

DATE February 12, 2007

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR LEETOWN CREEKWAY WOODEN BOX REPLACEMENT - PHASE 3, THE UNDERGROUND COMPANY, LTD.

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 Leetown Creekway Wooden Box Replacement - Phase 3, 08-2005-001, in accordance with the contract approved between The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047, under Roll Call No. 05-2102, of August 22, 2005, 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 \$907,250.04 is the total cost, of which \$850,724.61 has been paid the Contractor, and \$11,162.93 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$45,362.50 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.

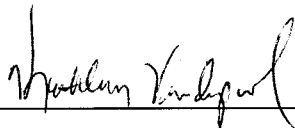
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such 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 City Manager be and is hereby authorized and directed to certify the Pollution Prevention Plan Inspection Summary and the NPDES Stormwater General Permit Notice of Discontinuation for the above referenced project on behalf of the City of Des Moines and submit said documents to the Iowa Department of Natural Resources.

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

SB

Funding Source: 2006-2007 CIP, Page Storm-13, Leetown Creekway - Wooden Box Replacement, STE064, Storm Water Utility Funds

★ Roll Call Number

Agenda Item Number

15H

Date February 12, 2007

REB

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

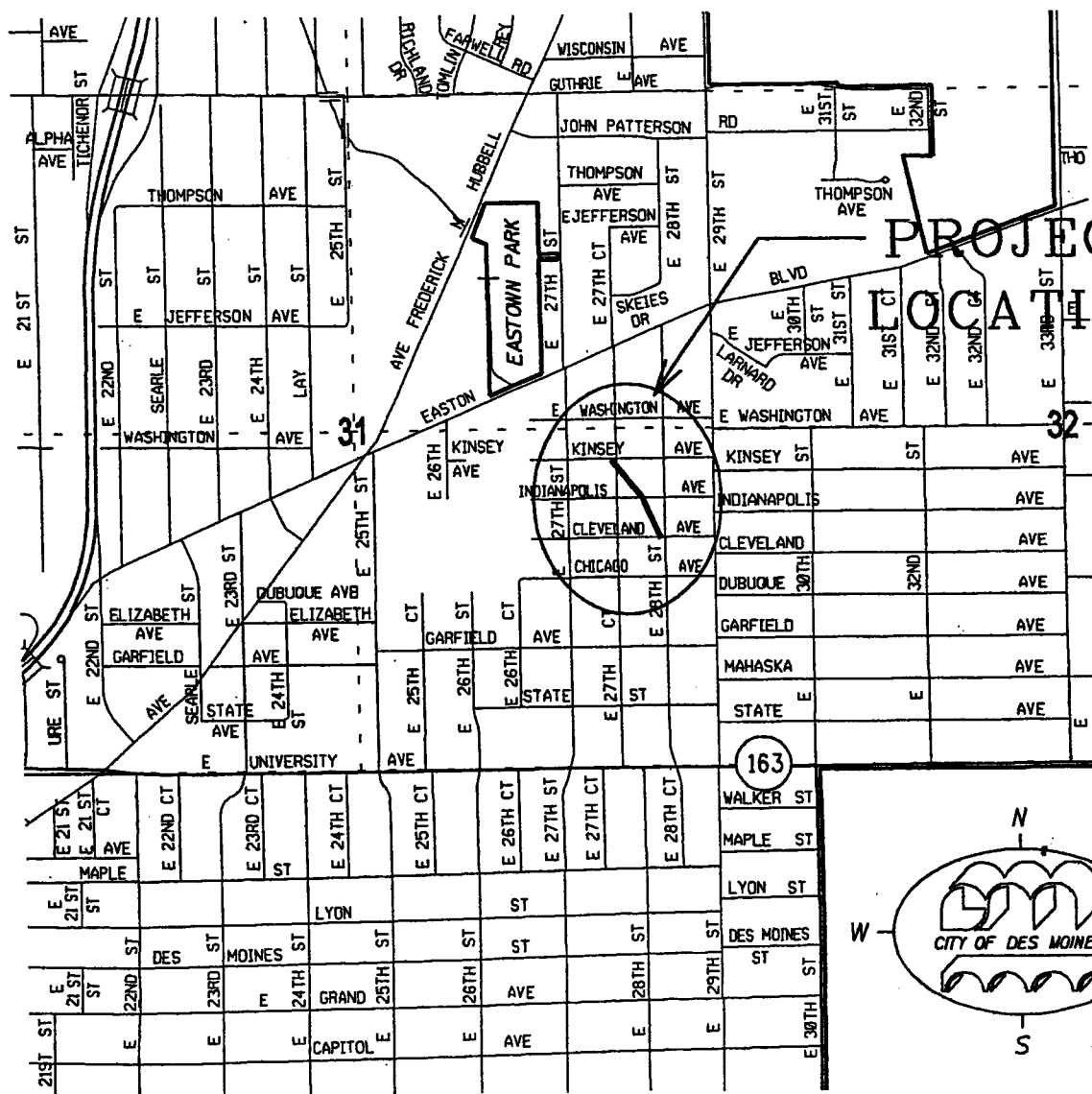
CERTIFICATE

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.

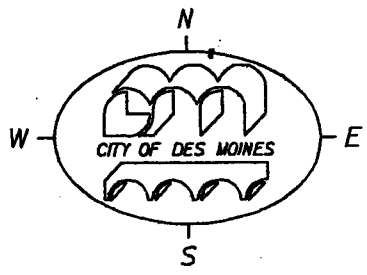
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk



PROJECT LOCATION



LEETOWN CREEKWAY WOODEN BOX
 REPLACEMENT - PHASE 3
 ACTIVITY ID 08-2005-001

PROJECT SUMMARY

Leetown Creekway Wooden Box Replace #3 Activity ID 08-2005-001

Leetown Creekway Wooden Box Replacement - Phase 3,
Activity ID: 08-2005-001

