

DATE November 6, 2006

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
SE CONNECTOR - ELM STREET PAVEMENT REMOVALS AND LEVEE RECONSTRUCTION
\$ 349,173.10

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$349,173.10, executed by Cramer and Associates, Inc., Robert Cramer, President/CAO, 990 NE 44th Avenue, Des Moines, IA, 50313 dated November 6, 2006, for the construction of the following improvement:

SE Connector - Elm Street Pavement Removals and Levee Reconstruction, 06-2006-020
NHSX-U-1945(401)--8S-77

The improvement includes removal of the existing earth levee and replacement with a 317 linear feet Portland Cement Concrete (PCC) retaining wall; complete removal and replacement of Elm Street with Hot Mix Asphalt (HMA) pavement; the coordination with an onsite archeological investigation; provide all the equipment and labor necessary to backfill the archeological site excavations; construction of PCC curb and gutter, PCC sidewalk, and PCC street patches; along with the necessary earthwork, street and sidewalk removal, seeding and sodding, silt fence, traffic control, and pavement markings; all in accordance with the contract documents including Plan File Nos. 462-124/145, along Elm Street and Water Street in 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 Utilization" shows the Contractor's efforts to solicit DBE Participation in accordance with the Disadvantaged Business Enterprise 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.

BE IT FURTHER RESOLVED: That 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
48 A

DATE November 6, 2006

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: 2006-2007 CIP, Page Street-40, Southeast Connector - S.W. Second to S.E. Sixth Street, STR214, Various Funding, Being:
 80% (\$279,338.48) Federal STP funds for Construction Contract Costs only and 20% (\$69,834.62) TIF-backed G. O. Bonds



COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
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

48 A

Department of Engineering
City of Des Moines, Iowa



CONTRACTOR'S ANTICIPATED DBE UTILIZATION
SE Connector - Elm Street Pavement Removals and Levee Reconstruction

Activity ID 06-2006-020

On October 17, 2006, Cramer and Associates, Inc., Robert Cramer, President/CAO, 990 NE 44th Avenue, Des Moines, IA 50313 submitted a proposal for construction of the SE Connector - Elm Street Pavement Removals and Levee Reconstruction, Activity ID 06-2006-020, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$349,173.10. The proposal included a statement that the Disadvantaged Business Enterprise (DBE) Program shall not apply to this project.

The Engineering Department has prepared this report summarizing the information that Cramer and Associates, Inc., has submitted indicating that it anticipates utilizing the following DBE companies on this project:

<u>DBE Name</u>	<u>Description of Work</u>	<u>Estimated Amount</u>
<u>A-Seeding Contractor, Inc.</u>	<u>Erosion Control</u>	<u>\$6,450.00</u>
	Estimated DBE Participation	<u>\$6,450.00</u>
	Cramer and Associates, Inc. Amount	<u>\$349,173.10</u>
	Percentage of DBE Participation	<u>1.85%</u>



Iowa Department of Transportation

A

SUBCONTRACT REQUEST AND APPROVAL

Contractor CRAMER AND ASSOCIATES, INC. County Polk
 Contractor Identification Number 42-1102408 Contract ID No. 77-1945-401
 Letting Date October 17, 2006 Bid Order No. 12

This is to request that the following subcontractor be approved to perform the work for the items listed below. It is clearly understood by both the prime contractor and the subcontractor that all terms of the prime contract shall apply. It is also clearly understood that the subcontractor is not a third-party beneficiary of the contract between the prime contractor and the DOT.

When this subcontractor is being used to satisfy an established DBE goal, the actual amount to be paid to the DBE is indicated in Column "A". The approval of the DOT is limited to the question of whether the subcontractor is a DBE and shall in no sense be construed as an endorsement of the DBE or an expression of opinion by the DOT on the subcontractor's ability to comply with the contract.

