

DATE September 11, 2006

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR COWNIE SOCCER COMPLEX MAINTENANCE FACILITY ADDITION, BRYAN CROW
CONSTRUCTION, 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 Cownie Soccer Complex Maintenance Facility Addition, 11-2005-021, in accordance with the contract approved between Bryan Crow Construction, Inc., Jerry Crow, President, 14407 University Avenue, Waukee, IA 50263, under Roll Call No. 05-2260, of September 12, 2005, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

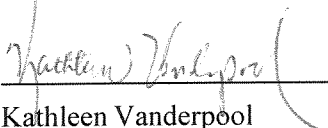
BE IT FURTHER RESOLVED: That \$200,424.36 is the total cost, of which \$190,402.80 has been paid the Contractor, and \$0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$10,021.56 is to be paid at the end of thirty days, provided no claims 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.

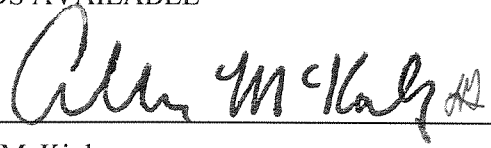
Moved by _____ to adopt.

FORM APPROVED:



Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE



Allen McKinley
Des Moines Finance Director

Funding Source: 2006-2007 CIP, Page Parks-25, Soccer Complex, PKS159, G. O. Bonds

★ Roll Call Number

Agenda Item Number

13C

Date September 11, 2006

JB

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

CERTIFICATE

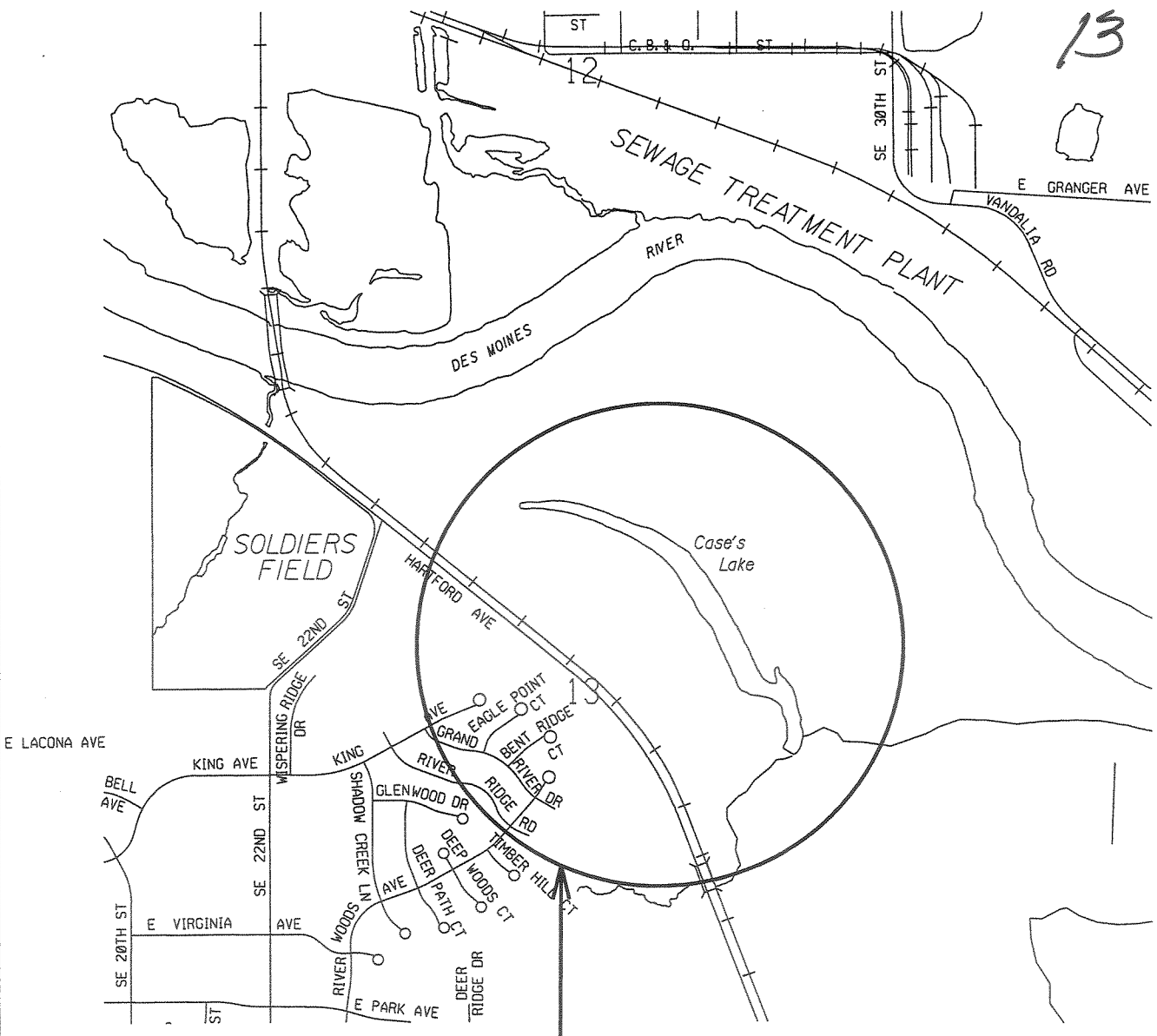
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

