

DATE June 22, 2009

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR COURT AVENUE STREETScape REHABILITATION, BAKER ELECTRIC, 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 Court Avenue Streetscape Rehabilitation, 04-2007-013, in accordance with the contract approved between Baker Electric, Inc., Britt Baker, CEO, 111 Jackson Avenue, Des Moines, IA 50315, under Roll Call No. 07-2338, of December 3, 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 \$728,909.02 is the total cost, of which \$676,219.69 has been paid the Contractor, and \$16,243.88 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$36,445.45 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.

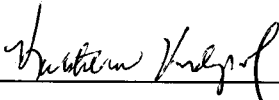
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such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

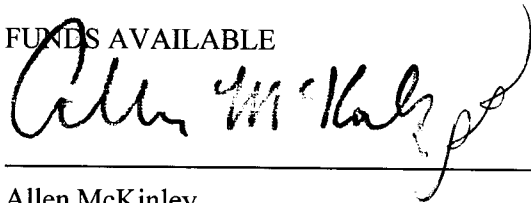
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.


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

FORM APPROVED:

FUNDS AVAILABLE





 Kathleen Vanderpool  
Deputy City Attorney

Allen McKinley  
Des Moines Finance Director

Funding Source: 2009-2010 CIP, Page Street-10, Court Ave Streetscape - Two-way Traffic Conversion, STR225, Various Funding, Being: \$100,000 in private funds from Court Avenue District Housing Fund LLC payable upon completion of the project with the remainder in Tax Increment Funds from STR225

