

★ Roll Call Number

Agenda Item Number  
**15E**

February 12, 2007

**Date**.....ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT  
FOR THE BOTANICAL CENTER AND POLICE STATION UNDERGROUND FUEL TANKS,  
J. PETTIECORD INC.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached report of the Chief Civil Engineer, showing the cost of construction of the Botanical Center and Police Station Underground Fuel Tanks, Activity ID 10-2004-003, in accordance with the contract approved between J. Pettiecord Inc., Jeff Pettiecord, President, 5043 NE 22nd Street, Des Moines, IA, 50313, under Roll Call No. 04-962, of May 3, 2004, and the City of Des Moines, Iowa, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

BE IT FURTHER RESOLVED: That \$89,429.44 is the total cost, of which \$83,440.34 has been paid the Contractor, and \$1,517.63 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$4,471.47 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 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 5%, Chapter 573, Code of Iowa retainage amount, whichever is lesser.

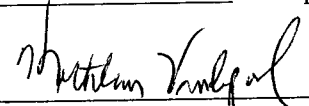
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such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


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

Activity ID 10-2004-003

Moved by \_\_\_\_\_ to adopt.

Funds Available:

FORM APPROVED:   
Kathleen Vanderpool  
Deputy City Attorney

 BB  
Allen McKinley  
Acting Finance Director

Funding: \$72,429.44 in G.O. Bonds, 2006-2007 CIP, Page Buildings-24, Removal of Underground Fuel Storage Tanks, BLD043, and \$17,000 from Des Moines Water Works.

*JEB*

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

**CERTIFICATE**

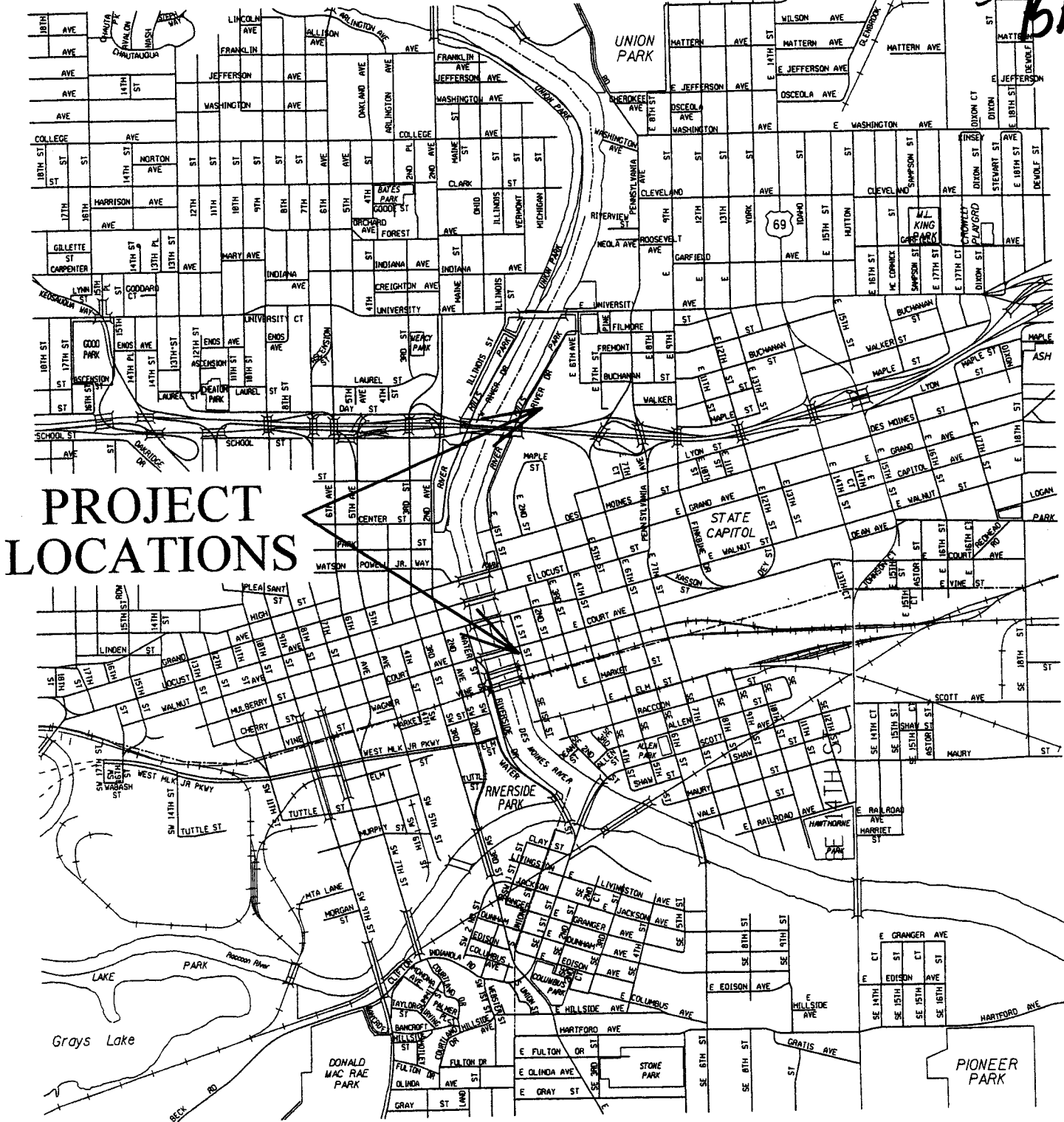
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

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# PROJECT LOCATIONS

## BOTANICAL CENTER & POLICE STATION UNDERGROUND FUEL TANKS

ACTIVITY ID: 10-2004-003

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# PROJECT SUMMARY

Bot. Center & Police Sta. UST  
Activity ID 10-2004-003

On May 3, 2004, under Roll Call No. 04-962, the City Council awarded the contract for the above improvements to J. Pettiecord Inc., in the amount of \$82,410.00 to remove and replace underground fuel tanks at the Botanical Center and the Police station.

