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DATE September 11, 2006

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR 2005 SIDEWALK REPLACEMENT PROGRAM, JOHNSON CONCRETE & PETROLEUM
CONST. 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 2005 Sidewalk Replacement Program, 09-2005-001, in accordance with the contract approved between Johnson Concrete & Petroleum Const. Inc., Robert L. Johnson, President, 107 Arthur Avenue, Des Moines, IA 50313, under Roll Call No. 05-1437, of June 6, 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 \$113,287.27 is the total cost, of which \$85,516.19 has been paid the Contractor, and \$22,106.72 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$5,664.36 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.

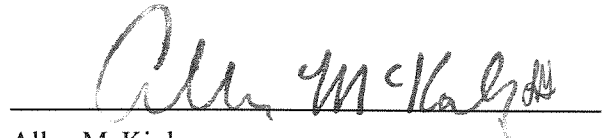
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

Moved by _____ to adopt.

FORM APPROVED:

FUNDS AVAILABLE





Kathleen Vanderpool
Deputy City Attorney

Allen McKinley
Des Moines Finance Director

Funding Source: 2006-2006 CIP, Page Sidewalk-4, City-wide Sidewalk Replacement - Public Works, STR084, G. O. Bonds

★ **Roll Call Number**

.....

Agenda Item Number

13 D

Date September 11, 2006

REB

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

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PROJECT SUMMARY

2005 Sidewalk Replacement Program

Activity ID 09-2005-001

On June 6, 2005, under Roll Call No. 05-1437, the City Council awarded the contract for the above improvements to Johnson Concrete & Petroleum Const. Inc., in the amount of \$168,702.50 to reconstruct Class 'A' and Class 'B' Portland cement concrete sidewalks four(4) inches thick (six(6) inches thick at driveways), together with all necessary appurtenances; in accordance with the contract documents at:

Various locations City-wide. Sidewalks will be replaced at locations inspected by Public Works and replacement of all sidewalks approved by City Council by separate action. Handicapped accessible ramps will also be constructed in the vicinity where sidewalks will be replaced.

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	8/4/2005 To add additional cost of M-4 concrete to Sidewalks, thru Driveways 6"PCC (alleys).	Engineering	\$210.00
2	10/4/2005 Construct modular block wall, grade parking and grade alley at 803 Kirkwood.	Engineering	\$1,900.00
3	For extra backfill needed to raise sidewalks and move handicapped ramps. To adjust to As-Built quantities.	Engineering	(\$57,525.23)
Original Contract Amount			\$168,702.50
Total Change Orders			(\$55,415.23)
Percent of Change Orders to Original Contract			-32.85%
Final Contract Amount			\$113,287.27 ^d

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September 1, 2006

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the 2005 Sidewalk Replacement Program, Johnson Concrete & Petroleum Const. 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: \$113,287.27 As-Built Contract Cost

Funding Source: 2006-2006 CIP, Page Sidewalk-4, City-wide Sidewalk Replacement - Public Works, STR084, G. O. Bonds

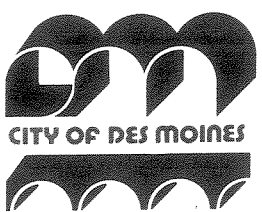
CERTIFICATION OF COMPLETION:

On June 6, 2005, under Roll Call No. 05-1437, the City Council awarded a contract to Johnson Concrete & Petroleum Const. Inc., Robert L. Johnson, President, 107 Arthur Avenue, Des Moines, IA 50313 for the construction of the following improvement:

2005 Sidewalk Replacement Program, 09-2005-001

Reconstruction of Class A and Class B Portland cement concrete sidewalks four(4) inches thick, (six(6) inches thick at driveways), together with all appurtenances; in accordance with the contract documents at various locations city-wide. Sidewalk will be replaced at locations inspected by the Public Works Department. Handicapped accessible ramps will also be constructed in the vicinity where sidewalks will be replaced

I hereby certify that the construction of said 2005 Sidewalk Replacement Program, Activity ID 09-2005-001, 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 July 20, 2005, and was completed on August 24, 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 \$113,287.27 is the total cost of said improvement, of which \$85,516.19 has been paid the Contractor and \$22,106.72 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$5,664.36 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 cursive script, appearing to read "Jeb E. Brewer".

Jeb E. Brewer, P.E.
Des Moines City Engineer

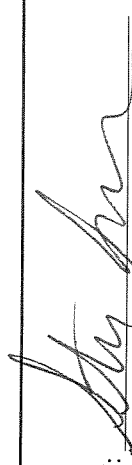
ESTIMATE OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 6/16/06 TO 6/30/06

Final

PROJECT: 2005 Sidewalk Replacement Program
CONTRACTOR: Johnson Concrete & Petroleum Const. Inc.

Final

LINE NO.	DESCRIPTION	UNIT	UNITS			CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED				
1	Sidewalk, 4" Class 'A', Remove and Replace	SY	100.000	100.000		76.200	\$32.00	\$2,438.40
2	Sidewalk, 4" Class 'B', 2-6 SY, Remove and Replace	SY	650.000	650.000		289.620	\$39.75	\$11,512.40
3	Sidewalk, 4" Class 'B', OVER 6 SY, Remove and Replace	SY	2,000.000	2,000.000		1,473.150	\$36.00	\$53,033.40
4	Sidewalk, Thru Driveways, 6" PCC, Remove and Replace	SY	500.000	500.000		232.090	\$39.95	\$9,272.00
5	Handicapped Ramp, W/Truncated Domes	SY	500.000	500.000		348.380	\$72.00	\$25,083.36
6	Remove & Replace Curb For Cl. A Walk	LF	100.000	100.000		0.000	\$11.00	\$0.00
7	Tree Root Removal	EACH	100.000	100.000		46.000	\$30.00	\$1,380.00
8	Saw Concrete - Full Depth	LF	2,000.000	2,000.000		1,595.000	\$2.67	\$4,258.65
9	Driveway, 6" PCC	SY	50.000	50.000		0.000	\$33.75	\$0.00
10	Driveway Removal	SY	50.000	50.000		44.650	\$11.25	\$502.31
1.01	M-4	SY	100.000	100.000		193.690	\$2.10	\$406.75
2.01	Modular Wall	LS	1.000	1.000		1.000	\$1,900.00	\$1,900.00
3.01	Extra Dirt for Sidewalk and Ramps	LS	1.000	1.000		1.000	\$3,500.00	\$3,500.00
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$113,287.27					
	PARTIAL PAYMENT NO. 1		\$12,795.05					
	PARTIAL PAYMENT NO. 2		\$8,549.64					
	PARTIAL PAYMENT NO. 3		\$16,893.53					
	PARTIAL PAYMENT NO. 4		\$12,735.51					
	PARTIAL PAYMENT NO. 5		\$9,681.13					
	PARTIAL PAYMENT NO. 6		\$13,267.09					
	PARTIAL PAYMENT NO. 7		\$11,594.24					
	THIS PARTIAL PAYMENT		\$22,106.72					
	TOTAL PARTIAL PAYMENTS		\$107,622.91					
	BALANCE		\$5,664.36					
	Percent Complete	100%						
	TOTAL							\$113,287.27
	RETAINAGE							\$5,664.36
	TOTAL LESS RETAINAGE							\$107,622.91
	LESS PREVIOUS PAYMENT							\$85,516.19
	AMOUNT DUE							\$22,106.72

PREPARED BY: 

CHECKED BY: 

Final

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