★ Roll Call Number

Agenda Item Number

9B

DATE June 22, 2009

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

MOTION CARRIED

APPROVED

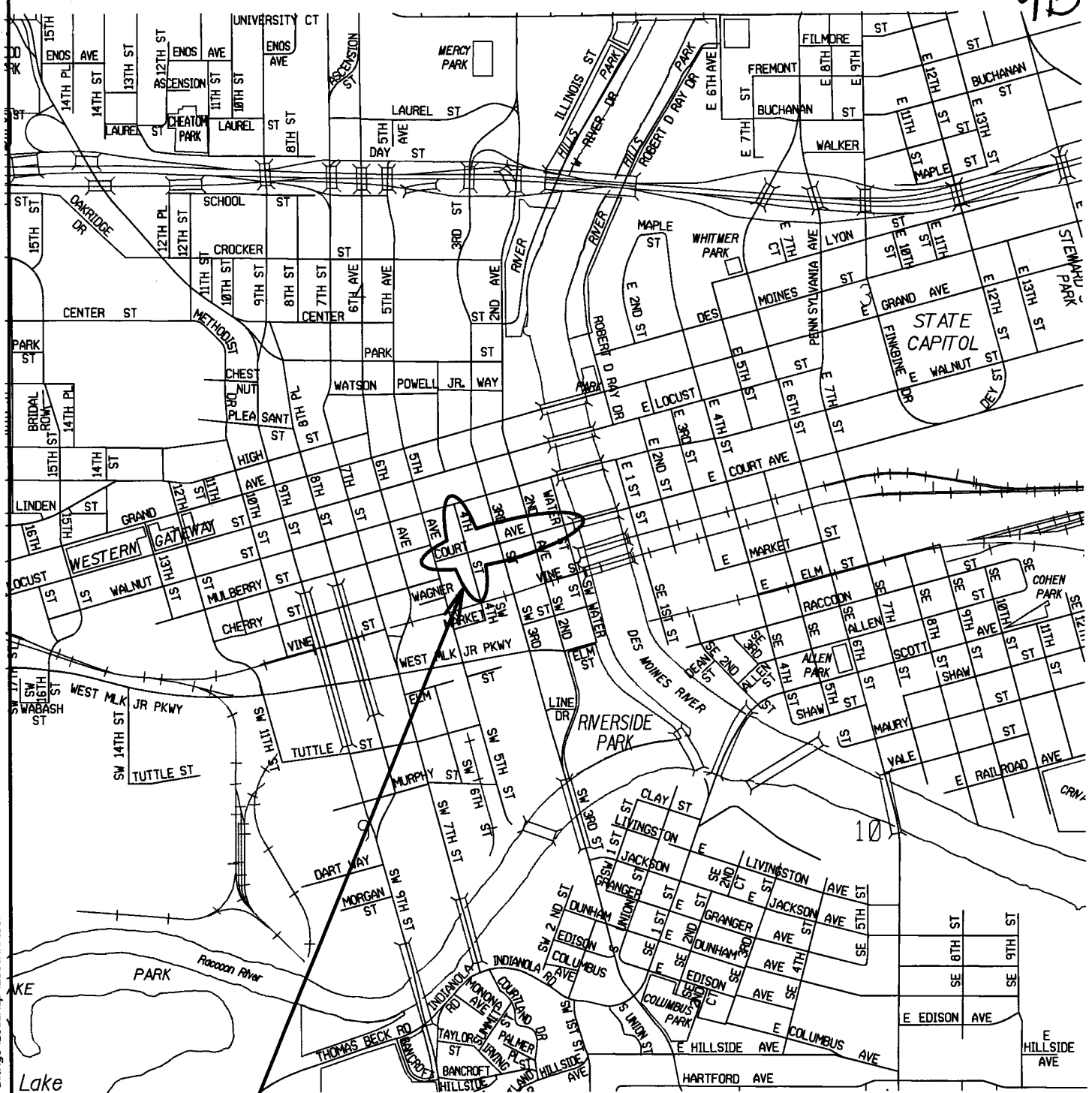
Mayor

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.

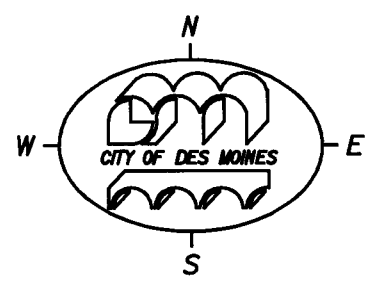
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

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**PROJECT  
LOCATION**



**COURT AVE. STREETSCAPE REHABILITATION  
ACTIVITY I.D. 04-2007-013**

# PROJECT SUMMARY

## Court Avenue Streetscape Rehabilitation

### Activity ID 04-2007-013

On December 3, 2007 under Roll Call No. 07-2338, the City Council awarded the contract for the above improvement to Baker Electric, Inc. in the amount of \$626,358.41 for removing tree grates, constructing planters, landscaping, removing and replacing street and pedestrian lights, and other incidental items.

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	4/1/2008 Provide different light pole model than originally specified. This change is being made because the base configuration of the specified light poles could fit over the conduits in the existing base as originally thought.	Consultant	\$7,200.88
2	4/21/2008 Extend the existing anchor bolts and modify the existing light bases along Court Avenue to work with the new light poles.	Consultant	\$44,338.50
3	5/6/2008 Add additional planting soil to the planting pits. Deduct the cost of the HMA overlay for the full depth composite patch as this will be completed by the Court Avenue resurfacing project.	Engineering	\$1,447.82
4	5/20/2008 Relocate traffic signals at the intersection of 2nd and Court so they don't conflict with turning traffic that resulted from the conversion of Court Avenue into a two-way street.	Engineering	\$6,161.31
5	7/29/2008 Fasten Court Avenue benches to concrete walks and paver sub-base with anchor bolts. Adding additional parking meter posts as to not conflict with planting pits.	Engineering	\$7,013.50
6	8/12/2008 Extra work required to remove oversized light footings on 4th Street between Walnut Street and Vine Street.	Engineering	\$24,886.39

