

DATE May 18, 2009

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 12TH STREET STORM SEWER - CHERRY TO HIGH STREETS, 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 12th Street Storm Sewer - Cherry to High Streets, 08-2006-008, in accordance with the contract approved between The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047, under Roll Call No. 07-285, of February 12, 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 \$2,615,218.25 is the total cost, of which \$2,484,457.34 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 \$130,760.91 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.

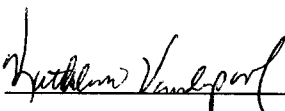
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such 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.

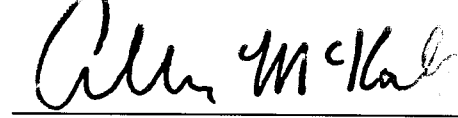
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

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

FORM APPROVED:

  
\_\_\_\_\_  
Kathleen Vanderpool  
Deputy City Attorney

FUNDS AVAILABLE

 08  
\_\_\_\_\_  
Allen McKinley  
Des Moines Finance Director

★ **Roll Call Number**

**Agenda Item Number**

**13B**

DATE May 18, 2009

Funding Source: 2009-2010 CIP, Page Storm-18, Twelfth Street Storm Sewer, STE076, Various Funding, Being: \$2,297,373.25 in Storm Water Utility Funds from STE076 with a transfer of \$256,929 from Page Sanitary -5, City Wide Sanitary Sewers, SAE054, Sanitary Sewer Funds, and \$60,916.00 from Des Moines Water Works (DMWW to pay the actual cost costs associated with Bid Item Nos. 47, 48, and 49 plus change order)

