

DATE April 7, 2008

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR SE CONNECTOR - ELM STREET PAVEMENT REMOVALS AND LEVEE RECONSTRUCTION,
CRAMER AND 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 SE Connector - Elm Street Pavement Removals and Levee Reconstruction, 06-2006-020, in accordance with the contract approved between Cramer and Associates, Inc., Robert Cramer, President/CAO, 990 NE 44th Avenue, Des Moines, IA 50313, under Roll Call No. 06-2229, of November 6, 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 \$285,414.98 is the total cost, of which \$267,988.67 has been paid the Contractor, and \$8,863.86 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$8,562.45 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. Said remaining balance of \$8,562.45 is to be paid at the end of thirty days, also provided that a release of this payment has been approved by the Iowa Department of Transportation through the Des Moines Engineering Department. Said Engineering Department shall not release this payment until all projects audits have been completed, and any monetary penalties resulting from audit deficiencies shall be deducted from said balance of \$8,562.45 before being released to the Contractor. The Mayor be and is hereby authorized and directed to sign the Iowa Department of Transportation Certificate of Completion and Final Acceptance of Agreement Work. 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.

★ **Roll Call Number**

Agenda Item Number

12

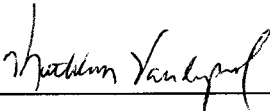
DATE April 7, 2008

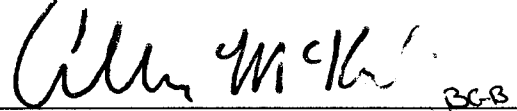
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

Moved by _____ to adopt.

FORM APPROVED:

FUNDS AVAILABLE





Kathleen Vanderpool
Deputy City Attorney

Allen McKinley
Des Moines Finance Director

Funding Source: 2007-2008 CIP, Page Street-41, Southeast Connector - S.W. Second to S.E. Sixth Street, STR214, Various Funding, Being:
80% (\$279,338.48) Federal STP funds for Construction Contract Costs only and 20% (\$69,834.62) TIF-backed G. O. Bonds

NHSX-U-1945(401)--8S-77

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

MOTION CARRIED

APPROVED

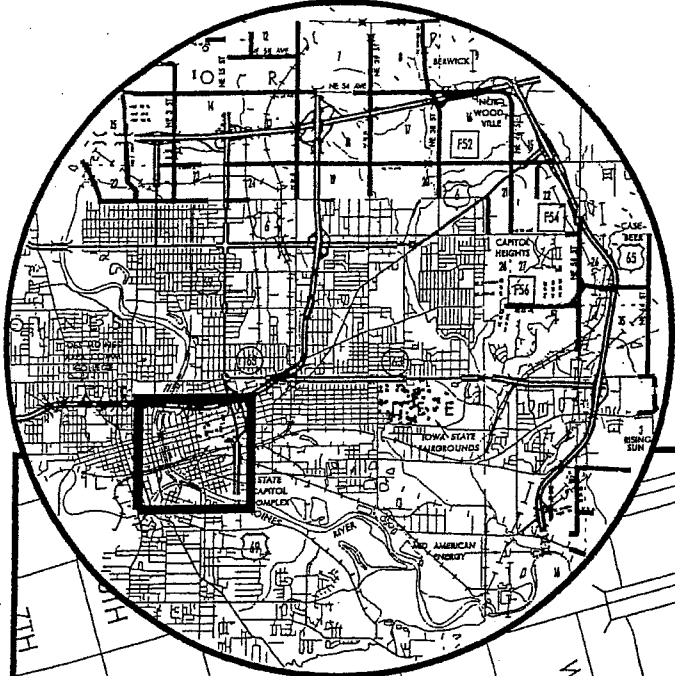
Mayor

I, Diane Rauh, City Clerk of said City Council, hereby certify that at a meeting of the City Council, 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