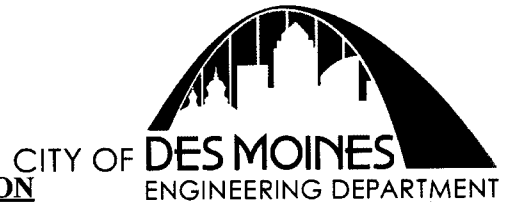
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<b>Change Order No.</b>	<b>Description</b>	<b>Initiated By</b>	<b>Amount</b>
7	10/17/2008 Extra work required to repair damaged light assembly at the southwest corner of Walnut Street and 4th Street.	Engineering	\$2,200.00
8	10/17/2008 Additional parts for the City to have on hand in case damage is done to light assemblies on Court Avenue and Fourth Street.	Engineering	\$6,109.98
9	11/4/2008 Additional work required to remove and replace contaminated mulch and replace plants along Court Avenue due to the flooding in June 2008.	Engineering	\$2,478.42
10	4/29/2009 Repair damaged light assembly at the southwest corner of Walnut Street and 4th Street. Final change order to adjust project quantities to asbuilt quantities.	Engineering	\$713.81
<b>Original Contract Amount</b>			\$626,358.41
<b>Total Change Orders</b>			\$102,550.61
<b>Percent of Change Orders to Original Contract</b>			16.37%
<b>Final Contract Amount</b>			\$728,909.02

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June 22, 2009

**CERTIFICATION OF COMPLETION**



**AGENDA HEADING:**

Accepting completed construction and approving final payment for the Court Avenue Streetscape Rehabilitation, Baker Electric, 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: \$728,909.02 As-Built Contract Cost

Funding Source: 2009-2010 CIP, Page Street-10, Court Ave Streetscape - Two-way Traffic Conversion, STR225, Various Funding, Being: \$100,000 in private funds from Court Avenue District Housing Fund LLC payable upon completion of the project with the remainder in Tax Increment Funds from STR225

**CERTIFICATION OF COMPLETION:**

On December 3, 2007, under Roll Call No. 07-2338, the City Council awarded a contract to Baker Electric, Inc., Britt Baker, CEO, 111 Jackson Avenue, Des Moines, IA 50315 for the construction of the following improvement:

Court Avenue Streetscape Rehabilitation, 04-2007-013

The improvement includes removing tree grates, constructing planters, landscaping, removing and replacing street and pedestrian lights, and other incidental items; in accordance with the contract documents, including Plans File Nos. 478-008/037 on Court Avenue from Water Street to 5th Avenue and on 4th Street from Vine Street to Walnut Street

I hereby certify that the construction of said Court Avenue Streetscape Rehabilitation, Activity ID 04-2007-013, 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 March 18, 2008, and was completed on June 10, 2009.

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I further certify that \$728,909.02 is the total cost of said improvement, of which \$676,219.69 has been paid the Contractor and \$16,243.88 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$36,445.45 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 09/23/2008 to 5/20/2009  
**FINAL PAYMENT (PAYMENT NO. 5)**

