

DATE November 7, 2011

APPROVAL OF CONTRACT AND BOND
AND PERMISSION TO SUBLET ON
2012 SEWER LINING PROGRAM
\$ 2,739,276.50

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$2,739,276.50, executed by SAK Construction, LLC, Boyd Hirtz, Vice President, 864 Hoff Road, O'Fallon, MO, 63366 dated November 7, 2011, for the construction of the following improvement:

2012 Sewer Lining Program, 07-2012-003

The improvement includes the renovation of 19,000 lineal feet of 8" through 60" diameter sanitary and storm sewers with cured-in-place pipe (CIPP), by-pass pumping, sewer repairs, manhole rehabilitation, and other related items; all in accordance with the contract documents, including Plan File Numbers 535-32/48 at the following locations: 19th Street from Crocker Street to Pleasant Street, East Grand Avenue from East 19th Street to East 29th Street, Robert D. Ray Drive from University Avenue to Maple St., 8th Street at Boston Avenue, Walnut Street from 2nd Street to 10th Street, S.W. 15th Street from Lewis Avenue to Hackley Avenue, McHenry Park, East Thornton Avenue at House #36 to the north, 2501 53rd Street east to 51st Street, 37th Street from Kingman Boulevard to Cottage Grove Avenue, and 235 Miller Street north to Hughes Avenue, 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, subject to receipt of the contract, bond, and certificate of insurance acceptable to the Engineering and Legal Departments. 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, subject to receipt of the contract, bond, and certificate of insurance acceptable to the Engineering and Legal Departments, 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 Permission to Sublet form, from said Contractor requesting permission to sublet designated items, be and is hereby approved, subject to receipt of the contract, bond, and certificate of insurance acceptable to the Engineering and Legal Departments; and each subcontractor is hereby granted permission to work on said improvement.

★ **Roll Call Number**

Agenda Item Number

63A

DATE November 7, 2011

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.

(City Council Communication Number 11-684 attached)

Moved by _____ to adopt.

FORM APPROVED 
 Kathleen Vanderpool
 Deputy City Attorney

SEB Funding Source: 2011-2012 CIP, Page Sanitary - 13, Lining Sanitary Trunk and Lateral Sewers, SAE049, Being: \$73,719.00 in FEMA funding; \$2,454,185.00 in Lining Sanitary Trunk and Lateral Sewers, Sanitary Sewer Bonds to be issued; and the remaining \$211,372.50 in Storm Water Utility Funds from STE057, City-wide Storm Water Utility Projects.

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | | | | |
| COLEMAN | | | | |
| GRIESS | | | | |
| HENSLEY | | | | |
| MAHAFFEY | | | | |
| MEYER | | | | |
| MOORE | | | | |
| 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



53A

CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION
2012 Sewer Lining Program

Activity ID 07-2012-003

On October 25, 2011, SAK Construction, LLC, Boyd Hirtz, Vice President, 864 Hoff Road, O'Fallon, MO 63366 submitted a proposal for construction of the 2012 Sewer Lining Program, Activity ID 07-2012-003, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$2,739,276.50. 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 SAK Construction, LLC, 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> |
|---------------------------|-------------------------------------|-------------------------|
| <u>Bonnies Barricades</u> | <u>Traffic Control</u> | <u>\$10,951.00</u> |
| <u>Blaylock Chemical</u> | <u>Chemical (Supply only)</u> | <u>\$70,434.00</u> |
| | Estimated DBE/TSB Participation | <u>\$81,385.00</u> |
| | SAK Construction, LLC Amount | <u>\$2,739,276.50</u> |
| | Percentage of DBE/TSB Participation | <u>2.97%</u> |