On August 22, 2005, under Roll Call No. 05-2102, the City Council awarded the contract for the above improvement to The Underground Company, Ltd. In the amount of \$1,025,000.00, to complete the replacement of the existing timber box culvert with a reinforced concrete box culvert. This culvert replacement project includes all labor, material, and equipment necessary to replace approximately 740 linear feet of existing 7 ft. x 4.5 ft. timber box culvert with a 10 ft. x 4 ft. reinforced concrete box culvert, along with the necessary clearing and grubbing; traffic control; PCC street, driveway, and sidewalk removal and replacement; storm sewer, manhole, and intake removal and replacement; sanitary sewer, manhole, and sewer service removal and replacement; fence removal and replacement; residential house structural support investigation and installation; construction survey; seeding and sodding restoration; and the fabrication, installation, and maintenance of a project sign; all in accordance with the contract documents including Plan File Nos. 453-001/022.

This culvert replacement project ties on to the recently installed reinforced concrete box culvert located south and east of the intersection of E. 28th Street and Cleveland Avenue and continues northwesterly along the existing timber box culvert line to a point of connection located south and west of the intersection of E. 27th Court and Kinsey Avenue.

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	8/23/2006 Adjusting all plan quantities to match all as-built quantities.	Consultant	(\$117,749.96)
Original Contract Amount			\$1,025,000.00
Total Change Orders			(\$117,749.96)
Percent of Change Orders to Original Contract			-11.49%
Final Contract Amount			\$907,250.04

15 H

February 12, 2007

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Leetown Creekway Wooden Box Replacement - Phase 3, The Underground Company, Ltd..

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$907,250.04 As-Built Contract Cost

Funding Source: 2006-2007 CIP, Page Storm-13, Leetown Creekway - Wooden Box Replacement, STE064, Storm Water Utility Funds

CERTIFICATION OF COMPLETION:

On August 22, 2005, under Roll Call No. 05-2102, the City Council awarded a contract to The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047 for the construction of the following improvement:

