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DATE January 22, 2007

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR 2006 EXPANDED STREET RESURFACING PROGRAM - RESIDENTIAL, DES MOINES
ASPHALT & PAVING CO.**

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 2006 Expanded Street Resurfacing Program - Residential, 06-2006-004, in accordance with the contract approved between Des Moines Asphalt & Paving Co., Jim Gauger, President, P.O. Box 3365, 5550 NE 22nd Street, Suite 100, Des Moines, IA 50316, under Roll Call No. 06-561, of March 20, 2006, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

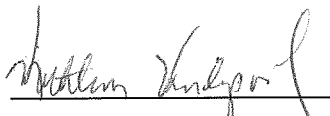
BE IT FURTHER RESOLVED: That \$981,667.77 is the total cost, of which \$787,074.13 has been paid the Contractor, and \$145,510.25 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$49,083.39 is to be paid at the end of thirty days, provided no 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: 2006-2007 CIP, Page STR-42, Special City-wide Street Improvements, STR217, Being:
 Gaming Monies from the Agreement with Polk County and The Racing Association of Central Iowa

★ Roll Call Number

Agenda Item Number
7 C

Date January 22, 2007

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

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.

City Clerk

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PROJECT SUMMARY

2006 Exp. Resurfacing - Residential

Activity ID 06-2006-004

On March 20, 2006, under Roll Call No. 06-561, the City Council awarded the contract for the above improvements to Des Moines Asphalt & Paving Co., in the amount of \$943,497.50 to place new asphalt surfaces on various city streets.

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	6/27/2006 Increase HMA quantity for Center St. & Pleasantview Dr.	Engineering	\$9,180.00
2	9/21/2006 Increase the quantity of HMA on Virginia Ave.	Engineering	\$9,690.00
3	10/26/2006 Repair leak in sanitary sewer on E. 13th St discovered during construction. Place K-Krete to fill voids under Timberlane Dr. Additional milling for butt joints on SW 6th and Tiimberlane.	User	\$8,709.60
4	11/14/2006 Additional milling, crushed stone,new 3-piece casting.	User	\$2,952.00
5	Adjust contract item amounts to as-built quantities.	Engineering	\$7,638.67
Original Contract Amount			\$943,497.50
Total Change Orders			\$38,170.27
Percent of Change Orders to Original Contract			4.05%
Final Contract Amount			\$981,667.77

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January 22, 2007

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the 2006 Expanded Street Resurfacing Program - Residential, Des Moines Asphalt & Paving Co..

SYNOPSIS:

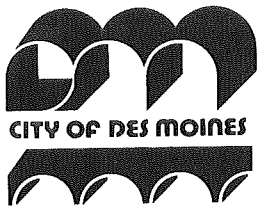
Approve the Jurisdictional Engineer's Certification of Completion, accept construction of said improvement, and authorize final payment to the contractor.

FISCAL IMPACT:

Amount: \$981,667.77 As-Built Contract Cost

Funding Source: 2006-2007 CIP, Page STR-42, Special City-wide Street Improvements, STR217, Being:

Gaming Monies from the Agreement with Polk County and The Racing Association of Central Iowa



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

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CERTIFICATION OF COMPLETION:

On March 20, 2006, under Roll Call No. 06-561, the City Council awarded a contract to Des Moines Asphalt & Paving Co., Jim Gauger, President, P.O. Box 3365, 5550 NE 22nd Street, Suite 100, Des Moines, IA 50316 for the construction of the following improvement:

2006 Expanded Street Resurfacing Program - Residential, 06-2006-004

Scarify existing asphalt streets and furnish and place Hot-Mix-Asphalt (HMA), in accordance with the contract documents including Plan File Nos. 460-154/164, at the following locations:

47th Street – Madison Avenue to Aurora Avenue
Valdez Drive – 40th Street to Lower Beaver Road
56th Street – Hickman Road to Urbandale Avenue
Douglas Avenue – 11th Street to 6th Avenue
8th Street – Lake Avenue to Euclid Avenue
22nd Street – Washington Avenue to Lincoln Avenue
36th Street – Kingman Boulevard to University Avenue
Rutland Avenue – 28th Street to 31st Street
23rd Street – University Avenue to 800 feet north of Carpenter Avenue
Center Street – 31st Street to 35th Street
26th Street – Woodland Avenue to north of Rollins Avenue – Deleted
23rd Street – Ingersoll Avenue to Woodland Avenue – Added
24th Street – Ingersoll Avenue to Woodland Avenue – Added
College Avenue – 2nd Avenue to east of Michigan Avenue
E 13th Street – Washington Avenue to Thompson Avenue
Sampson Street – Sheridan Avenue to Hull Avenue
Grandview Avenue – E 25th Street to E 27th Street
Timber Lane – Williams Street to Winegardner Road
SE 28th Street – Maury Street to Scott Avenue
Virginia Avenue – South Union Street to SW 7th Street
Pleasantview Drive – SW 9th Street to SW 5th Street
E Philip Street – South Union Street to SE 3rd Court
Wakonda Court – Wakonda Drive to Park Avenue

I hereby certify that the construction of said 2006 Expanded Street Resurfacing Program - Residential, Activity ID 06-2006-004, 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 April 4, 2006, and was completed on January 11, 2007.

