



Roll Call Number

14-0834

Agenda Item Number

8

DATE June 9, 2014

DESIGNATION OF LOWEST RESPONSIVE, RESPONSIBLE
BIDDER AS IOWA STATE CONTRACTORS, INC., JOSEPH CICHOWSKI, PRESIDENT;
APPROVAL OF CONTRACT AND BOND
2014 ADA FACILITY MODIFICATIONS
\$136,008.00

WHEREAS, on April 21, 2014, under Roll Call No. 14-0593, 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:

2014 ADA Facility Modifications, 11-2014-005

The improvement includes modifications to sidewalks, parking lots, pavement markings, parking signage, pedestrian ramps, handrails, and other incidental items; in accordance with the contract documents, including Plan File Nos. 558-018/057, at the following locations: Blank Park Zoo - 7401 S.W. 9th Street, Des Moines Central Library - 1000 Grand Avenue, and Principal Park - 1 Line Drive, Des Moines, Iowa.

WHEREAS, on May 19, 2014, under Roll Call No. 14-0813, a public hearing was held on the plans, specifications, form of contract documents, and Engineer's estimate of construction cost, for said improvement, and the public hearing was closed; and City Council approved said plans, specifications, form of contract documents, and City Engineer's estimate, and received and filed bids for said improvement.

NOW, THEREFORE, 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 Iowa State Contractors, Inc., Joseph Cichowski, President, 26 Greenbriar Ln, Ottumwa, IA, 52501 in the amount of \$136,008.00, 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 responsive, 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.

BE IT FURTHER RESOLVED: That the contract and bond, in the amount of \$136,008.00, executed by Iowa State Contractors, Inc., Joseph Cichowski, President, 26 Greenbriar Ln, Ottumwa, IA, 52501 dated June 9, 2014, for the construction of the improvement, 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.



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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.

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 14-283 attached.)

Moved by *Bensley* to adopt.

FORM APPROVED:

FUNDS AVAILABLE

Kathleen Vanderpool

Kathleen Vanderpool
Deputy City Attorney

Scott E. Sanders

Scott E. Sanders
Des Moines Finance Director

JEB

Funding Source: 2014-2015 CIP, Page Park – 9, Multi-Use Trails, PK045, Being: \$112,496.25 in Iowa Department of Transportation (IDOT) State Recreational Trails funding (75% max) eligible construction costs, which is the eligible remaining amount of the \$439,920 per Agreement 2012-RT-007; with the remaining \$37,498.75 in G.O. Bonds

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			
MOTION CARRIED	APPROVED			

T. M. Franklin
 Mayor

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.

Diane Rauh
 City Clerk