Leetown Creekway Wooden Box Replacement - Phase 3, 08-2005-001

The replacement of the existing timber box culvert with a reinforced concrete box culvert. This culvert replacement project includes all labor, material, and equipment necessary to replace approximately 740 linear feet of existing 7 ft. x 4.5 ft. timber box culvert with a 10 ft. x 4 ft. reinforced concrete box culvert, along with the necessary clearing and grubbing; traffic control; PCC street, driveway, and sidewalk removal and replacement; storm sewer, manhole, and intake removal and replacement; sanitary sewer, manhole, and sewer service removal and replacement; fence removal and replacement; residential house structural support investigation and installation; construction survey; seeding and sodding restoration; and the fabrication, installation, and maintenance of a project sign; all in accordance with the contract documents including Plan File Nos. 453-001/022. This culvert replacement project ties on to the recently installed reinforced concrete box culvert located south and east of the intersection of E. 28th Street and Cleveland Avenue and continues northwesterly along the existing timber box culvert line to a point of connection located south and west of the intersection of E. 27th Court and Kinsey Avenue.



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 hereby certify that the construction of said Leetown Creekway Wooden Box Replacement - Phase 3, Activity ID 08-2005-001, 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 October 11, 2005, and was completed on January 25, 2007.

I further certify that \$907,250.04 is the total cost of said improvement, of which \$850,724.61 has been paid the Contractor and \$11,162.93 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$45,362.50 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

15H

APPLICATION FOR PARTIAL PAYMENT NO. 4 (FINAL)

PROJECT: Leetown Creekway Wooden Box Replacement Phase 3
OWNER: City of Des Moines
CONTRACTOR: The Underground Company
ADDRESS: 2407 SW 9th Des Moines, Iowa 50315
DATE: November 24, 2006

ACTIVITY I.D.: 08-2005-001
S&A PROJECT NO.: 104.0930.01

PAYMENT PERIOD: December 6, 2005 through May 13, 2006

1. CONTRACT SUMMARY:

Original Contract Amount: \$1,025,000.00
Net Change by Change Order: (\$117,749.96)
Contract Amount to Date: \$907,250.04 ✓

CONTRACT PERIOD: WORKING DAYS
Original Contract Date: September 27, 2005
Original Contract Time: 100

2. WORK SUMMARY:

Total Work Performed to Date: \$907,250.04
Retainage: 5% \$45,362.50 ✓
Total Earned Less Retainage: \$861,887.54 ✓
Less Previous Applications for Payment: \$850,724.61 ✓
AMOUNT DUE THIS APPLICATION: \$11,162.93 ✓

Added by Change Order: 0 (CO # 1)
Contract Time to Date: 100
Time Used to Date: 60
Contract Time Remaining: 40
Expected Date of Completion: Fall 2005

3. CONTRACTOR'S CERTIFICATION:

The undersigned CONTRACTOR certifies that:

- (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with the Work covered by prior Applications for Payment; and
- (2) title to all materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment are free and clear of all liens, claims, security interests, and encumbrances.

The Underground Company
CONTRACTOR

By _____

DATE: _____

4. ENGINEER'S APPROVAL:

Payment of the above AMOUNT DUE THIS APPLICATION is recommended:

SNYDER & ASSOCIATES, INC.
ENGINEER

By *Jimmy J. Schler*

DATE: 11/28/06

5. OWNER'S APPROVAL:

City of Des Moines
OWNER

By *Eugene J. Schmidt*

DATE: 12/5/06

15H

**APPLICATION FOR PARTIAL PAYMENT NO. 4 (FINAL)
DETAILED ESTIMATE OF WORK COMPLETED:**

PROJECT: Leetown Creekway Wooden Box Replacement Phase 3
OWNER: City of Des Moines
CONTRACTOR: The Underground Company
DATE: September 24, 2006

