



DATE April 18, 2022

APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
DES MOINES LEVEE ALTERATIONS - PHASE B  
\$12,686,390.85

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$12,686,390.85, executed by Peterson Contractors, Inc., Cordell Peterson, President, 104 Blackhawk Street, Reinbeck, IA, 50669-1012 dated April 18, 2022, for the construction of the following improvement:

Des Moines Levee Alterations - Phase B, 082020004

The improvement includes earthen levee raise and widening, earthwork, clearing, excavation, cast-in-place floodwall, cast-in-place floodwall raises, cast-in-place retaining wall, gatewells, gatewell structural modifications, stoplog structure and stoplogs, revetment, manholes, storm sewer pipe and repair, articulated concrete block, utility abandonment and removal, pavement removal, Portland Cement Concrete (PCC) pavement, Hot Mix Asphalt (HMA) pavement, lighting removal and installation, fencing, erosion control, seeding, other incidental items and miscellaneous associated work including cleanup; all in accordance with the contract documents, including Plan File No. 639-113/259, with improvements located along the Raccoon River from the confluence of the Des Moines River to Martin Luther King Jr. Parkway, in 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.



**Roll Call Number**

**Agenda Item Number**

10

DATE April 18, 2022

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.

(City Council Communication Number 22-170 attached)

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

FORM APPROVED s/Kathleen Vanderpool  
Kathleen Vanderpool  
Deputy City Attorney

SLN  
PW

Funding Source: 2022-23 CIP, Page 105, Flood Mitigation Improvements, SM087, Being: Storm Water Utility Funds and Flood Mitigation Sales Tax

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

Department of Engineering  
City of Des Moines, Iowa



**CONTRACTOR’S ANTICIPATED DBE/TSB UTILIZATION**  
**Des Moines Levee Alterations - Phase B**

**Activity ID 082020004**

On February 22, 2022, Peterson Contractors, Inc., Cordell Peterson, President, 104 Blackhawk Street, Reinbeck, IA 50669-1012 submitted a proposal for construction of the Des Moines Levee Alterations - Phase B, Activity ID 082020004, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$12,686,390.85. 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 Peterson Contractors, 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
	Peterson Contractors, Inc. Amount	\$12,686,390.85
	Percentage of DBE/TSB Participation	0.00%

*Copy*

**PERMISSION TO SUBLET**

**Project** Des Moines Levee Alterations - Phase B

**Contractor** Peterson Contractors, Inc.

**Federal Tax ID** 420921654      **Contract No.** 15942      **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>
Electric	Baker Electric, Inc. 111 Jackson Avenue Des Moines, IA 50315 (515) 288-6774 Federal Tax ID 420835172	No		\$84,975.00
Fencing	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		\$78,147.25
Erosion Control and Seeding	Greentech of Iowa, LLC P.O. Box 350 Grimes, IA 50111 (515) 202-2763 Federal Tax ID 272456549	No		\$494,638.00
HMA Paving	InRoads, LLC 4224 Hubbell Avenue Des Moines, IA 50317 (515) 348-8148 Federal Tax ID 821949617	No		\$107,031.78
Traffic Control and Pavement Markings	Iowa Plains Signing, Inc. P.O. Box 654 1110 W. 6th Avenue Slater, IA 50244 (515) 685-3536 Federal Tax ID 421501734	No		\$61,772.00
Utilities	J & K Contracting, LLC 10703 Justin Drive Urbandale, IA 50322 (515) 233-5500 Federal Tax ID 562645555	No		\$2,404,210.00
Concrete Paving	TK Concrete, Inc. 1608 Fifield Road Pella, IA 50219 (641) 628-4590 Federal Tax ID 391898532	No		\$188,015.00
Surveying	Snyder & Associates, Inc. 2727 SW Snyder Blvd. Ankeny, IA 50023 (515) 964-2020 x. 2608 Federal Tax ID 421379015	No		\$75,000.00

