



**Date** March 06, 2023

**APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
3RD & COURT PARKING GARAGE ELEVATOR REPLACEMENT  
\$437,000.00**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$437,000.00, executed by TK Elevator Corporation, Kevin Lavallee, President, 11605 Haynes Bridge Road, Alpharetta, GA, 30009 dated March 06, 2023, for the construction of the following improvement:

3rd & Court Parking Garage Elevator Replacement, 042020023

The improvement includes the modernization of two (2) 5-stop under-the-car single cylinder hydraulic elevators, replacement of hoistway pit sump pumps and associated electrical improvements; all in accordance with the contract documents, including Plan File No. 603-097/105, located at the 3rd & Court Parking Garage, 210 2nd Avenue, Des Moines, Iowa 50309

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**

59A

**Date** March 06, 2023

(City Council Communication Number 23-111 attached)

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

FORM APPROVED:

FUNDS AVAILABLE

s/Kathleen Vanderpool

Kathleen Vanderpool  
Deputy City Attorney

s/Nickolas J.Schaul

Nickolas J. Schaul  
Director of Finance

Funding Source: 2022-23 CIP, Page 64, Parking Facility Rehabilitation/Repair Program, PG016,  
Parking System Revenue

SLN<sub>pw</sub>

COUNCIL ACTION	Yeas	Nays	Pass	Absent
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

**CERTIFICATE**

I, Laura Baumgartner, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, 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

Department of Engineering  
City of Des Moines, Iowa



**CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION**  
**3rd & Court Parking Garage Elevator Replacement**

**Activity ID 042020023**

On February 7, 2023, TK Elevator Corporation, Kevin Lavalley, President, 11605 Haynes Bridge Road, Alpharetta, GA 30009 submitted a proposal for construction of the 3rd & Court Parking Garage Elevator Replacement, Activity ID 042020023, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$437,000.00. 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 TK Elevator Corporation, 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
	TK Elevator Corporation Amount	\$437,000.00
	Percentage of DBE/TSB Participation	0.00%

*Copy*  
**59A**

**PERMISSION TO SUBLET**

**Project** 3rd & Court Parking Garage Elevator Replacement

**Contractor** TK Elevator Corporation

**Federal Tax ID** \_\_\_\_\_ **Contract No.** 16089 **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>
Electrical and General Construction	Total Construction Solutions 7910 University Avenue N.E. Fridley, MN 55432 Federal Tax ID 814150324	No		\$122,934.00

	<b>Previous Request</b>	<b>This Request</b>	<b>Total To Date</b>	
Cost of Items Sublet		\$122,934.00	\$122,934.00	(a)
Cost of Specialty Items Sublet				(b)
Cost of Sublet Items Less Specialty Items				(c)
Contract Amount			\$437,000.00	(d)
Contract Amount Less Total Specialty Items (d-			\$437,000.00	(e)
Percentage of Contract Sublet to Date (c/e)			28.13%	

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

23- 3/6/23  
Roll Call No. Date

