

★ **Roll Call Number**

Agenda Item Number

9C

DATE January 7, 2008

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR VANDALIA TRUNK SANITARY SEWER EMERGENCY REPAIR, VAN HAUEN &
ASSOCIATES, INC.**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached report of the Jurisdictional Engineer, showing the cost of the construction of the Vandalia Trunk Sanitary Sewer Emergency Repair, 07-2007-007, in accordance with the contract approved between Van Hauen & Associates, Inc., Mark Van Hauen, CEO/Vice President, 13185 Pineview Drive, Clive, IA 50325, under Roll Call No. 07-1047, of June 4, 2007, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

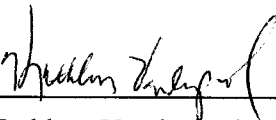
BE IT FURTHER RESOLVED: That \$101,892.70 is the total cost, of which \$96,798.06 has been paid the Contractor, and \$0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$5,094.64 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. In the event that at the end of said thirty (30) day period, claims are on file as herein provided, the City of Des Moines shall continue to retain from said unpaid funds, a sum not less than double the total amount of all claims on file, or the full Chapter 573 Code of Iowa retainage amount, whichever is lesser.

BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such acceptance within which to initiate suit to collect on their claims, and that if suit is not commenced within that time, the City of Des Moines will be required to release the retainage which it is now holding.

BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.


Moved by _____ to adopt.

FORM APPROVED:

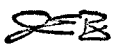


Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE



Allen McKinley
Des Moines Finance Director

 Funding Source: 2007-2008 CIP, Page Sanitary-5, City-wide Sanitary Sewers, SAE054, Sanitary Sewer Funds

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

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.

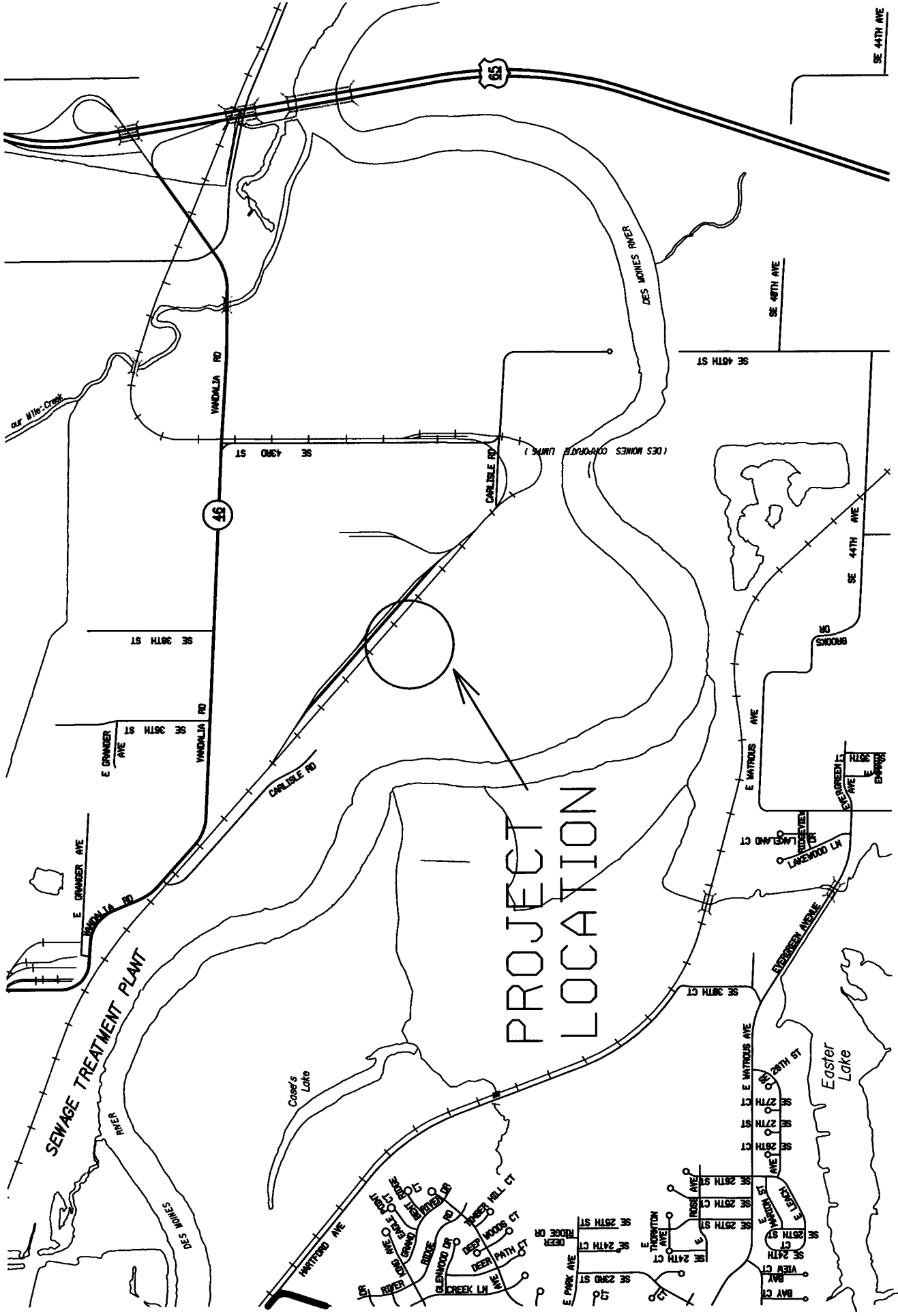
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

Mayor

City Clerk

9C



VANDALIA TRUNK SANITARY SEWER EMERGENCY REPAIR
 ACTIVITY ID 07-2007-007

9C

PROJECT SUMMARY

Vandalia Trunk Sani. Sewr Emergency Rep.