Clearing and Grubbing	Boyle Built Enterprises LLC 33837 142nd Street Selma, IA 52588 Federal Tax ID 202566447	No	\$53,932.20
Testing Services	Terracon Consultants, Inc. 600 SW 7th Street, Suite M Des Moines, IA 50309 (515) 244-3184 Federal Tax ID 421249917	No	\$9,000.00

	Previous Request	This Request	Total To Date	
Cost of Items Sublet		\$3,556,721.23	\$3,556,721.23	(a)
Cost of Specialty Items Sublet				(b)
Cost of Sublet Items Less Speciality Items				(c)
Contract Amount			\$12,686,390.85	(d)
Contract Amount Less Total Specialty Items (d-			\$12,686,390.85	(e)
Percentage of Contract Sublet to Date (c/e)			28.04%	

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.      4-18-22 Date

**Bouska, Craig M.**

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**From:** Jennifer Wissler <jennifer@pcius.com>  
**Sent:** Monday, March 21, 2022 3:35 PM  
**To:** Bouska, Craig M.  
**Subject:** RE: Des Moines Levee Alterations Phase B 08-2020-004

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Please see below for the information for tax exempt certs. If you need any additional information please let me know.

- Baker Electric Inc 111 Jackson Ave Des Moines IA 50315 42-0835172 Electrical \$84,975.00
- Boyle Built Enterprises 33837 142<sup>nd</sup> St Selma IA 52588 20-2566447 Clearing & Grubbing \$53,932.20
- Des Moines Steel Fence 2045 NE 46<sup>TH</sup> Avenue Ste A Des Moines IA 50313 42-1349195 Fencing \$78,147.25
- Greentech of Iowa LLC PO Box 148 Slater IA 50244 27-2456549 Erosion Control/Seeding \$494,638.00
- Inroads LLC 4224 Hubbell Ave Des Moines IA 50317 82-1949617 Shared Use HMA \$107,031.78
- Iowa Plains Signing Inc PO Box 654 Slater IA 50244 42-1501734 Pavement Markings/Traffic Control \$61,772.00
- J&K Contracting LLC 10703 Justin Dr Urbandale IA 50322 56-2645555 Utilities \$2,404,210.00
- TK Concrete Inc 1608 Fifield Rd Pella IA 50219 39-1898532 Paving \$188,015.00
- Snyder & Associates PO Box 1159 Ankeny IA 50023 42-1379015 Surveying \$75,000.00
- Terracon 600 SW 7<sup>th</sup> St Ste M Des Moines IA 50309 42-1249917 Testing Services \$9,000.00

Thanks!

*Jennifer Wissler*  
Peterson Contractors, Inc.  
Direct Dial: (319)788-4714  
Phone: (319)345-2713 ext. 215  
Fax: (319)788-4799

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**From:** Bouska, Craig M. <CMBouska@dmgov.org>  
**Sent:** Friday, March 18, 2022 11:11 AM  
**To:** Jennifer Wissler <jennifer@pcius.com>  
**Subject:** RE: Des Moines Levee Alterations Phase B 08-2020-004

Jennifer,

3% for retainage.

Subcontractors – see attached example. I fill out the Permission to Sublet form and would just need an email making the request with the sub name, address, tax id number, type of work, and amount.

Thank you,

**CRAIG BOUSKA, P.E.** | CITY OF DES MOINES  
Civil Engineer III | Engineering Department  
(515) 283-4580 | m: (515) 208-4580  
DSM.city | 400 Robert D. Ray Drive | Des Moines, Iowa 50309

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**From:** Jennifer Wissler <jennifer@pcius.com>  
**Sent:** Friday, March 18, 2022 10:56 AM  
**To:** Bouska, Craig M. <cmbouska@dmgov.org>  
**Subject:** Des Moines Levee Alterations Phase B 08-2020-004

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Good Morning,

I'm working on the paperwork for this project and wanted to confirm that the retainage percentage is 5%?

Also, does the City of Des Moines have a specific form they utilize for subcontractor requests/sales tax exemption information?

Thanks!

*Jennifer Wissler*  
Peterson Contractors, Inc.  
Direct Dial: (319)788-4714  
Phone: (319)345-2713 ext. 215  
Fax: (319)788-4799