



Roll Call Number

14-1322

Agenda Item Number

42

DATE August 25, 2014

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON 2014 PARK PLAYGROUND IMPROVEMENTS; RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS THE HANSEN COMPANY, INC., CRAIG FABER, PRESIDENT, \$343,628.61

WHEREAS, on July 28, 2014, under Roll Call No. 14-1123, 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:

2014 Park Playground Improvements, 11-2014-008

The improvement includes construction of basketball courts at Tower and Woodlawn Parks, a playground at Four Mile Community Center, pavement removal and replacement, miscellaneous removals, fence removal and replacement, earthwork, sidewalks, playground equipment and park amenities, painted pavement markings, wood toilet enclosures and site restoration; all in accordance with the contract documents including Plan File Nos. 560-089/100, 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, The Hansen Company, Inc., made an error on its proposal and incorrectly noted the unit price for Bid Item No. 34 as \$1.00 each; the proposal reflects the extended amount for Bid Item No. 34 as \$4,044 which was based on a unit price of \$1,348.00 and not \$1.00 each; and

WHEREAS, The Hansen Company, Inc., has submitted correspondence and documented to the Des Moines City Engineer the total bid amount for Bid Item No. 34 is correct at \$4,044 however the unit price was incorrectly noted at \$1.00 and should have noted \$1,348.00, and the Total Construction Cost of \$343,628.61 remains correct; and

WHEREAS, the Des Moines City Engineer is able to ascertain from the Total Construction Cost and the correct amount listed in the total amount for Bid Item No. 34, that the bidders intent in the proposal was the dollar amount indicated in the total bid price; 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 The Hansen Company, Inc. in the amount of \$343,628.61.



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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 The Hansen Company, Inc., waives said minor irregularity, and hereby receives the bid submitted by The Hansen Company, Inc..

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

- | | |
|----------------------------|--------------|
| The Hansen Company, Inc. | Johnston, IA |
| Brocon Services LLC | Johnston, IA |
| T K Concrete Inc. | Pella, IA |
| Lansink Construction, Inc. | Johnston, 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 August 12, 2014. 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 The Hansen Company, Inc., Craig Faber, President, 5665 Greendale Road, Suite A, Johnston, IA, 50131 in the amount of \$343,628.61, 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.

BE IT FURTHER RESOLVED: That the City Council hereby authorizes the necessary road closures for the Project.

(City Council Communication Number 14-420 attached.)

oved by Coleman to adopt.

FORM APPROVED:

FUNDS AVAILABLE

Kathleen Vanderpool

Dan E. Ritter

Kathleen Vanderpool
Deputy City Attorney

Dan E. Ritter
Interim Des Moines Finance Director

ps Funding Source: 2014-2015 CIP, Page Park - 12, Park Improvements, PK137, G. O. Bonds, Being: \$297,415.09; with the remaining \$46,213.52 for ADA improvements, Page Building - 4, ADA Modifications, BL042, G. O. Bonds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			

CERTIFICATE

I, DIANE RAUH, 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.

MOTION CARRIED 7 APPROVED
T. M. Franklin
Mayor

Diane Rauh
City Clerk