



Roll Call Number

11-1158

Agenda Item Number

54

DATE June 27, 2011

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON BLANK PARK ZOO ENTRANCE IMPROVEMENTS; RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS LARSON & LARSON CONSTRUCTION LLC, JEFFREY C. LARSON, PRESIDENT, \$1,889,870.93

WHEREAS, on May 23, 2011, under Roll Call No. 11-0869, plans, specifications, form of contract documents, and Engineer's estimate of construction cost were filed with the City Clerk, for the construction of the following improvement:

Blank Park Zoo Entrance Improvements, 11-2011-001
RM-1945(780)--9D-77

The improvement includes street paving twenty-six (26) feet wide B/B with Portland Cement Concrete seven (7) inches thick with integral curb, sidewalks, water main, storm sewer, subdrain, retaining walls, landscaping, and surface restoration. Also included in the project is playground areas, shelter building with restrooms, decorative arch signs, water features, and street lighting together with other incidental items; all in accordance with the contract documents, including Plan File Nos. 532-024/071, at the Blank Park Zoo, 7401 S.W. 9th Street, in an area north of the existing parking lot to the intersection at Rittenhouse Street and SW 9th Street, 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, during review and evaluation of the proposals the City Engineer discovered that the apparent lowest bidder, Larson & Larson Construction LLC, the unit price listed for Bid Item No. 12 did not result in the amount listed in the total amount for Bid Item No. 12; and

Whereas, the City Engineer is able to ascertain from the Total Construction Cost and the correct amount listed in the total amount for Bid Item No. 12, that the bidders intent in the proposal was the dollar amount indicated in the total bid price; since the listed unit price was one hundred times greater than the resulting unit price utilizing the total amount for Bid Item No. 12, and this resulting unit price and total amount for this bid item is comparable to the other bidders unit prices and total amounts for this Bid Item No. 12; and

Whereas, the Supplemental Specifications provide, "In the case of discrepancy, the unit price shall govern; except in the case of an obvious, serious, clerical error where the City Engineer is able to determine the bidder's intent from the proposal; in which case, the Des Moines City Council may waive irregularities that are in best interest of the City of Des Moines, as long as the integrity of the bid process can be maintained."; and

Whereas, the City Engineer recommends that the City Council waive this as a minor irregularity and accepts the bid from Larson & Larson Construction LLC in the amount of \$1,889,870.93.



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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 Engineer's estimate of construction cost for said improvement be closed; and that said plans, specifications, form of contract documents, and Engineer's estimate of construction cost are hereby approved as the plans, specifications, form of contract documents, and Engineer's estimate of construction cost for said improvement.

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 Larson & Larson Construction LLC, waives said minor irregularity, and hereby receives the bid submitted by Larson & Larson Construction LLC.

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

- | | |
|----------------------------------|---------------------|
| Larson & Larson Construction LLC | Urbandale, IA |
| Corell Contractor, Inc. | West Des Moines, IA |
| Elder Corporation | Des Moines, IA |

which were received and opened at a public meeting presided over by the Engineer in the City Council Chambers, 2nd Floor, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa at 11:00 a.m. on June 14, 2011. Said bids and the attached tabulation of bids for said improvement be and are hereby received and filed.

BE IT FURTHER RESOLVED: That the Des Moines City Engineer, as the Engineer, has determined that the lowest responsive, responsible bid for the construction of said improvement was submitted by Larson & Larson Construction LLC, Jeffrey C. Larson, President, 10703 Justin Drive, Urbandale, IA, 50322 in the amount of \$1,889,870.93, 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 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 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 11-414 attached.)

Moved by Meyer to adopt.

FORM APPROVED:

FUNDS AVAILABLE

Kathleen Vanderpool by AD
Kathleen Vanderpool
Deputy City Attorney

Scott E. Sanders
Scott E. Sanders
Des Moines Finance Director

RB Funding Source: 2011-2012 CIP, Page Parks-5, Blank Park Zoo Entrance, PKS174, Being: IDOT - RISE RM-1945(780)--9D-77 \$372,749.71 (50% of construction cost up to grant maximum of \$449,725), RIIF Funding from Iowa Department of Corrections \$946,088.39 (\$573,338.68 plus \$372,749.71 match to RISE Grant, with maximum funding of \$1,000,000), and the remaining \$571,032.83, Blank Park Zoo Foundation

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE				✓
TOTAL	6			1

MOTION CARRIED APPROVED
T. M. Franklin
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.

Diane Rauh
City Clerk