Subcontractor Elder Corporation Subcontractor Number 42-1248691
 Address 5088 E. University Ave. Division of Labor Registration Yes No
Des Moines, IA 50317 Telephone Number 515-266-3111

The following conditions apply if this is a Federal Aid Contract:

1. The prime contractor is responsible for compliance by the subcontractor with Required Contract Provisions for Federal Aid Contracts, Form FHWA-1273, dated as per contract, relative to projects financed under the Federal Highway Act relative to wages and payrolls, and all terms of the prime contract applicable to the work performed by the subcontractors. A copy of FHWA-1273 shall be attached to the subcontract.
2. The prime contractor is responsible for checking and submitting subcontractor's payrolls at the same time the prime contractor's payrolls are submitted on all Federal Aid projects.
3. I do hereby certify that in requesting approval to sublet a portion of this project we have taken affirmative action to seek out and consider disadvantage business enterprises as potential subcontractors and/or material suppliers.

Line No.	Item Description	Quantity		Unit Price	"A"	\$ Amount	Part Item
10	Selected Backfill	232.70	c.y.	\$18.00		\$4,188.60	
20	Excavation, CI 10	962.80	c.y.	\$9.00		\$8,665.20	
30	Topsoil, Strip, Salvage	747.20	c.y.	\$28.00		\$20,921.60	
40	Compaction-Moisture/Density	2232.70	c.y.	\$4.00		\$8,930.80	
90	Compaction - Moisture Control	1120.80	c.y.	\$5.00		\$5,604.00	
100	Excavation, CI 20	1277.00	c.y.	\$13.00		\$16,601.00	
120	Removal of Pavement	1633.20	s.y.	\$4.50		\$7,349.40	
130	Removal of Sidewalk	50.00	s.y.	\$4.50		\$225.00	
Signature (Prime Contractor)				Totals Carried From Back			
<i>Jerry Markin</i>				Totals	\$0.00	\$72,485.60	

	Totals	Specialty Items	Totals Less Specialty Items	% Sublet this req.
Contract Amount	\$349,173.10	--	(b) \$349,173.10	($\frac{a}{b}$) 100
				20.759%

Recommended by: *[Signature]* 11-1-06
 County/City Engineer Date

% Prev. Sublets	--
Total % To Date	20.759%

 City Manager Date

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Iowa Department of Transportation

SUBCONTRACT REQUEST AND APPROVAL

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Subcontractor Grimes Asphalt & Paving Subcontractor Number 42-1176884
 Address PO Box 139 Division of Labor Registration Yes No
Grimes, Iowa 50111 Telephone Number 515-966-3649

The following conditions apply if this is a Federal Aid Contract:

1. The prime contractor is responsible for compliance by the subcontractor with Required Contract Provisions for Federal Aid Contracts, Form FHWA-1273, dated as per contract, relative to projects financed under the Federal Highway Act relative to wages and payrolls, and all terms of the prime contract applicable to the work performed by the subcontractors. A copy of FHWA-1273 shall be attached to the subcontract.
2. The prime contractor is responsible for checking and submitting subcontractor's payrolls at the same time the prime contractor's payrolls are submitted on all Federal Aid projects.
3. I do hereby certify that in requesting approval to sublet a portion of this project we have taken affirmative action to seek out and consider disadvantage business enterprises as potential subcontractors and/or material suppliers.

Line No.	Item Description	Quantity	Unit Price	"A"	\$ Amount	Part Item
50	Modified Subbase	177 c.y.	\$42.00		\$7,434.00	
60	HMA (IM ESAL) Base	177.5 Ton	\$57.00		\$10,117.50	
70	HMA (IM ESAL) Surf	86.2 Ton	\$73.00		\$6,292.60	
80	Asphalt Binder, PG 64-22	15.8 Ton	\$503.00		\$7,947.40	
140	Sidewalk PCC 4"	50 s.y.	\$72.00		\$3,600.00	
150	Curb & Gutter	190.6 l.f.	\$30.00		\$5,718.00	
210	Patch, Full Depth - By Area	300 s.y.	\$100.00		\$30,000.00	
220	Patch, Full Depth - By Count	7 each	\$200.00		\$1,400.00	
Signature (Prime Contractor)			Totals Carried From Back			
			Totals	\$0.00	\$72,509.50	

	Totals	Specialty Items	Totals Less Specialty Items		% Sublet this req.
Contract Amount	\$349,173.10	--	(b) \$349,173.10	($\frac{a}{b}$) 100	20.766%
				% Prev. Sublets	20.759%
				Total % To Date	41.525%

