

DATE March 9, 2009

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
ASHWORTH POOL FILTER REPLACEMENT
\$ 263,700.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$263,700.00, executed by Bergstrom Construction, Inc., Tom Gorgas, President, 1719 Hull Avenue, Des Moines, IA, 50313 dated March 9, 2009, for the construction of the following improvement:

Ashworth Pool Filter Replacement, 11-2009-008

The improvement includes replacement of the existing vacuum sand filter system with a pressure sand filter system, demolition and structural modifications to the filter building, painting, mechanical, electrical, concrete work, clean up and debris disposal all in accordance with the contract documents including Plan File Nos. 495-1/21 at Ashworth Swimming Pool, 102 45th Street, Des Moines, Iowa

the same to be performed in accordance with the plans and specifications which have been heretofore approved by this Council, be and the same are hereby approved. The attached "Contractor's Anticipated DBE/TSB Utilization" shows the Contractor's efforts to solicit DBE/TSB Participation in accordance with the Disadvantaged Business Enterprise/Targeted Small Business (DBE/TSB) Program.

BE IT FURTHER RESOLVED: That the Mayor be and is hereby authorized and directed to execute said contract on behalf of the City of Des Moines, and the City Clerk, be and is hereby authorized and directed to attest to same. 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 after said contract has been executed by the Mayor, the City Clerk be and is hereby authorized and directed to return the Contractor's bid security.

BE IT FURTHER RESOLVED: That the attached communication from said Contractor requesting permission to sublet designated items and the attached Permission to Sublet form, be and are hereby approved subject to each subcontractor's compliance with the City of Des Moines Contract Compliance Program. The City Manager is hereby directed to sign said Permission to Sublet form granting permission for said listed subcontractor to work on said improvement upon each subcontractor's compliance with the City of Des Moines Contract Compliance Program as monitored by the Engineering Department.

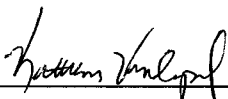
★ **Roll Call Number**


Agenda Item Number
46A

DATE March 9, 2009

BE IT FURTHER RESOLVED: That the Des Moines Finance Director is hereby authorized to encumber this contract amount against the funds as identified below, and to acquire Builder's Risk Insurance, if appropriate, for the above referenced improvement.

Moved by _____ to adopt.

FORM APPROVED 
 Kathleen Vanderpool
 Deputy City Attorney

 Funding Source: 2009-2010 CIP, Page Parks-28, Swimming Pools and Aquatic Infrastructure, PKS153, Being: G. O. Bonds, with a transfer of \$263,700 in G. O. Bonds from Park Redevelopment, Page Parks-19, PKS100

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

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

46A

Department of Engineering
City of Des Moines, Iowa



CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION

Ashworth Pool Filter Replacement

Activity ID 11-2009-008

On February 24, 2009, Bergstrom Construction, Inc., Tom Gorgas, President, 1719 Hull Avenue, Des Moines, IA 50313 submitted a proposal for construction of the Ashworth Pool Filter Replacement, Activity ID 11-2009-008, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$263,700.00. The proposal included a statement that the Disadvantaged Business Enterprise/Targeted Small Business (DBE/TSB) Program shall apply to this project.

The Engineering Department has prepared this report summarizing the information that Bergstrom Construction, Inc., has submitted indicating that it anticipates utilizing the following DBE/TSB companies on this project:

<u>DBE/TSB Name</u>	<u>Description of Work</u>	<u>Estimated Amount</u>
None	N/A	\$0.00
	Estimated DBE/TSB Participation	\$0.00
	Bergstrom Construction, Inc. Amount	\$263,700.00
	Percentage of DBE/TSB Participation	0.00%

PERMISSION TO SUBLET

Project Ashworth Pool Filter Replacement **Date** February 25, 2009
Contractor Bergstrom Constriction, Inc. **Contract No.** 14424
Federal Tax ID 42-0948614 **Activity ID** 11-2009-008

