



AGENDA ITEM: 11K

**CITY OF WAUKEE, IOWA
CITY COUNCIL MEETING COMMUNICATION**

MEETING DATE: August 16, 2021

AGENDA ITEM: Consideration of approval of a resolution approving contract, bond
[Little Walnut Creek North Trunk Sewer Extension Phase 1 Completion
Project]

FORMAT: Consent Agenda

SYNOPSIS INCLUDING PRO & CON:

FISCAL IMPACT INCLUDING COST/BENEFIT ANALYSIS: \$1,045,000.00

COMMISSION/BOARD/COMMITTEE COMMENT:

STAFF REVIEW AND COMMENT: The signed contract and certificate of insurance is received by City staff. The bonds are expected to arrive prior to the council meeting.

RECOMMENDATION: Approve the resolution approving contract and bond with J&K Contracting, LLC, of Urbandale, IA, in the amount of \$1,045,000.00.

ATTACHMENTS:

- I. Proposed Resolution
- II. Contract, Bond

PREPARED BY: Becky Schuett

REVIEWED BY:

RESOLUTION 2021-

RESOLUTION APPROVING CONSTRUCTION CONTRACT
AND BOND FOR THE LITTLE WALNUT CREEK NORTH
TRUNK SEWER EXTENSION - PHASE 1 COMPLETION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WAUKEE, STATE
OF IOWA:

That the construction contract and bond executed and insurance coverage for the construction of certain public improvements described in general as the Little Walnut Creek North Trunk Sewer Extension - Phase 1 Completion, and as described in detail in the plans and specifications heretofore approved, and which have been signed by the Mayor and Clerk on behalf of the City be and the same are hereby approved as follows:

Contractor: J&K Contracting, LLC, of Urbandale, IA
Amount of bid: \$1,045,000.00
Bond surety: _____
Date of bond: _____
Portion of project: All construction work

PASSED AND APPROVED this 16th day of August, 2021.

Mayor

ATTEST:

City Clerk

CONTRACT

THIS AGREEMENT, made and entered into this 9th day of August, 2021, by and between the City of Waukee, Iowa, party of the first part, hereinafter referred to as the "Owner", and J&K Contracting, LLC, party of the second part, hereinafter referred to as the "Contractor".

WITNESSETH: THAT WHEREAS, the Owner has heretofore caused to be prepared certain specifications and proposal blanks, dated the 20th day of July, 2021, for Little Walnut Creek North Trunk Sewer – Phase 1 Completion under the terms and conditions therein fully stated and set forth, and,

WHEREAS, said specifications and proposal blanks accurately and fully describe the terms and conditions upon which the Contractor is willing to perform the work specified:

NOW, THEREFORE, IT IS AGREED:

1. That the Owner hereby accepts the proposal of the Contractor for the work, as follows:

LITTLE WALNUT CREEK NORTH TRUNK SEWER EXTENSION – PHASE 1 COMPLETION

Construct Little Walnut Creek North Trunk Sewer Extension – Phase 1 Completion including all labor, materials and equipment necessary for approximately 3,100 linear feet of 24-inch diameter sanitary sewer in open cut and installed within existing casing pipe, 90 linear feet of 24-inch diameter sanitary sewer augured in steel casing, manholes, excavation and backfill, surface restoration and miscellaneous associated work, including cleanup for the sum of One Million Forty-five Thousand and 00/100 Dollars (\$1,045,000.00) based on the unit and lump sum prices as shown on the Proposal.

Contract

2. That this contract consists of the following component parts which are made a part of this agreement and contract as fully and absolutely as if they were set out in detail in this contract:
 - 2.1 Contract Documents, including:
 - 2.1.1 Notice to Bidders
 - 2.1.2 Notice of Public Hearing
 - 2.1.3 Instructions to Bidders
 - 2.1.4 Proposal
 - 2.1.5 Contract
 - 2.1.6 Bond
 - 2.1.7 General Conditions
 - 2.1.8 Special Conditions
 - 2.1.9 Plans List
 - 2.1.10 Detailed Specifications
 - 2.1.11 Plans listed in the specifications
 - 2.1.12 Numbered addenda issued to the foregoing.
 - 2.2 This Instrument.
 - 2.3 The above components are complementary and what is called for by one shall be as binding as if called for by all.
3. That payments are to be made to the Contractor in accordance with and subject to the provisions embodied in the documents made a part of this contract.
4. That this contract is executed in triplicate.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hand and seals the date first written above.

CONTRACTOR

CITY OF WAUKEE, IOWA

J&K Contracting, LLC

By 

Title Project Manager

ATTEST:



Title Project Manager

Mayor

ATTEST:

City Clerk



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/11/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER LMC Insurance & Risk Management 4200 University Ave., Suite 200 West Des Moines IA 50266-5945	CONTACT NAME: Brenda Trogdon PHONE (A/C, No, Ext): 515-237-0169 FAX (A/C, No): 515-244-9535 E-MAIL ADDRESS: brenda.trogdon@lmcins.com
	INSURER(S) AFFORDING COVERAGE
INSURED J&K Contracting; MBK Transport LLC 10703 Justin Dr Urbandale IA 50322	INSURER A: Transportation Insurance Company INSURER B: Continental Insurance Company INSURER C: Continental Casualty Company INSURER D: Valley Forge Insurance Company INSURER E: INSURER F:
License#: 1001000272 J&KCONT-02	NAIC # 20494 35289 20443 20508

COVERAGES

CERTIFICATE NUMBER: 228526072


REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
D	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:			6080961738	7/1/2021	7/1/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			6080961707	7/1/2021	7/1/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 0			6080961710	7/1/2021	7/1/2022	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
B	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	6080961724	7/1/2021	7/1/2022	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
C	Motor Truck Cargo			6081037427	7/1/2021	7/1/2022	Limit 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 RE: Little Walnut Creek North Trunk Sewer Completion - Phase 1

CERTIFICATE HOLDER**CANCELLATION**

City of Waukee 230 Hickman Road Waukee IA 50263	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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