

★ **Roll Call Number**

Agenda Item Number

17-1924

46

DATE November 6, 2017

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON E. 6TH STREET AND DES MOINES STREET TRAFFIC SIGNALS; RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS VAN MAANEN ELECTRIC, INC., NATHAN S. VAN MAANEN, PRESIDENT, \$181,161.97

WHEREAS, on October 9, 2017, under Roll Call No. 17-1710, plans, specifications, form of contract documents, and Engineer's estimate of construction cost were filed with the Chief Deputy City Clerk, for the construction of the following improvement:

E. 6th Street and Des Moines Street Traffic Signals, 04-2017-020

The improvement includes the construction of traffic signals, vehicle loop detectors, pavement markings, Portland Cement Concrete (PCC) sidewalk ramps, and other incidental items; all in accordance with the contract documents, including Plan File Nos. 587-185/199, located at the intersection of E. 6th Street and Des Moines 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, Van Maanen Electric, Inc., made an error on its proposal and incorrectly noted the unit price for Bid Item No.2 as \$2,220.00 per Unit; the proposal reflected the extended amount for Bid Item No.2 as \$2,220.00 which was based on a unit price of \$164.44 and not \$2,220.00 per Unit; and

WHEREAS, Tyler Cox, Project Manager/Estimator, Van Maanen Electric, Inc., has submitted correspondence and documented to the Engineer the total bid amount for Bid Item No. 2 is correct at \$2,220.00 however the unit price was incorrectly noted at \$2,220.00, and the Total Construction Cost noted on the Proposal of \$181,161.97 remains correct; 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. 2, 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 Des Moines 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 Van Maanen Electric, Inc. in the amount of \$181,161.97.

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 sealed bids for said improvement were submitted by the following bidders:

Baker Electric, Inc.

Des Moines, IA

Van Maanen Electric, Inc.

Newton, IA -Bid read under advisement to determine if bid bond not affected by written amount of bidder

Iowa Signal, Inc.

Grimes, IA

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which were received and opened at a public meeting presided over by the Engineer in the Shijiazhuang Room, 2nd Floor, City Administration Building, 400 E. Court Avenue, Des Moines, Iowa at 11:00 a.m. on October 24, 2017. 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 Van Maanen Electric, Inc., Nathan S. Van Maanen, President, 627 North 19th Ave., East, PO Box 1131, Newton, IA, 50208 in the amount of \$181,161.97, 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 in accordance with the Instructions to Bidders.

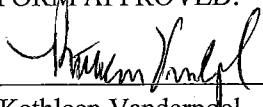
BE IT FURTHER RESOLVED: That the Engineer is hereby directed to secure execution by the lowest responsive, responsive Bidder and its surety of the contract documents in the form heretofore approved by this Council; that the Engineer is directed to thereafter present said contract documents to this Council 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 Chief Deputy City Clerk.

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

(City Council Communication Number 17-776 attached.)

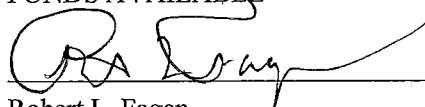
Moved by Gatto to adopt.

FORM APPROVED:



Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE



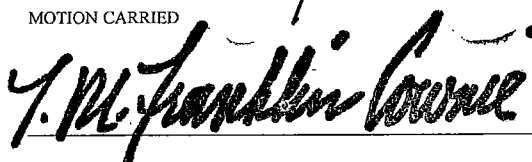
Robert L. Fagen
Des Moines Finance Director

Funding Source: 2017-2018 CIP, Page Streets – 44, Traffic Signals, Channelization, and School Crossings, TR091, G. O. Bonds

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

MOTION CARRIED

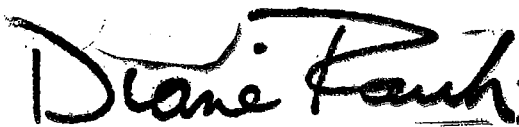
APPROVED



Mayor

I, Diāne 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