ITEM TO BE SUBLET	ORGANIZATION TO PERFORM WORK	STATE IF ORGANIZATION IS DBE	COST OF WORK TO BE SUBLET
Steel Erection	Northwest Steel Erection 5125 Beisser Drive Grimes, IA. 50111 Mike Christenson (515) 986-0380 Federal Tax ID 47-0799239	No	\$12,285.00
Fencing	American Fence 1922 Delaware Avenue Des Moines, IA. 50317 Toby Schmidt (515) 265-6100 Federal Tax ID 42-1196320	No	\$3,833.00
Mechanical	ACCO 5300 NW 55 th Avenue Johnson, IA. 50131 Mike Fackler (515) 278-0487 Federal Tax ID 42-0942840	No	\$140,101.00
Electrical	Van Maanen Electric 627 N 19 th Avenue, E Newton, IA. 50208 Nathan Van Maanen (641) 791-9473 Federal Tax ID 20-0582593	No	\$23,414.00
Painting	Painting Pros 3438 Scenic Vista Drive West Des Moines, IA. 50265 Terry Thompson (515) 229-3710 Federal Tax ID 57-1176412	No	\$5,000.00

Cost of Items Sublet This Request		<u>\$184,633.00</u>
Cost of Items Previously Sublet		<u>\$0.00</u>
Total Cost of Items Sublet		<u>\$184,633.00</u>
Cost of Specialty Items	<u>\$168,515.00</u>	
(a) Total Cost of Sublet Items Less Specialty Items		<u>\$16,118.00</u>
Total Contract Amount	<u>\$263,700.00</u>	
(b) Total Contract Amount Less Specialty Items		<u>\$95,185.00</u>
Percentage of Contract to be Sublet (a ÷ b)		17%

Permission is subject to subcontractors' compliance with the City of Des Moines Contract Compliance Program, and clearance of subcontractors by the Engineering Department is required prior to their starting work. Permission is given with the understanding that the prime contractor shall be held responsible for the subcontractor's full compliance of all terms of the contract.

Attachment: Contractor's Letter
Requesting Subletting



City Engineer

26 MAR 2009

Date

Form Routing: Project Engr. - City Engr. -
Engr. Admin. - City Clerk/City Manager -
Engr. Admin. - Distribution

City Manager

Date

Form Distribution: Original - Project File
Copy - Project Engineer
Copy - Prime Contractor

ENG. 90-59

Roll Call No.

Date



CONSTRUCTION INC.
 1719 Hull Ave. ph: (515)266-5146
 Des Moines, Iowa 50313 fx: (515)266-7072

February 24, 2009

Request for Permission to Sublet

Attn: Mark Hutchins Fx:237-1814

Project: Ashworth Pool Filter Replacement

Given your permission, the following is a list of subcontractors we intend to award contracts on the above referenced project:

Company	Work	Address	Contract \$	Phone	Fax	Tax ID #	Contact
Northwest Steel Erection	Steel erection	5125 Beisser Drive Grimes, IA 50111	\$12,285	986-0380	986-0384	47-0799239	Mike Cristenson
American Fence	Fencing	1922 Delaware Ave. Des Moines, IA 50317	\$3,833	265-6100	265-6108	42-1196320	Toby Schmidt
ACCO	Mechanical	5300 NW 55 th Ave. Johnston, IA 50131	\$140,101	278-0487	278-2183	42-0942840	Mike Fackler
Van Maanen Electric	Electrical	627 N 19 th Ave. E Newton, IA 50208	\$23,414	641-791-9473		20-0582593	Nathan Van Maanen
Painting Pros	Painting	3438 Scenic Vista Dr. WDM, IA 50265	\$5,000	229-3710	224-0365	57-1176412	Terry Thompson

Respectfully;

TOM GORGAS

President

tgorgas@qwestoffice.net