ACTIVITY I.D.: 08-2005-001
S&A PROJECT NO.: 104.0930.01

ITEM NO.	DESCRIPTION	CONTRACT ITEMS				COMPLETED WORK		
		QUANTITY	UNIT	UNIT COST	TOTAL COST	QUANTITY	CO #	COST
1	Mobilization	1.00	LS	\$12,639.00	\$12,639.00	1.00		\$12,639.00
2	Clearing	285.00	DIA-IN	\$28.00	\$7,980.00	285.00		\$7,980.00
3	Grubbing, Greater than 6" Dia.	285.00	DIA-IN	\$28.00	\$7,980.00	285.00		\$7,980.00
4	Grubbing, Less than 6" Dia.	1.00	LS	\$5,000.00	\$5,000.00	1.00		\$5,000.00
5	Core Out Excavation	500.00	CY	\$20.00	\$10,000.00	367.89	1	\$7,357.80
6	Traffic Control	1.00	LS	\$3,400.00	\$3,400.00	1.00		\$3,400.00
7	PCC Driveway Removal	381.00	SY	\$8.00	\$3,048.00	282.80	1	\$2,262.40
8	Pavement Removal	1,221.00	SY	\$10.00	\$12,210.00	1,215.19	1	\$12,151.90
9	PCC Sidewalk Removal	149.00	SY	\$6.00	\$894.00	202.40	1	\$1,214.40
10	Drill and Dowel Pavement	542.00	LF	\$12.00	\$6,504.00	542.00		\$6,504.00
11	Subgrade Preparation	1,381.00	SY	\$5.00	\$6,905.00	1,343.90	1	\$6,719.50
12	Pavement, Non-Reinforced PCC Class C, 7"	1,221.00	SY	\$45.00	\$54,945.00	1,175.00	1	\$52,875.00
13	Pavement Reinforcing Steel	500.00	SY	\$49.00	\$24,500.00	-		\$0.00
14	Driveway, 6" PCC	481.00	SY	\$35.00	\$16,835.00	169.90	1	\$5,946.50
15	Sidewalk, 4" PCC	149.00	SY	\$33.00	\$4,917.00	202.90	1	\$6,695.70
16	Granular Surfacing, Class A Crushed Stone	110.00	TONS	\$17.00	\$1,870.00	105.97	1	\$1,801.49
17	Removal of Existing Timber Box Culvert	730.00	LF	\$53.00	\$38,690.00	732.00	1	\$38,796.00
18	Trench Bottom Excavation	500.00	CY	\$25.00	\$12,500.00	166.70	1	\$4,167.50
19	Granular Backfill	500.00	CY	\$25.00	\$12,500.00	166.24	1	\$4,156.00
20	Removal, 12" Storm Sewer	9.00	LF	\$15.00	\$135.00	-	1	\$0.00
21	Removal, 15" Storm Sewer	281.00	LF	\$15.00	\$4,215.00	260.00	1	\$3,900.00
22	Removal, 18" Storm Sewer	21.00	LF	\$16.00	\$336.00	15.00	1	\$240.00
23	Removal, 20" Storm Sewer	14.00	LF	\$17.00	\$238.00	24.80	1	\$421.60
24	Removal, 24" Storm Sewer	8.00	LF	\$17.00	\$136.00	8.00		\$136.00
25	Remove, Storm Sewer Intake	6.00	EA	\$450.00	\$2,700.00	6.00		\$2,700.00
26	Remove, Storm Sewer Manhole	2.00	EA	\$550.00	\$1,100.00	2.00		\$1,100.00
27	10'x4' Reinforced Concrete Box Culvert	740.00	LF	\$603.00	\$446,220.00	742.00	1	\$447,426.00
28	Storm Sewer, 2000D, 12"	11.00	LF	\$114.00	\$1,254.00	-		\$0.00
29	Storm Sewer, 2000D, 15"	34.00	LF	\$116.00	\$3,944.00	88.00	1	\$10,208.00
30	Storm Sewer, 2000D, 18"	96.00	LF	\$93.00	\$8,928.00	91.00	1	\$8,463.00
31	Storm Sewer, 2000D, 24"	130.00	LF	\$103.00	\$13,390.00	124.00	1	\$12,772.00