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I further certify that \$981,667.77 is the total cost of said improvement, of which \$787,074.13 has been paid the Contractor and \$145,510.25 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$49,083.39 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". The signature is fluid and cursive, with a small mark at the end.

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

ESTIMATE OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 6/1/06 TO 12/7/06
PARTIAL PAYMENT NO. 3 (FINAL)

ACTIVITY ID: 06-2006-004

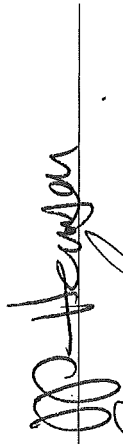
DATE: 12/7/06

PROJECT: 2006 EXPANDED STREET RESURFACING - RESIDENTIAL
CONTRACTOR: DES MOINES ASPHALT & PAVING CO.

PARTIAL PAYMENT NO. 3 (FINAL)

LINE NO.	DESCRIPTION	UNIT	UNITS			CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED				
1	PAVEMENT SCARIFICATION, 2" THICK	SY	50,000	50,000		47,333.920	\$1.50	\$71,000.88
2	HMA (1 MEAL) SURF., 1/2", FRIC. L-4	TON	13600	13600		14,265.240	\$51.00	\$727,527.24
3	MOBILIZATION	JOB	1	1		1.000	\$40,000.00	\$40,000.00
4	MILL PCC BUTT JOINTS	JOB	1	1		1.000	\$30,000.00	\$30,000.00
5	MANHOLE ADJUSTING RING	EA	70	70		102.000	\$250.00	\$25,500.00
6	BASE REPAIR	SY	100	100		141.820	\$100.00	\$14,182.00
7	TRAFFIC CONTROL	JOB	1	1		1.000	\$20,000.00	\$20,000.00
8	PROJECT SIGN - SMALL	EA	42	42		46.000	\$80.00	\$3,680.00
9	CLEAN & PREPARATION OF BASE	MILE	6.5	6.5		6.206	\$5,175.00	\$32,116.05
10	REMOVE & REPLACE M-A INTAKE	EA	2	2		2.000	\$3,000.00	\$6,000.00
11	REMOVE & REPLACE M-F INTAKE	EA	2	2		0.000	\$5,300.00	\$0.00
12	NEW MANHOLE LID	EA	20	20		0.000	\$190.00	\$0.00
CO3.01	E. 13TH ST SEWER REPAIR	JOB	1	1		1.000	\$2,365.00	\$2,365.00
CO3.02	K-KRETE TIMBERLINE	JOB	1	1		1.000	\$1,415.00	\$1,415.00
CO3.03	MILL SW 6TH & PLEASANTVIEW	JOB	1	1		1.000	\$4,230.00	\$4,230.00
CO3.04	NO PARKING SIGNS	JOB	1	1		1.000	\$699.60	\$699.60
CO4.01	ADDITIONAL MILLING SE 28TH & SCOTT	JOB	1	1		1.000	\$1,844.00	\$1,844.00
CO4.02	CRUSHED LIMESTONE	TON	14	14		14.000	\$22.00	\$308.00
CO4.03	NEW 3-PIECE CASTING	JOB	1	1		1.000	\$800.00	\$800.00
CO5	ADJUST CONTRACT ITEM AMOUNTS TO AS-BUILT QUANTITIES							
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$981,667.77					
	PARTIAL PAYMENT NO. 1		\$385,668.39					
	PARTIAL PAYMENT NO. 2		\$401,405.74					
	THIS PARTIAL PAYMENT		\$145,510.25					
	TOTAL PARTIAL PAYMENTS		\$932,584.38					
	BALANCE		\$49,083.39					
	Percent Complete	100%						
	TOTAL							\$981,667.77
	RETAINAGE							\$49,083.39
	TOTAL LESS RETAINAGE							\$932,584.38
	LESS PREVIOUS PAYMENT							\$787,074.13
	AMOUNT DUE							\$145,510.25

PARTIAL PAYMENT NO. 3 (FINAL)

PREPARED BY: 

CHECKED BY: 