*SEB*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
<b>TOTAL</b>				

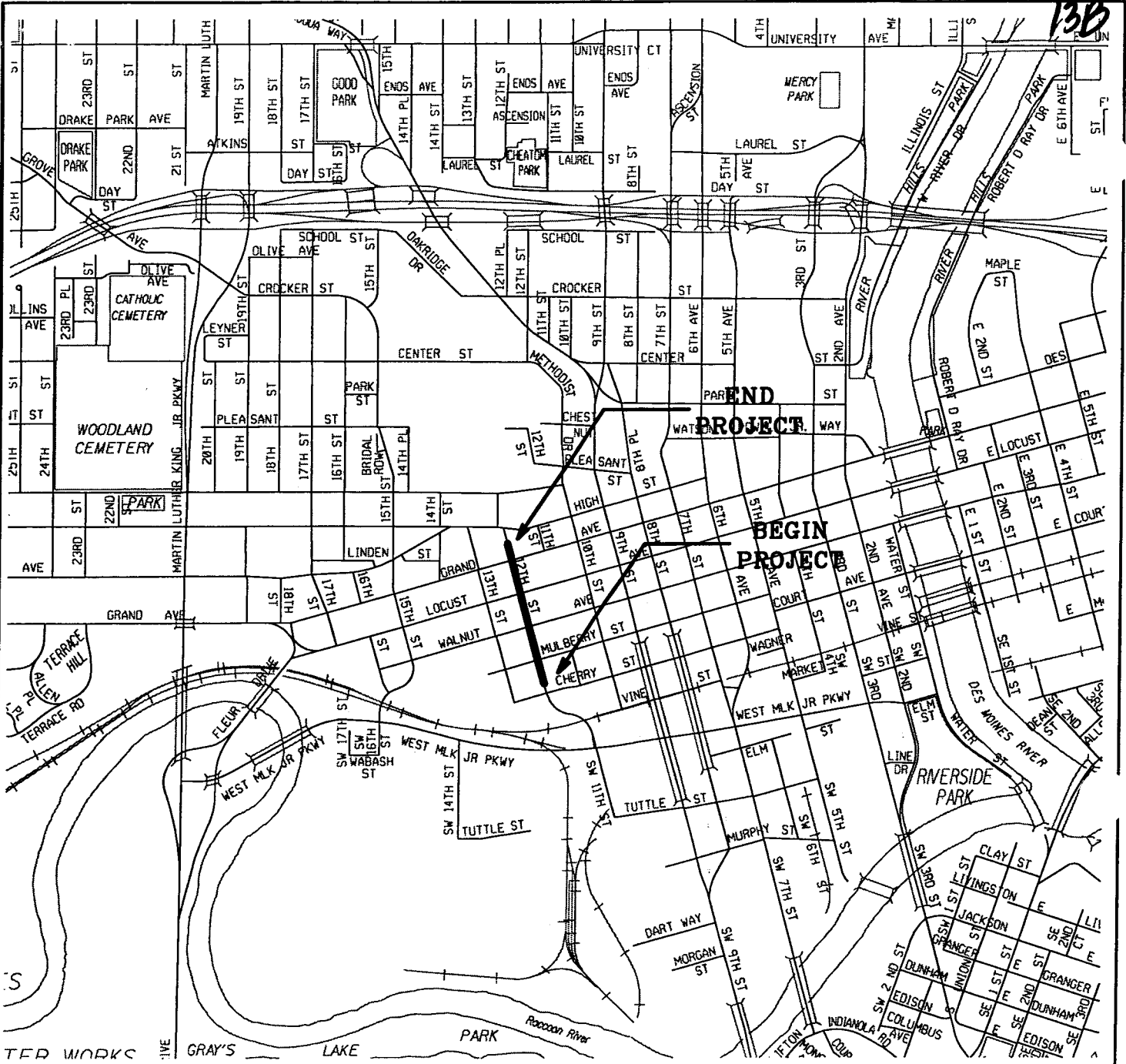
MOTION CARRIED APPROVED

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



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**12TH STREET STORM SEWER -**  
**CHERRY TO HIGH STREETS**  
**Activity I.D. 08-2006-008**

# PROJECT SUMMARY

## 12th Street Storm Sewer-Cherry to High

### Activity ID 08-2006-008

On February 12, 2007 under Roll Call 07-285 the City Council awarded a contract in the amount of \$2,228,690.10 to the Underground Co. Ltd. for -

12th Street Storm Sewer – Cherry to High Streets  
Activity ID No. 08-2006-008

Construction of storm and sanitary sewer including intakes, manholes and jacked pipe, pavement removal and replacement, HMA overlay, removal and replacement of sidewalks and driveways, relocation of water mains, landscaping, traffic control and other incidental items; in accordance with the contract documents including Plan file Nos. 470-131/149 on 12th Street from Cherry Street to south of High Street, Des Moines, IA.

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	1/8/2008 Connect roof drains to storm sewer, remove k-crete, remove tee and install sleeve, tie back existing valve, additional reinforcing steel and electrical work.	Consultant	\$22,484.00
2	3/10/2008 Extend Storm Sewer north across High Street to meet Wellmark Schedule.	Engineering	\$256,929.00
3	3/23/2009 Lower water main, dispose of building debris, disconnect water services, repair irrigation, modify intake, additional mobilization.	Engineering	\$24,179.00
4	4/1/2009 Replace traffic signal footing, adjust quantities to as built.	Engineering	\$22,703.54
5	4/7/2009 add 20" water valve, adjust pavement removal and sidewalk quantities.	Consultant	\$24,758.04
6	4/21/2009 Adjust HMA and Flagger quantities.	Consultant	\$18,620.05

<u>Change Order No.</u>	<u>Description</u>	<u>Initiated By</u>	<u>Amount</u>
7	5/1/2009 Adjust PCC pavement quantities.	Consultant	\$16,854.52
<b>Original Contract Amount</b>			\$2,228,690.10
<b>Total Change Orders</b>			\$386,528.15
<b>Percent of Change Orders to Original Contract</b>			17.34%
<b>Final Contract Amount</b>			\$2,615,218.25

May 18, 2009

**CERTIFICATION OF COMPLETION**



**AGENDA HEADING:**

Accepting completed construction and approving final payment for the 12th Street Storm Sewer - Cherry to High Streets, 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: \$2,615,218.25 As-Built Contract Cost

Funding Source: 2009-2010 CIP, Page Storm-18, Twelfth Street Strom Sewer, STE076, Various Funding, Being:  
\$2,297,373.25 in Storm Water Utility Funds from STE076 with a transfer of \$256,929 from Page Sanitary -5, City Wide Sanitary Sewers, SAE054, Sanitary Sewer Funds, and \$60,916.00 from Des Moines Water Works (DMWW to pay the actual cost costs associated with Bid Item Nos. 47, 48, and 49 plus change order)

