including Plan File No. 626-001/044, along the east side of the Des Moines River between Euclid Avenue and the Saylor Creek Bridge north of the city limits, and along the south side of Euclid Avenue between 16th Street and the Des Moines River

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.



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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.

(City Council Communication Number 22-060 attached)

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

FORM APPROVED s/Kathleen Vanderpool

Kathleen Vanderpool  
Deputy City Attorney

Funding Source: 2021-2022 CIP, Page 64, Multi-Use Trails, PK045, Being: \$685,616.50 in G.O. Bonds and the remaining \$134,850 in G.O. Bonds transferred from SW081

SLN<sup>pw</sup>

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
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

44A

Department of Engineering  
City of Des Moines, Iowa



**CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION**  
**Neal Smith Trail Rehabilitation - Euclid Avenue to Saylor Creek Bridge**

**Activity ID 112019009**

On January 25, 2022, OMG Midwest, Inc. dba Des Moines Asphalt & Paving, 2401 SE Tones Drive, Ste. 13, Ankeny, IA 50021 submitted a proposal for construction of the Neal Smith Trail Rehabilitation - Euclid Avenue to Saylor Creek Bridge , Activity ID 112019009, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$820,466.50. 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 OMG Midwest, Inc. dba Des Moines Asphalt & Paving, 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
	OMG Midwest, Inc. dba Des Moines Asphalt & Paving Amount	\$820,466.50
	Percentage of DBE/TSB Participation	0.00%

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**44A**

**PERMISSION TO SUBLET**

**Project** Neal Smith Trail Rehabilitation - Euclid Avenue to Saylor Creek Bridge  
**Contractor** OMG Midwest, Inc. dba Des Moines Asphalt & Paving  
**Federal Tax ID** 331189877      **Contract No.** 15907      **Sublet Request No.** 1

<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>
Information Sign	Chesnut Sign Co. Inc. 971 NE Broadway Ave. Des Moines, IA 50313 (515) 243-8112 Federal Tax ID 420863652	No		\$19,400.00
Fence Items	Des Moines Steel Fence Co., Inc. 2045 NE 46th Avenue, Suite A Des Moines, IA 50313 (515) 270-6227 x. 203 Federal Tax ID 421349195	No		\$54,900.00
Erosion Control & Bench	Greentech of Iowa, LLC P.O. Box 350 Grimes, IA 50111 (515) 202-2763 Federal Tax ID 272456549	No		\$61,750.00
	Iowa Plains Signing, Inc. P.O. Box 654 1110 W. 6th Avenue Slater, IA 50244 (515) 685-3536 Federal Tax ID 421501734	No		\$5,750.00
Reclamation	JB Holland Construction, Inc. 2092 Highway 9 West Decorah, IA 52101 (563) 382-2901 Federal Tax ID 421237122	No		\$63,000.00
Clearing and Grubbing	J. Pettiecord, Inc. 1200 Prairie Dr. SW Bondurant, IA 50035 (515) 263-8900 Federal Tax ID 421388577	No		\$47,500.00
PCC Paving & Pipe	TK Concrete, Inc. 1608 Fifield Road Pella, IA 50219 (641) 628-4590 Federal Tax ID 391898532	No		\$145,165.00
Earthwork	Wenthold Excavating LLC 3070 NE 150th Avenue Cambridge, IA 50046 (641) 455-6275 Federal Tax ID 815239819	No		\$171,575.00

	Previous Request	This Request	Total To Date	
Cost of Items Sublet		\$569,040.00	\$569,040.00	(a)
Cost of Specialty Items Sublet				(b)
Cost of Sublet Items Less Specialty Items				(c)
Contract Amount			<u>\$820,466.50</u>	(d)
Contract Amount Less Total Specialty Items (d-			<u>\$820,466.50</u>	(e)
Percentage of Contract Sublet to Date (c/e)			<u>69.36%</u>	

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

22-  
Roll Call No.

2/21/22  
Date

## Kuhl, Chris K.

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**From:** Nalevanko, Jonathan (Des Moines Asphalt) <Jonathan.Nalevanko@desmoinesasphalt.com>  
**Sent:** Wednesday, February 9, 2022 2:32 PM  
**To:** Kuhl, Chris K.  
**Subject:** RE: [EXT] RE: Neal Smith Subcontractors

**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.

Sure thing. Please see below:

### Chestnut Signs – Information Sign - \$19,400.00

971 E Broadway  
Des Moines, IA 50313  
515-243-8112 phone  
515-243-8146 fax  
42-0863652 FED ID

### Des Moines Steel Fence – Fence Items - \$54,900.00

2045 NE 46<sup>th</sup> Ave, Ste. A  
Des Moines, IA 50313  
515-270-6227 phone  
515-270-2462 fax  
42-1349195 FED ID

### GreenTech of Iowa – Erosion Control & Bench - \$61,750.00

P.O. Box 350  
Grimes, IA 50111  
515-497-6545 phone  
515-497-6547 fax  
27-2456549 FED ID

### Iowa Plains Signing, Inc. – Traffic Control - \$5,750.00

P.O. Box 654  
Slater, IA 50244  
515-685-3536 phone  
515-685-3530 fax  
42-1501734 FED ID

### JB Holland Construction Inc. – Reclamation - \$63,000.00

2092 State HWY 9  
Decorah, IA 52101  
563-382-2901 phone  
563-382-2902 fax  
42-1237122 FED ID

### J Pettiecord – Clearing & Grubbing - \$47,500.00

1200 Prairie Drive SW  
Bondurant, IA 50035

515-263-8900 phone  
515-265-7750 fax  
42-1388577 FED ID

TK Concrete - PCC & Pipe - \$145,165.00  
1608 Fairfield Rd  
Pella, IA 50219  
641-628-4590 phone  
641-628-0064 k fax  
39-1898532 FED ID

Wenthold Excavating, LLC – Dirtwork - \$171,575.00  
1212 E. Walnut St., Unit A  
Elkhart, IA 50073  
515-220-4289 phone  
515-441-6706 fax  
81-5239819 FED ID

**Jonathan Nalevanko**  
Estimating Manager  
Midwest Region

**Des Moines Asphalt & Paving**  
A CRH COMPANY  
2401 SE Tones Dr. Suite 13  
Ankeny, IA 50021

O +1 515-262-8296  
D +1 515-422-5448  
C +1 515-423-2077  
F +1 515-262-5813  
E [jnalevanko@desmoinesasphalt.com](mailto:jnalevanko@desmoinesasphalt.com)

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

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**From:** Kuhl, Chris K. <CKKuhl@dmgov.org>  
**Sent:** Wednesday, February 9, 2022 2:27 PM  
**To:** Nalevanko, Jonathan (Des Moines Asphalt) <Jonathan.Nalevanko@desmoinesasphalt.com>  
**Subject:** [EXT] RE: Neal Smith Subcontractors

Johnathan, thanks for this list. Can you provide an estimated dollar amount for each of the subs work?

Also, I had sent the attached email to Brian yesterday and saw that he was out. Can you share the included affidavit with GreenTech or whoever is handling the SWPPP permit?

Thanks

**CHRISTOPHER KUHL P.E.** | CITY OF DES MOINES  
Civil Engineer I | Engineering  
(515) 283-4073 | m: (515) 205-6915  
[DSM.city](http://DSM.city) | 400 Robert D. Ray Drive | Des Moines, Iowa 50309