**PROJECT: COURT AVENUE STREETScape REHABILITATION**  
**CONTRACTOR: BAKER ELECTRIC, INC.**

Activity ID: 04-2007-013  
Date: 5/26/2009

LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
1	REMOVAL OF CURB	LF	41.000	41.000	41.000	\$11.90	\$487.90
2	REMOVAL OF TREE	EACH	6.000	6.000	6.000	\$270.47	\$1,622.82
3	REMOVAL AND SALVAGE OF TREE GRATE	EACH	21.000	21.000	21.000	\$81.14	\$1,703.94
4	REMOVAL AND SALVAGE OF PAVERS	SF	1,569.000	1,927.000	1,927.000	\$7.79	\$15,011.33
5	REMOVAL OF PAVER SUBBASE	SF	1,017.000	1,365.000	1,365.000	\$5.73	\$7,821.45
6	REMOVAL AND SALVAGE OF LIGHT FIXTURES	EACH	72.000	72.000	72.000	\$565.59	\$40,722.48
7	REMOVAL OF LIGHT FOOTINGS	EACH	23.000	25.000	25.000	\$623.07	\$15,576.75
8	CURB REPLACEMENT	LF	24.000	24.000	24.000	\$18.39	\$441.36
9	CURB RAMP	EACH	1.000	1.000	1.000	\$1,081.86	\$1,081.86
10	4" PCC SIDEWALK	SF	144.000	345.000	345.000	\$5.41	\$1,866.45
11	5" PCC EDGER	LF	539.000	539.000	539.000	\$27.05	\$14,579.95
12	PAVER REINSTALLATION WITH HMA SETTING BED	SF	729.000	1,077.000	1,077.000	\$13.52	\$14,561.04
13	PEDESTRIAN CROSSING LIGHT	EACH	2.000	2.000	2.000	\$5,989.89	\$11,979.78
14	LOADING ZONE SIGN ASSEMBLY	EACH	2.000	2.000	2.000	\$489.83	\$979.66
15	PARKING METER POST AND FOOTING INSTALLATION	EACH	2.000	7.000	7.000	\$217.70	\$1,523.90
16	TYPE 1 LIGHT ASSEMBLY INSTALLATION (P2)	EACH	63.000	0.000	0.000	\$4,092.21	\$0.00
17	TYPE 2 LIGHT ASSEMBLY INSTALLATION (P5)	EACH	16.000	0.000	0.000	\$5,531.17	\$0.00
18	TYPE 3 LIGHT ASSEMBLY AND INSTALLATION (P2S)	EACH	2.000	0.000	0.000	\$4,099.83	\$0.00
19	TYPE 1 LIGHT ASSEMBLY FURNISH ONLY (P2)	EACH	1.000	0.000	0.000	\$3,711.58	\$0.00
20	PATCH, FULL DEPTH COMPOSITE	SY	23.000	23.000	23.000	\$97.37	\$2,239.51
21	BIKE RACK	EACH	42.000	38.000	38.000	\$287.27	\$10,916.26
22	BIKE RACK, FURNISH ONLY	EACH	6.000	5.000	5.000	\$217.11	\$1,085.55
23	MOBILIZATION	LS	1.000	1.000	1.000	\$20,000.00	\$20,000.00
24	TRAFFIC CONTROL	LS	1.000	1.000	1.000	\$5,084.75	\$5,084.75
25	PROJECT SIGN, LARGE	EACH	1.000	1.000	1.000	\$946.63	\$946.63
26	OVERSTORY TREES	EACH	8.000	8.000	8.000	\$406.03	\$3,248.24
27	SHRUBS	EACH	166.000	166.000	166.000	\$62.29	\$10,340.14
28	PERENNIALS	EACH	457.000	543.000	543.000	\$13.47	\$7,314.21
29	CONDUCTOR	LF	6,200.000	6,200.000	6,200.000	\$3.55	\$22,010.00
30	EXISTING LIGHT BASE PREPARATION	EACH	49.000	49.000	49.000	\$141.36	\$6,926.64
31	NEW PCC LIGHT FOOTING	EACH	23.000	24.000	24.000	\$1,028.44	\$24,682.56