32	Storm Sewer, 2000D, 36"	141.00	LF	\$124.00	\$17,484.00	133.50	1	\$16,554.00
33	Storm Sewer, PVC, 20"	6.00	LF	\$110.00	\$660.00	-	1	\$0.00
34	Storm Sewer Connection to RCB	8.00	EA	\$1,500.00	\$12,000.00	8.00		\$12,000.00
35	Box Culvert Connection Removal - Cleveland Ave.	1.00	LS	\$3,500.00	\$3,500.00	1.00		\$3,500.00
36	Box Culvert Connection - E. 27th Court	1.00	LS	\$12,200.00	\$12,200.00	1.00		\$12,200.00
37	Intake, Type M-A	1.00	EA	\$2,200.00	\$2,200.00	1.00		\$2,200.00
38	Intake, Type M-C	2.00	EA	\$2,950.00	\$5,900.00	2.00		\$5,900.00
39	Intake, Type M-H	1.00	EA	\$2,400.00	\$2,400.00	1.00		\$2,400.00
40	Modified Type M-E Triple Intake	2.00	EA	\$5,100.00	\$10,200.00	2.00		\$10,200.00
41	Manhole, Type M-C	4.00	EA	\$4,500.00	\$18,000.00	4.00		\$18,000.00
42	Manhole, Modified M-E	5.00	EA	\$4,600.00	\$23,000.00	5.00		\$23,000.00
43	Water Services	148.00	LF	\$35.00	\$5,180.00	-	1	\$0.00
44	Sanitary Sewer Removal	57.00	LF	\$25.00	\$1,425.00	10.00	1	\$250.00
45	Sanitary Sewer, 10" PVC	288.00	LF	\$60.25	\$17,352.00	256.00	1	\$15,424.00
46	Sanitary Sewer, 12" PVC	392.00	LF	\$66.75	\$26,166.00	397.00	1	\$26,499.75
47	Sanitary Sewer, 15" PVC	41.00	LF	\$82.00	\$3,362.00	60.00	1	\$4,920.00
48	Manhole, Type A Sanitary Sewer	2.00	EA	\$2,800.00	\$5,600.00	2.00		\$5,600.00
49	Manhole, Type I Sanitary Sewer	4.00	EA	\$3,200.00	\$12,800.00	4.00		\$12,800.00
50	Sanitary Sewer Service	123.00	LF	\$61.00	\$7,503.00	-	1	\$0.00
51	Sewer Pipe Supports	6.00	EA	\$550.00	\$3,300.00	-	1	\$0.00
52	Fence Removal and Replacement	865.00	LF	\$10.00	\$8,650.00	358.00	1	\$3,580.00
53	Temporary Fencing	285.00	LF	\$8.00	\$2,280.00	-	1	\$0.00
54	Sodding	411.00	SQ	\$50.00	\$20,550.00	341.27	1	\$17,063.50
55	Seeding, Fertilizing, and Mulching	0.35	AC	\$3,500.00	\$1,225.00	0.35		\$1,225.00
56	Silt Fence (Install and Remove)	200.00	LF	\$5.00	\$1,000.00	54.00	1	\$270.00
57	Emergency Trench Connection	10.00	EA	\$1,500.00	\$15,000.00	-	1	\$0.00
58	Structural Support Investigation	1.00	LS	\$2,000.00	\$2,000.00	1.00		\$2,000.00
59	Structural Support Installation	4.00	EA	\$4,000.00	\$16,000.00	1.00	1	\$4,000.00
60	Construction Survey	1.00	LS	\$10,000.00	\$10,000.00	1.00		\$10,000.00
61	Project Sign	1.00	LS	\$150.00	\$150.00	1.00		\$150.00
62	Water Main Lowering	3.00	EA	\$9,500.00	\$28,500.00	2.00	1	\$19,000.00
63	Erosion Control	1.00	LS	\$3,500.00	\$3,500.00	1.00		\$3,500.00
TOTAL ORIGINAL CONTRACT					\$1,025,000.00	\$907,250.04		