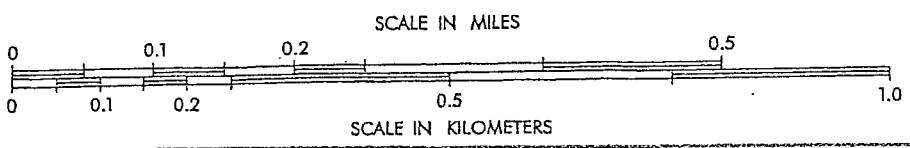
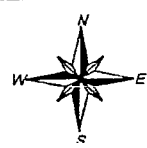
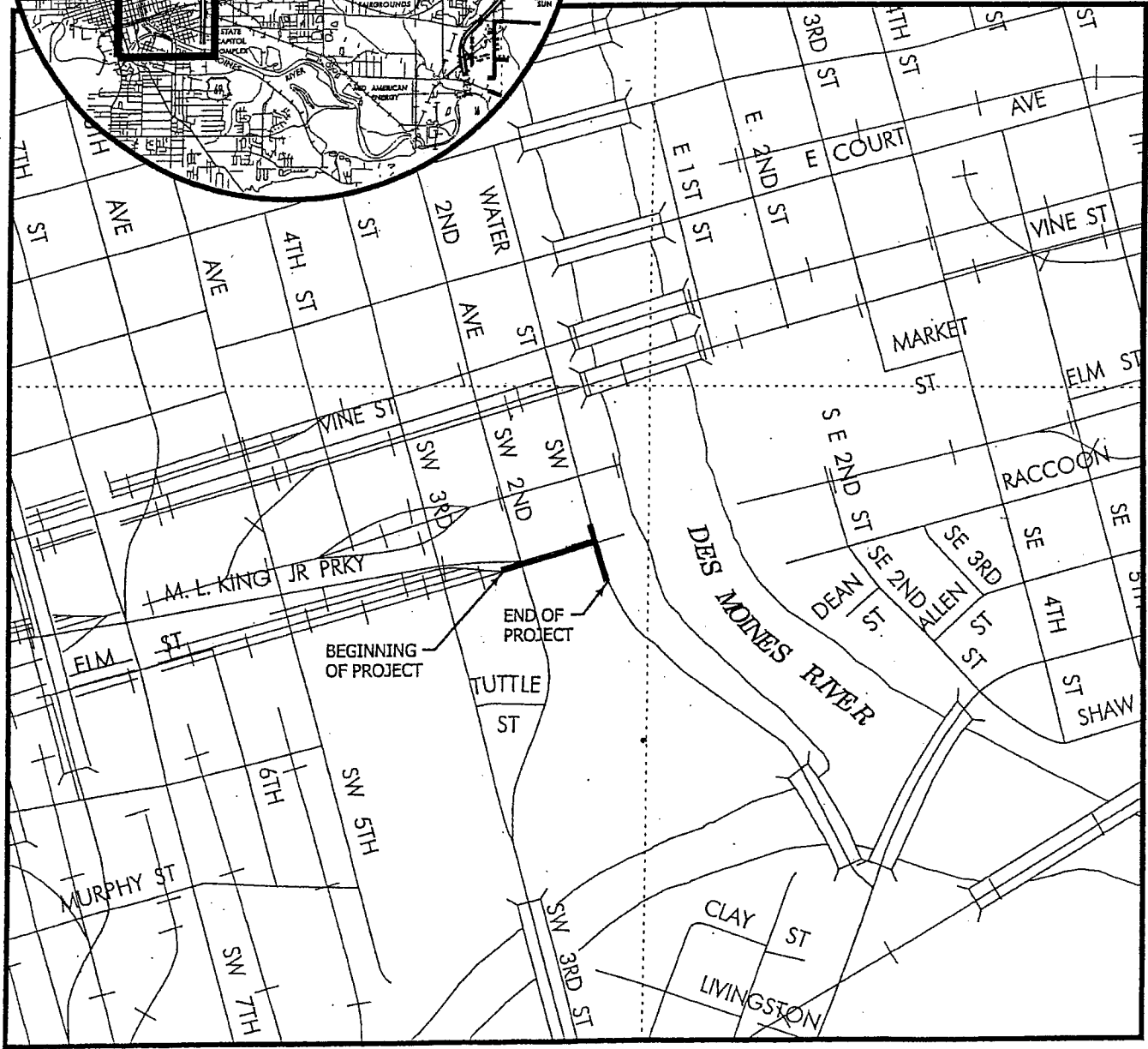
VICINITY MAP
NOT TO SCALE



SE CONNECTOR
ELM STREET PAVEMENT REMOVALS
AND LEVEE RECONSTRUCTION
DES MOINES, IOWA
NHSX-U-1945(401)--8S-77

Activity ID 06-2006-020

LOCATION MAP



PROJECT SUMMARY

SE Connector-Elm St. & Levee Reconstr.

