



**Roll Call Number**

18-1637

**Agenda Item Number**

52

DATE September 24, 2018

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT  
DOCUMENTS, AND ENGINEER'S ESTIMATE ON  
FALLEN OFFICER MEMORIAL;  
RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE  
BIDDER AS GTG CONSTRUCTION, LLC, TRACY D. GRASSO, MANAGING PARTNER, \$101,529.15

WHEREAS, on August 20, 2018, under Roll Call No. 18-1385, 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:

Fallen Officer Memorial, 04-2019-005

The improvement includes limited site work, Portland Cement Concrete (PCC) structural concrete foundations, colored concrete retaining walls, PCC ramp and sidewalks, weathering steel panels, decorative security fencing, decorative paving and landscape edging; all in accordance with the contract documents, including Plan File Nos. 597-102/114, located at 25 E. 1st 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 Proposals the City Engineer discovered that the apparent lowest bidder, GTG Construction, LLC, made an error on its Proposal and incorrectly noted the unit price for Bid Item No. 4 as \$900.22 per SY; the Proposal reflected the extended amount for Bid Item No. 4 as \$4,150.12 which was based on a unit price of \$90.22 and not \$900.22 per SY; and

WHEREAS, Jessica Reynolds, Construction Project Manager, GTG Construction, LLC, has submitted correspondence and documented to the Engineer the total bid amount for Bid Item No.4 is correct at \$4,150.12 however the unit price was incorrectly noted at \$900.22, and the Total Construction Cost noted on the Proposal of \$101,529.15 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.4, that the bidder's 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 the 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 GTG Construction, LLC in the amount of \$101,529.15.



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

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

- |                                    |              |
|------------------------------------|--------------|
| GTG Construction, LLC              | Johnston, IA |
| Edge Commercial, LLC               | Grimes, IA   |
| Koester Construction Company, Inc. | Grimes, IA   |
| Minturn, Inc.                      | Brooklyn, 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 September 11, 2018. 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 GTG Construction, LLC, Tracy D. Grasso, Managing Partner, 6505 Merle Hay Road, Suite A, Johnston, IA, 50131 in the amount of \$101,529.15, 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.



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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 18-482 attached.)

Moved by Gatto to adopt.

**FORM APPROVED:**

Kathleen Vanderpool  
Kathleen Vanderpool  
Deputy City Attorney

**FUNDS AVAILABLE**

Robert L. Fagen  
Robert L. Fagen  
Des Moines Finance Director

**SLN** Funding Source: 2018-2019 CIP, Page Building – 13, Police Facility Improvements, BL062, Being: \$10,000 Prairie Meadows Grant, \$38,000 donated funds to date, and the remaining \$53,529.15 in available seized funds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED APPROVED

J. M. Frank  
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