Recommended by: 11-1-06
 County/City Engineer Date

City Manager Date

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Iowa Department of Transportation

SUBCONTRACT REQUEST AND APPROVAL

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 Contractor Identification Number 42-1102408 Contract ID No. 77-1945-401
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Subcontractor Iowa Plains Signing Subcontractor Number 42-1501734
 Address P. O. Box 654 Division of Labor Registration Yes No
Slater, Iowa 50244 Telephone Number 515-685-3536

The following conditions apply if this is a Federal Aid Contract:

1. The prime contractor is responsible for compliance by the subcontractor with Required Contract Provisions for Federal Aid Contracts, Form FHWA-1273, dated as per contract, relative to projects financed under the Federal Highway Act relative to wages and payrolls, and all terms of the prime contract applicable to the work performed by the subcontractors. A copy of FHWA-1273 shall be attached to the subcontract.
2. The prime contractor is responsible for checking and submitting subcontractor's payrolls at the same time the prime contractor's payrolls are submitted on all Federal Aid projects.
3. I do hereby certify that in requesting approval to sublet a portion of this project we have taken affirmative action to seek out and consider disadvantage business enterprises as potential subcontractors and/or material suppliers.

Line No.	Item Description	Quantity	Unit Price	"A"	\$ Amount	Part Item
170	Safety Closure	2 each	\$100.00		\$200.00	
190	Paint Pavement Markings	5.2 Sta.	\$155.00		\$806.00	
200	Traffic Control	1 L.S.	\$4,000.00		\$4,000.00	
Signature (Prime Contractor)			Totals Carried From Back			
<i>Jerry Macher</i>			Totals	\$0.00	\$5,006.00	(a)

	Totals	Specialty Items	Totals Less Specialty Items		% Sublet this req.
Contract Amount	\$349,173.10	--	(b) \$349,173.10	($\frac{a}{b}$) 100	1.434%

Recommended by:

Jerry Macher 11-1-06
 County/City Engineer Date

% Prev. Sublets	41.525%
Total % To Date	42.959%

 City Manager Date

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Form 830231
11-00



Iowa Department of Transportation

SUBCONTRACT REQUEST AND APPROVAL

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 Contractor Identification Number 42-1102408 Contract ID No. 77-1945-401
 Letting Date October 17, 2006 Bid Order No. 12

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Subcontractor A-Seeding Contractors Subcontractor Number 42-1412737
 Address 1623 W 84th St. North Division of Labor Registration Yes No
Colfax, Iowa 50054 Telephone Number 515-674-4690

The following conditions apply if this is a Federal Aid Contract:

1. The prime contractor is responsible for compliance by the subcontractor with Required Contract Provisions for Federal Aid Contracts, Form FHWA-1273, dated as per contract, relative to projects financed under the Federal Highway Act relative to wages and payrolls, and all terms of the prime contract applicable to the work performed by the subcontractors. A copy of FHWA-1273 shall be attached to the subcontract.
2. The prime contractor is responsible for checking and submitting subcontractor's payrolls at the same time the prime contractor's payrolls are submitted on all Federal Aid projects.
3. I do hereby certify that in requesting approval to sublet a portion of this project we have taken affirmative action to seek out and consider disadvantage business enterprises as potential subcontractors and/or material suppliers.

Line No.	Item Description	Quantity	Unit Price	"A"	\$ Amount	Part Item
260	Seed & Fertilize	.7 acre	\$2,500.00	\$1,750.00	\$1,750.00	
270	Sod	.50 SQ	\$45.00	\$2,250.00	\$2,250.00	
280	Silt Fence	700 L.F.	\$2.50	\$1,750.00	\$1,750.00	
290	Removal of Silt Fence	700 L.F.	\$1.00	\$700.00	\$700.00	
Signature (Prime Contractor)			Totals Carried From Back			
			Totals	\$6,450.00	(a) \$6,450.00	

	Totals	Specialty Items	Totals Less Specialty Items		% Sublet this req.
Contract Amount	\$349,173.10	--	(b) \$349,173.10	($\frac{a}{b}$) 100	1.847%

Recommended by: [Signature] 11-1-06
 County/City Engineer Date

% Prev. Sublets	42.959%
Total % To Date	44.806%

City Manager Date