**CERTIFICATION OF COMPLETION:**

On February 12, 2007, under Roll Call No. 07-285, 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:

12th Street Storm Sewer - Cherry to High Streets, 08-2006-008

The improvement includes construction of storm and sanitary sewer including intakes, manholes and jacked pipe, pavement removal and replacement, HMA overlay, removal and replacement of sidewalks and driveways, relocation of water mains, landscaping, traffic control and other incidental items; in accordance with the contract documents including Plan File Nos. 470-131/149 on 12th Street from Cherry Street to south of High Street, Des Moines, Iowa

I hereby certify that the construction of said 12th Street Storm Sewer - Cherry to High Streets, Activity ID 08-2006-008, 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 February 26, 2007, and was completed on May 7, 2009.



I further certify that \$2,615,218.25 is the total cost of said improvement, of which \$2,484,457.34 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 \$130,760.91 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 5/5/08 to 5/8/08

**FINAL PAYMENT NO. 12**

Proj No: None  
Activity ID: 08-2006-008  
Date: 5/8/08

**PROJECT: 12TH STREET STORM SEWER-CHERRY TO HIGH  
CONTRACTOR: THE UNDERGROUND COMPANY, LTD.**

LINE NO.	DESCRIPTION	UNIT	UNITS				TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	UNIT PRICE	
1	Project Sign	LS	1.00	1.00	1.00	\$875.00	\$875.00
2	Mobilization	LS	1.00	1.00	1.00	\$305,500.00	\$305,500.00
3	Traffic Control	LS	1.00	1.00	1.00	\$8,650.00	\$8,650.00
4	Pavement Removal/Disposition	SY	4970.00	6662.51	6662.51	\$4.00	\$26,650.04
5	Sidewalk, Driveway, Removal/Disposition	SY	1460.00	1216.54	1216.54	\$4.00	\$4,866.16
6	Subgrade Preparation	SY	5351.00	5136.08	5136.08	\$3.00	\$15,408.24
7	Subgrade Treatment, Flyash, 6% by Weight	SY	5351.00	0.00	0.00	\$0.10	\$0.00
8	PCC Pavement, 7"	SY	86.00	86.00	86.00	\$170.00	\$14,620.00
9	PCC Pavement, 12"	SY	148.00	152.76	152.76	\$84.00	\$12,831.84
10	PCC Pavement, 10" Base	SY	4733.00	4954.77	4954.77	\$76.00	\$376,562.52
11	HMA IM S 1/2, 2" Thickness	TON	560.00	655.53	655.53	\$85.00	\$55,720.05
12	HMA IM S 1/2, 3" Thickness	TON	500.00	512.23	512.23	\$85.00	\$43,539.55
13	Pavement Scarification, Milled	SY	2771.00	2302.79	2302.79	\$5.00	\$11,513.95
14	PCC Alley, 8" Type C, 5'-10' Radius	SY	37.00	0.00	0.00	\$66.00	\$0.00
15	PCC Driveway, 7" Type A	SY	46.00	0.00	0.00	\$65.00	\$0.00
16	PCC Sidewalk, 4"	SY	761.00	93.43	93.43	\$35.00	\$3,270.05
17	PCC Sidewalk, 6"	SY	617.00	844.76	844.76	\$50.00	\$42,238.00
18	Storm Sewer, 15" Class 3 RCP	LF	188.00	188.00	188.00	\$99.00	\$18,612.00
19	Storm Sewer, 18" Class 3 RCP	LF	380.00	506.00	506.00	\$100.00	\$50,600.00
20	Storm Sewer, 18" Class 4 RCAP	LF	49.00	0.00	0.00	\$120.00	\$0.00
21	Storm Sewer, 24" Class 3 RCP	LF	139.00	342.30	342.30	\$110.00	\$37,653.00
22	Storm Sewer, 42" Class 5 RCP, Jacked in Place	LF	196.00	196.00	196.00	\$750.00	\$147,000.00
23	Storm Sewer, 54" Class 3 RCP	LF	130.00	254.05	254.05	\$259.00	\$65,798.95
24	Storm Sewer, 60" Class 3 RCP	LF	254.00	254.00	254.00	\$285.00	\$72,390.00
25	Storm Sewer, 60" Class 4 RCAP	LF	915.00	909.50	909.50	\$398.00	\$361,981.00
26	Storm Sewer, 60" Class 5 RCP, Jacked in Place	LF	88.00	88.00	88.00	\$1,084.00	\$95,392.00
27	Storm Manhole, Type M-A, 48"	EACH	3.00	3.00	3.00	\$3,287.00	\$9,861.00
28	Storm Manhole, Type M-A, 60"	EACH	4.00	3.00	3.00	\$4,335.00	\$13,005.00
29	Storm Manhole, Type M-C	EACH	1.00	1.00	1.00	\$11,925.00	\$11,925.00
30	Storm Manhole, Type M-D	EACH	4.00	7.00	7.00	\$11,857.00	\$82,999.00