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	10/25/2004 Fill underground storage tank. Take soil samples.	Engineering	\$9,853.94
2	Adjust contract item amounts to as-built quantities.	Engineering	(\$2,834.50)
<b>Original Contract Amount</b>			\$82,410.00
<b>Total Change Orders</b>			\$7,019.44
<b>Percent of Change Orders to Original Contract</b>			8.52%
<b>Final Contract Amount</b>			\$89,429.44

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February 12, 2007

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the Botanical Center and Police Station Underground Fuel Tanks, J. Pettiecord 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: \$89,429.44 As-Built Contract Cost

Funding Source: \$72,429.44 in G. O. Bonds, 2006-2007 CIP, Page Buildings-24, Removal of Underground Fuel Storage Tanks, BLD043, and \$17,000 from Des Moines Water Works.

**CERTIFICATION OF COMPLETION:**

On May 3, 2004, under Roll Call No. 04-962, the City Council awarded a contract to J. Pettiecord, Jeff Pettiecord, President, 5043 NE 22<sup>nd</sup> Street, Des Moines, IA, 50313, for the construction of the following improvement:

Botanical Center and Police Station Underground Fuel Tanks, 10-2004-003

The improvement includes removal of a 4,000 gallon underground fuel tank at the Police Station; and removal of a 25,000 gallon underground fuel tank at the Botanical Center and installation of a 10,000 gallon double-wall fuel storage tank, plus all associated appurtenances; all in accordance with the contract documents at the Botanical Center, 909 Robert D. Ray Drive and the Police Station, 25 E. 1<sup>st</sup> Street, Des Moines, Iowa.

I hereby certify that the construction of said Botanical Center and Police Station Underground Fuel Tanks, 10-2004-003, 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 June 28, 2004, and was completed on February 2, 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

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I further certify that \$89,429.44 is the total cost of said improvement, of which \$83,440.34 has been paid the Contractor and \$1,517.63 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$4,471.47 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.

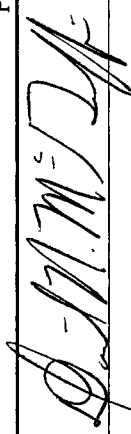


Jeb E. Brewer, P.E.  
Des Moines City Engineer

**ESTIMATE OF CONSTRUCTION COMPLETED**  
FOR WORK DONE FROM 1/14/05 TO 1/30/07  
**PARTIAL PAYMENT NO. 3 (FINAL)**

**PROJECT: BOTANICAL CENTER & POLICE STATION UNDERGROUND FUEL TANKS**  
**CONTRACTOR: J. PETTICORD, INC.** PARTIAL PAYMENT NO. 3 (FINAL)

LINE NO.	DESCRIPTION	UNIT	UNITS			CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED				
1	CONCRETE, MISC. REMOVAL	SY	50	50		50.000	\$15.00	\$750.00
2	BOTANICAL CENTER UST REMOVAL	JOB	1	1		1.000	\$23,000.00	\$23,000.00
3	POLICE STATION UST REMOVAL	JOB	1	1		1.000	\$7,500.00	\$7,500.00
4	TEMPORARY SOIL BORING	LF	80	80		39.000	\$22.00	\$858.00
5	TEMPORARY GROUNDWATER WELL	LF	80	80		97.000	\$27.50	\$2,667.50
6	SOIL SAMPLE OA-1/OA-2	EA	20	20		27.000	\$150.00	\$4,050.00
7	GROUNDWATER SAMPLE OA-1/OA-2	EA	2	2		2.000	\$150.00	\$300.00
8	EXCAVATE AND HAUL CONTAMINATED SOIL	TON	200	200		0.000	\$15.00	\$0.00
9	ADDITIONAL BACKFILL	JOB	1	1		1.000	\$4,000.00	\$4,000.00
10	BOTANICAL CENTER UST INSTALL, COMPLETE	JOB	1	1		1.000	\$29,000.00	\$29,000.00
11	FUEL AND VENT PIPING	JOB	1	1		1.000	\$3,500.00	\$3,500.00
12	ELECTRICAL AND CONTROL SERVICES	JOB	1	1		1.000	\$2,100.00	\$2,100.00
13	HMA PATCH	SY	50	50		50.000	\$38.00	\$1,900.00
14	PROJECT SIGN - SMALL	EA	1	1		1.000	\$400.00	\$400.00
CO 1.01	FILL TANK	JOB	1.000	1.000		1.000	\$9,403.94	\$9,403.94
CO 2	ADJUST CONTRACT ITEM AMOUNTS TO AS-BUILT QUANTITIES							
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$89,429.44					
	PARTIAL PAYMENT NO. 1		\$65,559.50					
	PARTIAL PAYMENT NO. 2		\$17,880.84					
	THIS PARTIAL PAYMENT		\$1,517.63					
	TOTAL PARTIAL PAYMENTS		\$84,957.97					
	BALANCE		\$4,471.47					
	Percent Complete	100%						
	TOTAL							\$89,429.44
	RETAINAGE							\$4,471.47
	TOTAL LESS RETAINAGE							\$84,957.97
	LESS PREVIOUS PAYMENT							\$83,440.34
	AMOUNT DUE							\$1,517.63

PREPARED BY: 

CHECKED BY: 

PARTIAL PAYMENT NO. 3 (FINAL)

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