

★ Roll Call Number
14-0239

Agenda Item Number
39

Date February 10, 2014

PUBLIC HEARING, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT DOCUMENTS, AND ENGINEER'S ESTIMATE ON EUCLID AVENUE INTERSECTION IMPROVEMENTS AT CORNELL AND OXFORD STREETS; RECEIVE AND FILE BIDS; AND DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE BIDDER AS SYNERGY CONTRACTING LLC, JESSE ROGNES, OWNER/PRESIDENT, \$1,246,336.77

WHEREAS, on January 13, 2014, under Roll Call No. 14-0021, plans, specifications, form of contract documents, and Engineer's estimate of construction cost were filed with the City Clerk, for the construction of the following improvement:

Euclid Avenue Intersection Improvements at Cornell and Oxford Streets, 06-2011-007:

CS-TSF-1945(763)—85-77, CS-TSF-1945(766)—85-77, Polk, STPN-6-4(162)—2J-77

The improvement includes the construction of a center two-way left-turn lane by the removal and replacement of curbs, placement of a 10-inch Portland cement concrete pavement base widening with a 3-inch HMA overlay, storm drainage, subdrain, subbase placement, driveways, sidewalks, streetscape plantings, streetscape furniture, traffic signal construction at Oxford and Cornell Streets which includes street lighting along with pavement markings, sodding and miscellaneous associated work including cleanup; all in accordance with the contract documents, including Plan File Nos. 553-001/098, located on Euclid Avenue between First Street and Columbia Street, Des Moines, Iowa

WHEREAS, notice of the hearing on the plans, specifications, form of contract documents, and Engineer's estimate of construction cost was published as required by law.

Whereas, during review and evaluation of the proposals the City Engineer discovered that the apparent lowest bidder, Synergy Contracting LLC, checked the box indicating "the Bidder does not intend to utilize any subcontractors or assignees, or the value of each subcontract or assignment is less than \$25,000"; and

Whereas, Synergy Contracting LLC has stated to the City Engineer that it had made an error in completing this form and instead should have checked the box indicating "the Bidder intends to utilize subcontractors or assignees, and the value of the subcontract or assignment is \$25,000 or greater"; and

Whereas, Synergy Contracting LLC has subsequently submitted documentation confirming quotations were received from subcontractors prior to the bid opening and there were subcontractor quotations greater than \$25,000; and

Whereas, the Engineering and Legal Departments have determined that this error is a minor irregularity that the Des Moines City Council may waive as being the best interest of the City of Des Moines; and

Whereas, the City Engineer recommends that the City Council waive this as a minor irregularity and accepts the bid from Synergy Contracting LLC in the amount of \$1,246,336.77.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the hearing on the plans, specifications, form of contract documents, and Engineer's estimate of

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construction cost for said improvement be closed; and that said plans, specifications, form of contract documents, and Engineer's estimate of construction cost are hereby approved as the plans, specifications, form of contract documents, and Engineer's estimate of construction cost for said improvement.

BE IT FURTHER RESOLVED: That sealed bids for said improvement were submitted by the following bidders:

Synergy Contracting LLC	Bondurant, Iowa
Sternquist Construction Inc.	Indianola, IA
Concrete Technologies, Inc.	Urbandale, IA
Manatts, Inc.	Johnston, IA
MPS Engineers, P.C.	Des Moines, IA
Grimes Asphalt & Paving Corp.	Des Moines, IA

which were received and opened at a public meeting presided over by the Engineer in the City Council Chambers, 2nd Floor, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa at 11:00 a.m. on January 28, 2014. Said bids and the attached tabulation of bids for said improvement be and are hereby received and filed.

BE IT FURTHER RESOLVED: That the Des Moines City Engineer, as the Engineer, has determined that the lowest responsive, responsible bid for the construction of said improvement was submitted by Synergy Contracting LLC, Jesse Rognes, Owner/President, 1120 2nd Street NE, Bondurant, IA, 50035 in the amount of \$1,246,336.77, and said bid be and the same is hereby accepted.

BE IT FURTHER RESOLVED: That the bid security of the unsuccessful bidders be and is hereby authorized and directed to be returned.

BE IT FURTHER RESOLVED: That the Engineer is hereby directed to secure execution by the lowest responsible, responsive Bidder and its surety of the contract documents in the form heretofore approved by this Council; that the Engineer is directed to thereafter present said contract documents to this Council for approval and authorization to the Mayor to sign; and that 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 Council hereby authorizes the necessary road closures for the Project.

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(City Council Communication Number 14046 attached)

Moved by Mahaffey to adopt.

FROM APPROVED:

FUNDS AVAILABLE:

Kathleen Vanderpool
 Kathleen Vanderpool
 Deputy City Attorney

Scott E. Sanders
 Scott E. Sanders
 Des Moines Finance Director

JB

Funding Source: 2013-2014 CIP, Page Street - 14, Euclid Avenue Intersection Improvements, ST243, Being: The project will be funded by the IDOT in three parts and also by the Polk/Parks Area Foundation, as follows:

1. Euclid Avenue (US 6) Widening between Second Avenue and Cambridge Street including traffic Signals at its intersection with Oxford Street being:
 - \$300,000 in Iowa DOT Traffic Safety Funds for 100% of construction contract costs only (Max \$300,000) under agreement CS-TSF-1945(763)--85-77
2. Euclid Avenue (US 6) Widening between Cambridge Street and Columbia Street including traffic Signals at its intersection with Cornell Street being:
 - \$485,000 in Iowa DOT Traffic Safety Funds for 100% of construction contract costs only (Max \$485,000) under agreement CS-TSF-1945(766)--85-7
3. Euclid Avenue (US 6) Hot Mix Asphalt (HMA) resurfacing associated with Euclid Avenue Intersection Improvements at Oxford Street and Cornell Street and extending from First Street to Columbia Street being:
 - \$250,000 in State of Iowa, Department of Transportation funds for 100% of construction costs under agreement STPN-6-4(162)—2J-77
4. Euclid Avenue Streetscape between Second Avenue and Cambridge Street being:
 - \$43,060 in Parks Area Foundation Funds for 100% of construction contract costs only (Max \$43,060)
5. The remaining \$168,276.77 in G.O. Bonds, ST243

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
VOSS	✓			
TOTAL	7			

CERTIFICATE

I, DIANE RAUH, 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.

T. M. Franklin Course
 Mayor

Diane Rauh
 City Clerk