LINE NO.	DESCRIPTION	UNIT	UNITS			CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED				
31	Storm Manhole, Type M-E, 60" Riser	EACH	4.00	4.00	4.00	\$6,670.00	\$26,680.00	
32	Intake, Type M-D	EACH	1.00	1.00	1.00	\$4,327.00	\$4,327.00	
33	Intake, Type M-F	EACH	8.00	8.00	8.00	\$3,492.00	\$27,936.00	
34	Intake, Type M-I	EACH	11.00	15.00	15.00	\$4,586.00	\$68,790.00	
35	Intake, Type M-I, Modified	EACH	1.00	1.00	1.00	\$5,697.00	\$5,697.00	
36	Manhole Removal, Storm	EACH	6.00	11.00	11.00	\$400.00	\$4,400.00	
37	Intake Removal	EACH	18.00	21.00	21.00	\$400.00	\$8,400.00	
38	Remove Storm/Sanitary Pipe 36"	LF	18.00	0.00	0.00	\$50.00	\$0.00	
39	Remove Storm/Sanitary Pipe Less Than or Equal to 24"	LF	241.00	130.00	130.00	\$10.00	\$1,300.00	
40	Sanitary Sewer, 15"	LF	346.00	348.00	348.00	\$120.00	\$41,760.00	
41	Sanitary Sewer, 18"	LF	348.00	347.50	347.50	\$121.00	\$42,047.50	
42	Sanitary Special Structure	EACH	1.00	1.00	1.00	\$60,622.00	\$60,622.00	
43	Sanitary Manhole, Type I, 48"	EACH	1.00	1.00	1.00	\$9,255.00	\$9,255.00	
44	Sanitary Manhole, Type I, 60"	EACH	1.00	1.00	1.00	\$14,364.00	\$14,364.00	
45	Sanitary Sewer Service Pipe, 6"	LF	30.00	0.00	0.00	\$111.00	\$0.00	
46	Sanitary Sewer Service Connections	EACH	3.00	0.00	0.00	\$1,177.00	\$0.00	
47	8" Water Main Relocation Location No. 1	LS	1.00	1.00	1.00	\$14,428.00	\$14,428.00	
48	8" Water Main Relocation Location No. 2	LS	1.00	2.00	2.00	\$13,044.00	\$26,088.00	
49	8" Water Main Relocation Location No. 3	LS	1.00	1.00	1.00	\$14,000.00	\$14,000.00	
50	Water Service Relocation, 1"	EACH	6.00	0.00	0.00	\$3,624.00	\$0.00	
51	Water Service Relocation, 6"	EACH	1.00	2.00	2.00	\$12,565.00	\$25,130.00	
52	Temporary Granular Surfacing Material	TON	69.00	103.12	103.12	\$25.00	\$2,578.00	
53	Clearing and Grubbing	LS	1.00	1.00	1.00	\$950.00	\$950.00	
54	Sodding	SQR	6.00	0.00	0.00	\$70.00	\$0.00	
55	Silt Fence	LF	400.00	0.00	0.00	\$2.50	\$0.00	
56	Silt Fence, Inlet Filter	EACH	21.00	16.00	16.00	\$65.00	\$1,040.00	
57	Construction Staking	LS	1.00	1.00	1.00	\$12,000.00	\$12,000.00	
58	Remove Trees with Tree Spade, Store and Replant	EACH	2.00	2.00	2.00	\$1,500.00	\$3,000.00	
59	Remove, Replace Parking Meter Base	LS	1.00	1.00	1.00	\$2,500.00	\$2,500.00	
60	Flaggers	DAY	60.00	97.50	97.50	\$600.00	\$58,500.00	
61	Erosion Control	LS	1.00	1.00	1.00	\$3,300.00	\$3,300.00	
1.01	Connect 10" Roof Drain	EACH	0.00	2.00	2.00	\$1,400.00	\$2,800.00	
1.02	Remove & Dispose of K-Crete	CY	0.00	10.00	10.00	\$100.00	\$1,000.00	
1.03	Remove Tee and Install Sleeve	LS	0.00	1.00	1.00	\$3,210.00	\$3,210.00	
1.04	Tie Back Existing 6" Valve	LS	0.00	1.00	1.00	\$2,000.00	\$2,000.00	
1.05	Reinforcing Steel	SY	0.00	100.00	100.00	\$15.00	\$1,500.00	
1.06	Electrical/Lighting Work	LS	0.00	1.00	1.00	\$11,974.00	\$11,974.00	

LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
2.01	Temporary Concrete, 6" PCC	SY	0.00	1018.81	1018.81	\$50,940.50
2.02	Storm Sewer, 42" Class 3 RCP	LF	0.00	288.60	288.60	\$63,203.40
2.03	PCC Sidewalk, 4"	SY	0.00	113.09	113.09	\$5,654.50
2.04	Additional Traffic Control	LS	0.00	1.00	1.00	\$3,500.00
2.05	Additional Construction Survey	LS	0.00	1.00	1.00	\$3,300.00
2.06	Additional Mobilization	LS	0.00	1.00	1.00	\$19,000.00
2.07	Traffic Signal Modifications	LS	0.00	1.00	1.00	\$5,658.00
3.01	Lower 8" Water Main	LS	0.00	1.00	1.00	\$6,400.00
3.02	Remove and Dispose of Building Debris	EACH	0.00	14.00	14.00	\$1,400.00
3.03	Disconnect 1" Lead Service	EACH	0.00	2.00	2.00	\$2,500.00
3.04	Mobilization for HMA	LS	0.00	1.00	1.00	\$5,000.00
3.05	Repair Irrigation System	LS	0.00	1.00	1.00	\$1,271.00
3.06	Modify Intake	LS	0.00	1.00	1.00	\$5,108.00
4.01	Replace Traffic Signal Footing	LS	0.00	1.00	1.00	\$2,744.00
4.02	Additional Mobilization	LS	0.00	1.00	1.00	\$35,000.00
5.01	20" Water Valve	LS	0.00	1.00	1.00	\$11,000.00
TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS			\$2,615,218.25			
PARTIAL PAYMENT NO. 1			\$382,333.67			
PARTIAL PAYMENT NO. 2			\$248,654.52			
PARTIAL PAYMENT NO. 3			\$573,757.16			
PARTIAL PAYMENT NO. 4			\$328,140.92			
PARTIAL PAYMENT NO. 5			\$279,155.60			
PARTIAL PAYMENT NO. 6			\$284,901.71			
PARTIAL PAYMENT NO. 7			\$199,352.05			
PARTIAL PAYMENT NO. 8			\$85,817.83			
PARTIAL PAYMENT NO. 9			\$22,970.05			
PARTIAL PAYMENT NO. 10			\$60,940.60			
PARTIAL PAYMENT NO. 11			\$18,433.23			
THIS FINAL PAYMENT NO. 12			\$0.00			
TOTAL PARTIAL PAYMENTS			\$2,484,457.34			
BALANCE			\$130,760.91			
TOTAL						\$2,615,218.25
RETAINAGE						\$130,760.91
TOTAL LESS RETAINAGE						\$2,484,457.34
LESS PREVIOUS PAYMENT						\$2,484,457.34
AMOUNT DUE						\$0.00

PREPARED BY:

CHECKED BY:

FINAL PAYMENT NO. 12