



**Date** March 27, 2023

**APPROVAL OF CONTRACT AND BOND  
AND PERMISSION TO SUBLET ON  
4TH & GRAND PARKING GARAGE SKYWALK IMPROVEMENTS  
\$199,999**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the contract and bond, in the amount of \$199,999, executed by Bergstrom Construction, Inc., Tom Gorgas, President, 1719 Hull Avenue, Des Moines, IA, 50313 dated March 27, 2023, for the construction of the following improvement:

4th & Grand Parking Garage Skywalk Improvements, 042023007

The improvement includes the removal and replacement of the current lighting fixtures, ceiling tile, carpet, diffusers, and environmental doors. The lighting fixtures will be replaced with LED fixtures. The project will also include installation of new environmental doors on the west end of Skywalk Bridge 4E, painting of handrails and walls where applicable, and installation of new security cameras; all in accordance with the contract documents, including Plan File No. 646-177/189, located at the 4th & Grand Parking Garage, 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 and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering 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 and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering Department, 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 in accordance with the Instructions to Bidders.

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 and bond approved as to form by the Legal Department, and certificate of insurance acceptable to the Engineering Department; and each subcontractor is hereby granted permission to work on said improvement.



**Roll Call Number**

**Agenda Item Number**

68A

**Date** March 27, 2023

BE IT FURTHER RESOLVED: That the Director of Finance 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.

(Council Communication No. 23-137 attached)

Moved by \_\_\_\_\_ to adopt. Second by \_\_\_\_\_

FORM APPROVED:

FUNDS AVAILABLE:

s/Kathleen Vanderpool

s/Nickolas J. Schaul

Kathleen Vanderpool  
Deputy City Attorney

Nickolas J. Schaul  
Director of Finance

Funding Source: 2022-23 CIP, Page 170, Skywalk System, SW094, Tax Increment Funding Bonds

*SLN pw*

COUNCIL ACTION	Yeas	Nays	Pass	Absent
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

\_\_\_\_\_  
Mayor

**CERTIFICATE**

I, Laura Baumgartner, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, 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

68A

Department of Engineering  
City of Des Moines, Iowa



**CONTRACTOR'S ANTICIPATED DBE/TSB UTILIZATION**  
**4th & Grand Parking Garage Skywalk Improvements**

**Activity ID 042023007**

On March 7, 2023, Bergstrom Construction, Inc., Tom Gorgas, President, 1719 Hull Avenue, Des Moines, IA 50313 submitted a proposal for construction of the 4th & Grand Parking Garage Skywalk Improvements, Activity ID 042023007, which the City Council has determined to be the lowest responsible, responsive bid for said project in the amount of \$199,999.00. 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 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	\$199,999.00
	Percentage of DBE/TSB Participation	0.00%



*Copy*

### PERMISSION TO SUBLET

**Project** 4th & Grand Parking Garage Skywalk Improvements

**Contractor** Bergstrom Construction, Inc.

**Federal Tax ID** 420948614      **Contract No.** 16098      **Sublet Request No.** 1

<b>ITEM TO BE SUBLET</b>	<b>ORGANIZATION TO PERFORM WORK</b>	<b>DBE Y/N</b>	<b>COST OF SPECIALTY ITEMS</b>	<b>TOTAL COST OF WORK SUBLET</b>
Carpet	Ralph N. Smith Inc. 714 S.E. 15th Street Des Moines, IA 50317 (515) 288-6741 Federal Tax ID 420678214	No		\$9,994.00
Electrical and Security	Tri-City Electric Co. 6225 N. Brady Street Davenport, IA 52806 (563) 322-7181 Federal Tax ID 420569050	No		\$13,836.00
HVAC	Air-Con Mechanical Corporation 3121 S.E. 14th Street Des Moines, IA 50320 (515) 243-5500 Federal Tax ID 421204748	No		\$28,825.00
Paint	J.C. Toland Painting LLC 397 N.W. 43rd Place Des Moines, IA 50313 (515) 288-2402 Federal Tax ID 204898782	No		\$8,133.00
Aluminum Doors	Record Automatic Doors 1300 Metro Drive E. Suite 136 Pleasant Hill, IA 50327 (800) 260-8833 Federal Tax ID 060921379	No		\$25,450.00

	Previous Request	This Request	Total To Date	
Cost of Items Sublet		\$86,238.00	\$86,238.00	(a)
Cost of Specialty Items Sublet				(b)
Cost of Sublet Items Less Speciality Items				(c)
Contract Amount			\$199,999.00	(d)
Contract Amount Less Total Specialty Items (d-			\$199,999.00	(e)
Percentage of Contract Sublet to Date (c/e)			43.12%	

The prime contractor's request for Permission to Sublet the above items of work is approved with the understanding that the prime contractor shall be held responsible for the subcontractors' full compliance of all terms of the contract.

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

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

23 -                      3/27/23  
 Roll Call No.                      Date