15 H

**APPLICATION FOR PARTIAL PAYMENT NO. 4 (FINAL)
DETAILED ESTIMATE OF WORK COMPLETED:**

PROJECT: Leetown Creekway Wooden Box Replacement Phase 3
OWNER: City of Des Moines
CONTRACTOR: The Underground Company
DATE: September 24, 2006

ACTIVITY I.D.: 08-2005-001
S&A PROJECT NO.: 104.0930.01

ITEM NO.	DESCRIPTION	CONTRACT ITEMS				COMPLETED WORK		
		QUANTITY	UNIT	UNIT COST	TOTAL COST	QUANTITY	CO #	COST
CHANGE ORDER #1								
5	Core Out Excavation	-132.11	CY	\$20.00	(\$2,642.20)			
7	PCC Driveway Removals	-98.20	SY	\$8.00	(\$785.60)			
8	Pavement Removals	-5.81	SY	\$10.00	(\$58.10)			
9	PCC Sidewalk Removals	53.40	SY	\$6.00	\$320.40			
11	Subgrade Preparation	-37.10	SY	\$5.00	(\$185.50)			
12	Pavement, Non-Reinforced PCC Class C, 7"	-46.00	SY	\$45.00	(\$2,070.00)			
13	Pavement Reinforcing Steel	-500.00	SY	\$49.00	(\$24,500.00)			
14	6" PCC for Driveways	-311.10	SY	\$35.00	(\$10,888.50)			
15	4" PCC for Sidewalks	53.90	SY	\$33.00	\$1,778.70			
16	Granular Surfacing, Class A Crushed Stone	-4.03	CY	\$17.00	(\$68.51)			
17	Removal of Existing Timber Box Culvert	2.00	LF	\$53.00	\$106.00			
18	Trench Bottom Excavation	-333.30	CY	\$25.00	(\$8,332.50)			
19	Granular Backfill	-333.76	CY	\$25.00	(\$8,344.00)			
20	Removal, 12" Storm Sewer	-9.00	LF	\$15.00	(\$135.00)			
21	Removal, 15" Storm Sewer	-21.00	LF	\$15.00	(\$315.00)			
22	Removal, 18" Storm Sewer	-6.00	LF	\$16.00	(\$96.00)			
23	Removal, 20" Storm Sewer	10.80	LF	\$17.00	\$183.60			
27	10'x4' Reinforced Concrete Box Culvert	2.00	LF	\$603.00	\$1,206.00			
28	Storm Sewer, 2000D, 12"	-11.00	LF	\$114.00	(\$1,254.00)			
29	Storm Sewer, 2000D, 15"	54.00	LF	\$116.00	\$6,264.00			
30	Storm Sewer, 2000D, 18"	-5.00	LF	\$93.00	(\$465.00)			
31	Storm Sewer, 2000D, 24"	-6.00	LF	\$103.00	(\$618.00)			
32	Storm Sewer, 2000D, 36"	-7.50	LF	\$124.00	(\$930.00)			
33	Storm Sewer, PVC, 20"	-6.00	LF	\$110.00	(\$660.00)			
43	Water Services	-148.00	LF	\$35.00	(\$5,180.00)			
44	Sanitary Sewer Removal	-47.00	LF	\$25.00	(\$1,175.00)			
45	Sanitary Sewer, 10" PVC	-32.00	LF	\$60.25	(\$1,928.00)			
46	Sanitary Sewer, 12" PVC	5.00	LF	\$66.75	\$333.75			
47	Sanitary Sewer, 15" PVC	19.00	LF	\$82.00	\$1,558.00			
50	Sanitary Sewer Service	-123.00	LF	\$61.00	(\$7,503.00)			
51	Sewer Pipe Supports	-6.00	EA	\$550.00	(\$3,300.00)			
52	Fence Removal and Replacement	-507.00	LF	\$10.00	(\$5,070.00)			
53	Temporary Fencing	-285.00	LF	\$8.00	(\$2,280.00)			
54	Sodding	-69.73	SQ	\$50.00	(\$3,486.50)			
56	Silt Fence (Install and Remove)	-146.00	LF	\$5.00	(\$730.00)			
57	Emergency Trench Connection	-10.00	EA	\$1,500.00	(\$15,000.00)			
59	Structural Support Installation	-3.00	EA	\$4,000.00	(\$12,000.00)			
62	Water Main Lowering	-1.00	EA	\$9,500.00	(\$9,500.00)			
Change Order #1 Total					(\$117,749.96)			
TOTAL CONTRACT PLUS MATERIALS & CHANGE ORDERS					\$907,250.04			\$907,250.04