Activity ID 06-2006-020

SE Connector - Elm Street Pavement Removals and Levee Reconstruction, City Activity ID: 06-2006-020
IDOT Project No. NHSX-U-1945(401)--8S-77

On November 6, 2006, under Roll Call No. 06-2229, the City Council awarded the contract for the above improvement to Cramer and Associates, Inc., in the amount of \$349,173.10 to complete the removal of the existing earth levee and replacement with a 317 linear feet Portland Cement Concrete (PCC) retaining wall; complete removal and replacement of Elm Street with Hot Mix Asphalt (HMA) pavement; the coordination with an onsite archeological investigation; provide all the equipment and labor necessary to backfill the archeological site excavations; construction of PCC curb and gutter, PCC sidewalk, and PCC street patches; along with the necessary earthwork, street and sidewalk removal, seeding and sodding, silt fence, traffic control, and pavement markings; all in accordance with the contract documents including Plan File Nos. 462-124/145, along Elm Street and Water Street in Des Moines, Iowa.

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	9/26/2007 This change order includes drill seeding all of the previously seeded and damaged sodded areas.	Engineering	\$915.00
2	12/3/2007 Add backfill volume, reinforcing steel, and PCC Retaining Wall. Delete modified subbase, removal of sidewalk, and 4 inch PCC sidewalk.	Consultant	(\$5,160.80)
3	12/3/2007 This change order adjust all plan quantities to match as-built quantities.	Consultant	(\$59,512.32)
Original Contract Amount			\$349,173.10
Total Change Orders			(\$63,758.12)
Percent of Change Orders to Original Contract			-18.26%
Final Contract Amount			\$285,414.98

April 7, 2008

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the SE Connector - Elm Street Pavement Removals and Levee Reconstruction, Cramer and 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: \$285,414.98 As-Built Contract Cost

Funding Source: 2007-2008 CIP, Page Street-41, Southeast Connector - S.W. Second to S.E. Sixth Street, STR214, Various Funding, Being:
80% (\$279,338.48) Federal STP funds for Construction Contract Costs only and 20% (\$69,834.62) TIF-backed G. O. Bonds

CERTIFICATION OF COMPLETION:

On November 6, 2006, under Roll Call No. 06-2229, the City Council awarded a contract to Cramer and Associates, Inc., Robert Cramer, President/CAO, 990 NE 44th Avenue, Des Moines, IA 50313 for the construction of the following improvement:

SE Connector - Elm Street Pavement Removals and Levee Reconstruction, 06-2006-020

The improvement includes removal of the existing earth levee and replacement with a 317 linear feet Portland Cement Concrete (PCC) retaining wall; complete removal and replacement of Elm Street with Hot Mix Asphalt (HMA) pavement; the coordination with an onsite archeological investigation; provide all the equipment and labor necessary to backfill the archeological site excavations; construction of PCC curb and gutter, PCC sidewalk, and PCC street patches; along with the necessary earthwork, street and sidewalk removal, seeding and sodding, silt fence, traffic control, and pavement markings; all in accordance with the contract documents including Plan File Nos. 462-124/145, along Elm Street and Water Street in Des Moines, Iowa.

I hereby certify that the construction of said SE Connector - Elm Street Pavement Removals and Levee Reconstruction, Activity ID 06-2006-020, 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 November 9, 2006, and was completed on March 28, 2008.



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 \$285,414.98 is the total cost of said improvement, of which \$267,988.67 has been paid the Contractor and \$8,863.86 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$8,562.45 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. Said remaining balance of \$8,562.45 is to be paid at the end of thirty days, also provided that a release of this payment has been approved by the Iowa Department of Transportation through the Des Moines Engineering Department. Said Engineering Department shall not release this payment until all projects audits have been completed, and any monetary penalties resulting from audit deficiencies shall be deducted from said balance of \$8,562.45 before being released to the Contractor. The Mayor be and is hereby authorized and directed to sign the Iowa Department of Transportation Certificate of Completion and Final Acceptance of Agreement Work. 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

CITY OF DES MOINES, IA.

CITY ACTIVITY ID: 06-2006-020

CITY CONTRACT NO: 14236

**ESTIMATE OF CONSTRUCTION COMPLETED
PARTIAL PAYMENT NO. 5**

PROJECT NO. NHSX-U-1945(401)--8S-77

CONTRACT ID: 77-1945-401

PROJECT: SE Connector - Elm Street Pavement Removals and Levee Reconstruction
CONTRACTOR: Cramer and Associates, Inc.