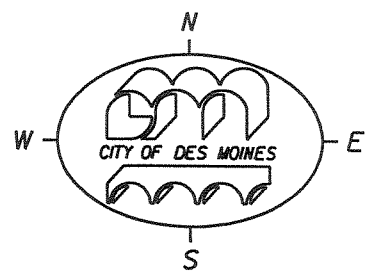
Mayor

City Clerk

13 C



**PROPERTY
LOCATION**



**2200 E. HARTFORD
COUNTY SOCCER COMPLEX
MAINTENANCE FACILITY ADDITION
ACTIVITY I.D. 11-2005-021**

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PROJECT SUMMARY

Cownie Soccer Complex maint. Addition

Activity ID 11-2005-021

On September 12, 2005, under Roll Call No. 05-2260, the City Council awarded the contract for the above improvements to Bryan Crow Construction, Inc., in the amount of \$178,556.00, to construct an addition to the existing maintenance facility.

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	11/22/2005 Extend sanitary sewer.	Consultant	\$9,497.36
2	12/8/2005 Provide drop connection at sewer manhole and electrical circuit for circulating pump.	Consultant	\$7,807.00
3	3/3/2006 Revise water service and provide suspended ceiling.	Consultant	\$4,564.00
Original Contract Amount			\$178,556.00
Total Change Orders			\$21,868.36
Percent of Change Orders to Original Contract			12.25%
Final Contract Amount			\$200,424.36

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September 11, 2006

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Cownie Soccer Complex Maintenance Facility Addition, Bryan Crow Construction, 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: \$200,424.36 As-Built Contract Cost

Funding Source: 2006-2007 CIP, Page Parks-25, Soccer Complex, PKS159, G. O. Bonds

CERTIFICATION OF COMPLETION:

On September 12, 2005, under Roll Call No. 05-2260, the City Council awarded a contract to Bryan Crow Construction, Inc., Jerry Crow, President, 14407 University Avenue, Waukee, IA 50263 for the construction of the following improvement:

Cownie Soccer Complex Maintenance Facility Addition, 11-2005-021

Construction of approximately 850 S.F. of addition to an existing building. Work includes concrete, masonry, gypsum board, roofing, mechanical, electrical and other related items; in accordance with the contract documents, including Plan File Nos. 458-01/32 at 2200 E. Hartford Avenue, Des Moines, Iowa

I hereby certify that the construction of said Cownie Soccer Complex Maintenance Facility Addition, Activity ID 11-2005-021, 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 10, 2005, and was completed on September 1, 2006.



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 \$200,424.36 is the total cost of said improvement, of which \$190,402.80 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 \$10,021.56 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.

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

APPLICATION and CERTIFICATE for PAYMENT

To: City of Des Moines

Project: Cowmie Soccer Complex
Maintenance Facility Addition
2200 East Hartford Avenue
Des Moines, Iowa

Application No: 7 (FINAL)

Distribution to:

- OWNER
- CONSTRUCTION MGR.
- ARCHITECT
- CONTRACTOR
- OTHER

From: BRYAN CROW CONSTR., INC.
14407 University Avenue
Waukee, Iowa 50263

App. Date: July 14, 2006

Period to: July 14, 2006

Project Nos: PKS159

Contract Date: September 12, 2005

Contract For: General Construction

Via Architect: City of Des Moines

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet, G703, is attached.

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

1. ORIGINAL CONTRACT SUM

178,556.00
21,868.00
200,424.00
200,424.00

2. Net Change By Change Orders

CONTRACTOR: BRYAN CROW CONSTRUCTION, INC.

3. CONTRACT SUM TO DATE

By: *Jerry Crow*

Date: July 14, 2006

4. TOTAL COMPLETED AND STORED TO DATE

State of: Iowa

County of: Dallas

Subscribed and sworn before me this 14th day of July, 2006

a. 05% of Completed Work

10,021.22

b. of Stored Material

0.00

TOTAL RETAINAGE

10,021.22

6. TOTAL EARNED LESS RETAINAGE

190,403.14

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT

190,402.80

8. CURRENT PAYMENT DUE

M 0.00

9. BALANCE TO FINISH, INCLUDING RETAINAGE

M 10,021.56

Notary Public: *Carol Ann Crow* My Commission expires: 11-27-06

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	21,868.00	0.00
Total approval this Month	0.00	0.00
TOTALS	\$ 21,868.00	\$ 0.00
NET CHANGES by Change Order	\$ 21,868.00	

AMOUNT CERTIFIED

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:

By: *Thomas Ralden*

Date: 7/19/06

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

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