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LINE NO.	DESCRIPTION	UNIT	UNITS			CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED				
A-1	ADD ALTERNATE NO. 1							
	BENCH	EACH	19,000	19,000	19,000	\$1,953.40	\$37,114.60	
CO 1.01	REVISED TYPE 1 LIGHT ASSEMBLY INSTALLATION (P2)	EACH	61,000	61,000	61,000	\$4,284.98	\$261,383.78	
CO 1.02	REVISED TYPE 2 LIGHT ASSEMBLY INSTALLATION (P5)	EACH	16,000	16,000	16,000	\$5,723.94	\$91,583.04	
CO 1.03	REVISED TYPE 3 LIGHT ASSEMBLY INSTALLATION (P2S)	EACH	2,000	2,000	2,000	\$4,292.60	\$8,585.20	
CO 1.04	REVISED TYPE 1 LIGHT ASSEMBLY FURNISH ONLY (P2)	EACH	1,000	1,000	1,000	\$3,868.05	\$3,868.05	
CO 2.01	MODIFY EXISTING LIGHT BASES-COURT AVENUE	EACH	49,000	49,000	49,000	\$766.50	\$37,558.50	
CO 2.02	ADDITIONAL STAGIN AND TRAFFIC CONTROL	LS	1,000	1,000	1,000	\$6,780.00	\$6,780.00	
CO 2.03	REVISE TOP OF BASE ELEVATION ON 4TH STREET	LS	1,000	1,000	1,000	\$0.00	\$0.00	
CO 3.01	ADDITIONAL PLANTING SOIL FOR TREE PITS	EACH	21,000	21,000	21,000	\$84.00	\$1,764.00	
CO 3.02	DELETE HMA SURFACE ON FULL DEPTH PATCH	LS	-1,000	-1,000	-1,000	\$316.18	(\$316.18)	
CO 4.01	REMOVAL OF EXISTING SIGNAL FOOTINGS	EACH	2,000	2,000	2,000	\$623.07	\$1,246.14	
CO 4.02	INSTALLATION OF 2" DIA. x 3' DEPTH SIGNAL FOOTING	EACH	2,000	2,000	2,000	\$600.00	\$1,200.00	
CO 4.03	INSTALLATION OF 2" CONDUIT	LF	15,000	15,000	15,000	\$28.96	\$434.40	
CO 4.04	INSTALL. OF NEW ANCHOR BOLTS IN EXISTING FOOTING	LS	1,000	1,000	1,000	\$363.67	\$363.67	
CO 5.01	FASTEN BENCHES TO SIDEWALK	EACH	10,000	11,000	11,000	\$255.00	\$2,805.00	
CO 5.02	FASTEN BENCHES TO PAVR SUB BASE	EACH	9,000	8,000	8,000	\$375.00	\$3,000.00	
CO 6.01	ADDITIONAL FOR LARGE FOOTING REMOVALS 4TH STREET	EACH	24,000	24,000	24,000	\$623.07	\$14,953.68	
CO 7.01	REPAIR LIGHT ASSEMBLY ON 4TH STREET	EACH	1,000	2,000	2,000	\$2,200.00	\$4,400.00	
CO 8.01	EIA P-3017B-16-MOD-MN-(2) BANNER ARMS 16 POLE (SINGLE POLE)	EACH	1,000	1,000	1,000	\$3,177.78	\$3,177.78	
CO 8.02	AAL-(2) UCM-HI-SKB-FS2-150SMSHE-(07A-167)JSLA17-2-MOD-(07A-167D)-BLK	EACH	1,000	1,000	1,000	\$2,932.20	\$2,932.20	
CO 9.01	REPLACEMENT OF MULCH IN CONTAMINATED PLANTERS	LS	1,000	1,000	1,000	\$1,320.00	\$1,320.00	
TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS			\$728,909.02					
PARTIAL PAYMENT NO 1			\$28,725.07					
PARTIAL PAYMENT NO 2			\$33,597.37					
PARTIAL PAYMENT NO 3			\$547,658.36					
PARTIAL PAYMENT NO 4			\$66,238.89					
THIS PARTIAL PAYMENT			\$16,243.88					
TOTAL PARTIAL PAYMENTS			\$692,463.57					
TOTAL							\$728,909.02	
RETAINAGE							\$36,445.45	
TOTAL LESS RETAINAGE							\$692,463.57	
LESS PREVIOUS PAYMENTS							\$676,219.69	
AMOUNT DUE							\$16,243.88	

PREPARED BY: SG

*[Signature]*

CHECKED BY: GH

FINAL PAYMENT (PAYMENT NO. 5)