DATE: 2-5-08
PARTIAL PAYMENT NO. 5

LINE NO.	DESCRIPTION	UNIT	DIVISION	UNITS			TOTAL AMOUNT
				ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
0010	Selected Backfill	CY	1	232.700	232.700	232.70	\$4,188.60
0020	Excavation, CL 10, RDWY + Borrow	CY	1	962.800	962.800	962.80	\$8,665.20
0030	Topsoil, Strip, Salvage+ Spread (C.O. #3)	CY	1	747.200	302.900	302.90	\$8,481.20
0040	Compaction W/Moisture+Density Control (C.O. #2)	CY	1	2,232.700	2,277.500	2,277.50	\$9,110.00
0050	Modified Subbase (C.O. #2)	CY	1	177.000	80.500	80.50	\$3,381.00
0060	HMA (1M ESAL) Base, 1/2 IN. (C.O. #3)	TON	1	177.500	113.700	113.70	\$6,480.90
0070	HMA (1M ESAL) Surf, 1/2 IN, No Friction (C.O. #3)	TON	1	86.200	52.200	52.20	\$3,810.60
0080	Asphalt Binder, PG 64-22 (C.O. #3)	TON	1	15.800	8.960	8.96	\$4,506.88
0090	Compaction W/Moisture Control (Structures)	CY	1	1,120.800	1,120.800	1,120.80	\$5,604.00
0100	Excavation, CL 20	CY	1	1,277.000	1,277.000	1,277.00	\$16,601.00
0110	Reinforcing Steel (C.O. #2)	LB	1	11,725.000	14,315.000	14,315.00	\$12,883.50
0120	Removal of Pavement (C.O. #3)	SY	1	1,633.200	815.300	815.30	\$3,668.85
0130	Removal of Sidewalk (C.O. #2)	SY	1	50.000	0.000	0.00	\$0.00
0140	Sidewalk PCC 4" (C.O. #2)	SY	1	50.000	0.000	0.00	\$0.00
0150	Curb and Gutter, PCC, 2.5 FT. (C.O. #3)	LF	1	190.600	274.600	274.60	\$8,238.00
0160	PCC Retaining Wall (C.O. #2)	CY	1	223.100	223.700	223.70	\$77,176.50
0170	Safety Closure	EACH	1	2.000	2.000	2.00	\$200.00
0180	Fence, Temporary	STA	1	1.500	1.500	1.50	\$1,500.00
0190	Painted PAVT Mark, Waterbone/Solvent (C.O. #3)	STA	1	5.200	4.850	4.85	\$751.75
0200	Traffic Control	LS	1	1.000	1.000	1.00	\$4,000.00
0210	Patches, Full Depth Finish, by Area (C.O. #3)	SY	1	300.000	69.400	69.40	\$6,940.00
0220	Patches, Full Depth Finish, by Count (C.O. #3)	EACH	1	7.000	6.000	6.00	\$1,200.00
0230	Mobilization	LS	1	1.000	1.000	1.00	\$43,000.00
0240	Backfill-In-Place (C.O. #3)	CY	1	2,000.000	2,044.800	2,044.80	\$20,448.00
0250	Backhoe and Operator (C.O. #3)	HOURL	1	400.000	251.500	251.50	\$25,150.00
0260	Seeding and Fertilizing (Urban) (C.O. #3)	ACRE	1	0.700	0.560	0.56	\$1,400.00
0270	Sodding (C.O. #3)	SQ	1	50.000	155.000	155.00	\$6,975.00
0280	Silt Fence (C.O. #3)	LF	1	700.000	50.000	50.00	\$125.00
0290	Removal of Silt Fence (C.O. #3)	LF	1	700.000	14.000	14.00	\$14.00
0300	Clean-Out of Silt Fence (C.O. #3)	LF	1	700.000	0.000	0.00	\$0.00
8001	Drill Seeding (C.O. #1)	ACRE	1		0.610	0.61	\$915.00

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PROJECT: SE Connector - Elm Street Pavement Removals and Levee Reconstruction
CONTRACTOR: Cramer and Associates, Inc.

LINE NO.	DESCRIPTION	UNIT	DIVISION	UNITS		UNIT PRICE	TOTAL AMOUNT
				ESTIMATED	AUTHORIZED		
* Plan Quantity by Agreement or Specification							
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS			\$285,414.98			
	PARTIAL PAYMENT NO. 1			\$124,684.08			
	PARTIAL PAYMENT NO. 2			\$67,409.81			
	PARTIAL PAYMENT NO. 3			\$61,264.13			
	PARTIAL PAYMENT NO. 4			\$14,630.65			
	THIS PARTIAL PAYMENT			\$8,863.86			
	TOTAL PARTIAL PAYMENTS			\$276,852.53			
	BALANCE			\$8,562.45			
	Percent Complete	100%					
				TOTAL			\$285,414.98
				RETAINAGE 3%			\$8,562.45
				TOTAL LESS RETAINAGE			\$276,852.53
				LESS PREVIOUS PAYMENTS			\$267,988.67
				AMOUNT DUE			\$8,863.86

PREPARED BY: Kirkham Michael

CONTRACTOR: Cramer and Associates, Inc.

CHECKED BY (CITY): 