

DATE December 3, 2007

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
AMERICAN DISCOVERY TRAIL WETLANDS MITIGATION
\$ 126,370.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$126,370.00, executed by C.A.C., Inc., Chris Christensen, Owner, 3090 104th Street, Urbandale, IA, 50322 dated December 3, 2007, for the construction of the following improvement:

American Discovery Trail Wetlands Mitigation, 11-2008-002
US Army Corps of Engineers Permit No. CEMVR-P-2006-757

The improvement includes a twenty-one acre wetland construction project which includes earthwork, seeding, shrubs, trees and other related items, all in accordance with the contract documents including Plan File Nos. 478-077/088, in the vicinity of NE 118th Avenue and the Skunk River near Elkhart, Iowa in the northeast corner of Polk County

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 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**

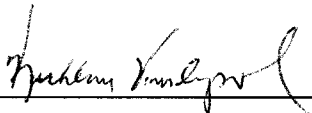
Agenda Item Number

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DATE December 3, 2007

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: 2007-2008 CIP, Page Park-22, Recreation Trails, PKS045, G. O. Bonds

JB

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

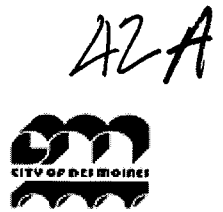
MOTION CARRIED APPROVED

 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



CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION
American Discovery Trail Wetlands Mitigation

Activity ID 11-2008-002

On November 20, 2007, C.A.C., Inc., Chris Christensen, Owner, 3090 104th Street, Urbandale, IA 50322 submitted a proposal for construction of the American Discovery Trail Wetlands Mitigation, Activity ID 11-2008-002, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$126,370.00. The proposal included a statement that the Disadvantaged Business Enterprise/Targeted Small Business (DBE/TSB) Program shall not apply to this project.

The Engineering Department has prepared this report summarizing the information that C.A.C., 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
	C.A.C., Inc. Amount	\$126,370.00
	Percentage of DBE/TSB Participation	0.00%

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PERMISSION TO SUBLET

Date November 27, 2007
 Project American Discovery Trail Wetlands Mitigation Contract No. 14330
 Contractor CAC, Inc. Activity ID 11-2008-002
 Federal Tax ID 42-1484160 Project No. _____

<u>ITEM TO BE SUBLET</u>	<u>ORGANIZATION TO PERFORM WORK</u>	<u>STATE IF ORGANIZATION IS DBE</u>	<u>COST OF WORK TO BE SUBLET</u>
Item #'s: 5, 6, 7, 11, 13, 14, 15	Applied Ecological Services, Inc. 21938 Mushtown Road Prior Lake, Minnesota 55372 (952) 447-1919 #39-1611274	No	\$55,269.90
Item #'s: 8, 9, 10	Soil-Tek 4400 NE 14th St. Des Moines, Iowa 50313 (515) 244-7474 #20-0521477	No	\$5,570.00

Cost of Items Sublet This Request		\$60,839.90
Cost of Items Previously Sublet		\$0.00
Total Cost of Items Sublet		\$60,839.90
Cost of Specialty Items	\$0.00	
(a) Total Cost of Sublet Items Less Specialty Items		\$60,839.90
Total Contract Amount	\$126,370.00	
(b) Total Contract Amount Less Specialty Items		\$126,370.00
Percentage of Contract to be Sublet (a ÷ b)		48.14%

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 subcontractors' full compliance of all terms of the contract.

Attachment: Contractor's Letter Requesting Subletting  City Engineer 11/28/2007 Date

Form Routing: Project Engr. _____
 City Engr. _____
 Engr. Admin. _____ City Manager _____ Date _____
 City Clerk/City Manager _____
 Engr. Admin. _____
 Distribution _____ Roll Call No. _____ Date _____



3090 104TH STREET
URBANDALE, IA 50322
PHONE: (515) 334-9999
FAX: (515) 309-0863

42A

November 27, 2007

City of Des Moines
Engineering Department\
400 Robert D. Ray Drive
Des Moines, Iowa 50309

Job Name: American Discovery Trail
Wetlands Mitigation
Regarding: Permission to Sublet

To Whom It May Concern:

The purpose of this letter is to request approval of the subcontractors listed on the attached "Permission to Sublet."

If you need further information regarding these subcontractors, please do not hesitate to contact me at 515-334-9999.

Thank you,

A handwritten signature in cursive script that reads "Jessica Snyder".

Jessica Snyder
Contract Administrator