Activity ID 07-2007-007

On June 4, 2007, under Roll Call No. 07-1047, the City Council awarded the contract for the above improvements to Van Hauen & Assoc., Inc, in the amount of \$40,925.00 to repair the Vandalia Trunk sewer.

Tabulated below is a history of project change orders.

<u>Change Order No.</u>	<u>Description</u>	<u>Initiated By</u>	<u>Amount</u>
1	8/6/2007 Repair an additional section of sewer main.	Engineering	\$57,684.99
2	9/7/2007 Televiser sewer main.	Engineering	\$3,282.71
Original Contract Amount			\$40,925.00
Total Change Orders			\$60,967.70
Percent of Change Orders to Original Contract			148.97%
Final Contract Amount			\$101,892.70

January 7, 2008

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Vandalia Trunk Sanitary Sewer Emergency Repair, Van Hauen & Associates, Inc..

SYNOPSIS:

Approve the Jurisdictional Engineer's Certification of Completion, accept construction of said improvement, and authorize final payment to the contractor.

FISCAL IMPACT:

Amount: \$101,892.70 As-Built Contract Cost

Funding Source: 2007-2008 CIP, Page Sanitary-5, City-wide Sanitary Sewers, SAE054, Sanitary Sewer Funds

CERTIFICATION OF COMPLETION:

On June 4, 2007, under Roll Call No. 07-1047, the City Council awarded a contract to Van Hauen & Associates, Inc., Mark Van Hauen, CEO/Vice President, 13185 Pineview Drive, Clive, IA 50325 for the construction of the following improvement:

Vandalia Trunk Sanitary Sewer Emergency Repair, 07-2007-007

The emergency work includes all labor, equipment, and materials necessary to complete a spot repair to the existing 15" VCP sanitary sewer, including restoration, on the Norfolk Southern Railroad property approximately 2,000 feet west of the intersection of S.E. 43rd Street and Carlisle Road

I hereby certify that the construction of said Vandalia Trunk Sanitary Sewer Emergency Repair, Activity ID 07-2007-007, has been completed in substantial compliance with the terms of said contract, and I hereby recommend that the work be accepted. The work commenced on May 30, 2007, and was completed on December 31, 2007.



ENGINEERING DEPARTMENT
CITY HALL
400 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309-1891
(515) 283-4920
FAX (515) 283-4112

ALL-AMERICA CITY
1949, 1976, 1981
2003

I further certify that \$101,892.70 is the total cost of said improvement, of which \$96,798.06 has been paid the Contractor and \$0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$5,094.64 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. In the event that at the end of said thirty (30) day period, claims are on file as herein provided, the City of Des Moines shall continue to retain from said unpaid funds, a sum not less than double the total amount of all claims on file, or the full Chapter 573 Code of Iowa retainage amount, whichever is lesser. The amount of completed work is shown on the attached Estimate of Construction Completed.

A handwritten signature in black ink, appearing to read "Jeb E. Brewer, P.E.", with a small mark at the end of the signature.

Jeb E. Brewer, P.E.
Des Moines City Engineer

ESTIMATE OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 9/13/07 TO 12/27/07
PARTIAL PAYMENT NO. 3 (FINAL)

ACTIVITY ID: 07-2007-007

DATE: 12/27/07

PROJECT: VANDALIA TRUNK SANITARY SEWER EMERGENCY REPAIR
CONTRACTOR: VAN HAUSEN & ASSOC., INC.

PARTIAL PAYMENT NO. 3 (FINAL)

LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
1	SEWER SPOT REPAIR, 15" DIA. VCP SANI	JOB	1	1	1	\$40,925.00
CO NO 1	ADDITIONAL SEWER MAIN REPAIR	JOB	1	1	1	\$57,684.99
CO NO 2	TELEWISE SEWER MAIN	JOB	1	1	1	\$3,282.71
TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS			\$101,892.70			
PARTIAL PAYMENT NO. 1			\$38,878.75			
PARTIAL PAYMENT NO. 2			\$57,919.31			
THIS PARTIAL PAYMENT			\$0.00			
TOTAL PARTIAL PAYMENTS			\$96,798.06			
BALANCE			\$5,094.64			
Percent Complete			100%			
TOTAL						\$101,892.70
RETAINAGE						\$5,094.64
TOTAL LESS RETAINAGE						\$96,798.06
LESS PREVIOUS PAYMENT						\$96,798.06
AMOUNT DUE						\$0.00

PREPARED BY:

[Signature]

CHECKED BY:

[Signature]

PARTIAL PAYMENT NO. 3 (FINAL)