

09-1886

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DATE October 12, 2009

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON HIGHLAND HILLS SANITARY SEWER TELEVISIONING; RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS MID-AMERICA PIPE SERVICES, LLC, LYNN NORMAN, MEMBER, \$393,300.00

WHEREAS, on September 14, 2009, under Roll Call No. 09-1615, plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of construction cost were filed with the City Clerk, for the construction of the following improvement:

Highland Hills Sanitary Sewer Televisioning, 07-2010-001
08-DRI-007

The improvement includes cleaning and televising of approximately 25,000 lineal feet of 8" through 18" sanitary sewer; all in accordance with the contract documents, including Plan File Nos. 508-82/85 at an area bounded by S.W. 9th Street, Army Post Road, S.W. 14th Street and County Line Road, Des Moines, Iowa

WHEREAS, notice of the hearing on the plans, specifications, form of contract documents, and Engineer's estimate of construction cost was published as required by law.

WHEREAS, on September 29, 2009, sealed bids for said improvement were received and opened at a public meeting presided over by the Jurisdictional Engineer, and the bid received from Mid-America Pipe Services, LLC, Lynn Norman, Member, 101 MGM Ct., Moscow Mills, MO, 63362, was read under advisement because Mid-America Pipe Services, LLC did not submit Proposal Attachment: Part F – Additional Requirements, Item 4 – Certifications Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions and Lobbying, with its bid; and

WHEREAS, said Proposal Attachment Part F, Item 4 is a certification that the company has not been debarred, suspended, or declared ineligible from participation by any Federal department; and that no Federal funds have been used to lobby. This certification is required as part of the regulations for the Federal Jumpstart Infrastructure Assistance funds from the Department of Housing and Urban Development (HUD) Disaster funds as administered by the Iowa Department of Economic Development, which are being used for this project. After further investigation, Engineering Staff determined that the certificate is required from the company before the contract is awarded, but it is not necessarily required by the regulations to be submitted as part of the proposal. Staff contacted Ms. Lynn Norman, Mid-America Pipe Services, LLC, who was sure that the document was included with their bid; however, Ms Norman has e-mailed another copy of the certificate for Staff review. Ms. Norman is sending an original signature certification document. The Engineering Department will include said missing pages in the contract documents. After further review, the Engineering and Legal Departments have determined that this was a minor irregularity that could be waived by the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the hearing on the plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of construction cost for said improvement be closed; and that said plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of construction cost are hereby approved as the plans, specifications, form of contract documents, and Jurisdictional Engineer's estimate of construction cost for said improvement.



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BE IT FURTHER RESOLVED: That the City Council concurs in the recommendation of the Engineering Department and the Legal Department regarding the bid submitted by Mid-America Pipe Services, LLC, waives said minor irregularity, and hereby receives the bid submitted by Mid-America Pipe Services, LLC.

BE IT FURTHER RESOLVED: That sealed bids for said improvement were submitted by the following bidders:

Mid-America Pipe Services, LLC	Moscow Mills, MO Bid read under advisement
Hydro-Klean, Inc.	Des Moines, IA
Van Hauen & Associates, Inc.	Grimes, IA Bid read under advisement
Visu-Sewer Clean & Seal, Inc.	Pewaukee, WI
Infrastructure Technologies Inc.	Rogers, MN Bid read under advisement
Ace Pipe Cleaning, Inc.	Kansas City, MO
American Hydro Services Inc.	Franksville, WI Bid not read

which were received and opened at a public meeting presided over by the Jurisdictional Engineer in the City Council Chambers, 2nd Floor, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa at 11:00 a.m. on September 29, 2009. Said bids and the attached tabulation of bids for said improvement be and are hereby received and filed.

BE IT FURTHER RESOLVED: That the Jurisdictional Engineer has determined that the lowest responsive, responsible bid for the construction of said improvement was submitted by Mid-America Pipe Services, LLC, Lynn Norman, Member, 101 MGM Ct., Moscow Mills, MO, 63362 in the amount of \$393,300.00, and said bid be and the same is hereby accepted.

BE IT FURTHER RESOLVED: That the bid security of the unsuccessful bidders be and is hereby authorized and directed to be returned.



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BE IT FURTHER RESOLVED: That the Jurisdictional Engineer is hereby directed to secure execution by the lowest responsible, responsive Bidder and its surety of the contract documents in the form heretofore approved by this Council; that the Jurisdictional Engineer is directed to thereafter present said contract documents to this Council for approval and authorization to the Mayor to sign; and that 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.

(City Council Communication Number 09-725 attached.)

Moved by Vlassis to adopt.

FORM APPROVED:

FUNDS AVAILABLE

Kathleen Vanderpool
Deputy City Attorney

Allen McKinley
Des Moines Finance Director

SEB

Funding Source: Highland Hills Sewer Lining, SAE131, Being: \$393,300 in HUD Disaster funds from the Iowa Department of Economic Development for 100% of construction costs associated with the lining of the Eastern Portion of the Highland Hills Sanitary Sewer System with a \$1,200,000 maximum in Federal Jumpstart Infrastructure Assistance funds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

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