

DATE September 28, 2009

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR 3625 SW 34TH STREET EMERGENCY SANITARY SEWER REPAIR, 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 3625 SW 34th Street Emergency Sanitary Sewer Repair, 07-2009-002, in accordance with the contract approved between The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047, under Roll Call No. 08-1731, of October 13, 2008, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

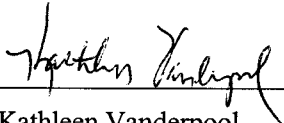
BE IT FURTHER RESOLVED: That \$46,200.00 is the total cost, of which \$39,140.00 has been paid the Contractor, and \$4,750.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$2,310.00 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code chapter 573.

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:



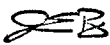
Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE



Allen McKinley
Des Moines Finance Director

BB

 Funding Source: 2009-2010 CIP, Page Sanitary-5, City-wide Sanitary Sewers, SAE054, Sanitary Sewer Funds

★ **Roll Call Number**

Agenda Item Number

9A

DATE September 28, 2009

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

MOTION CARRIED

APPROVED

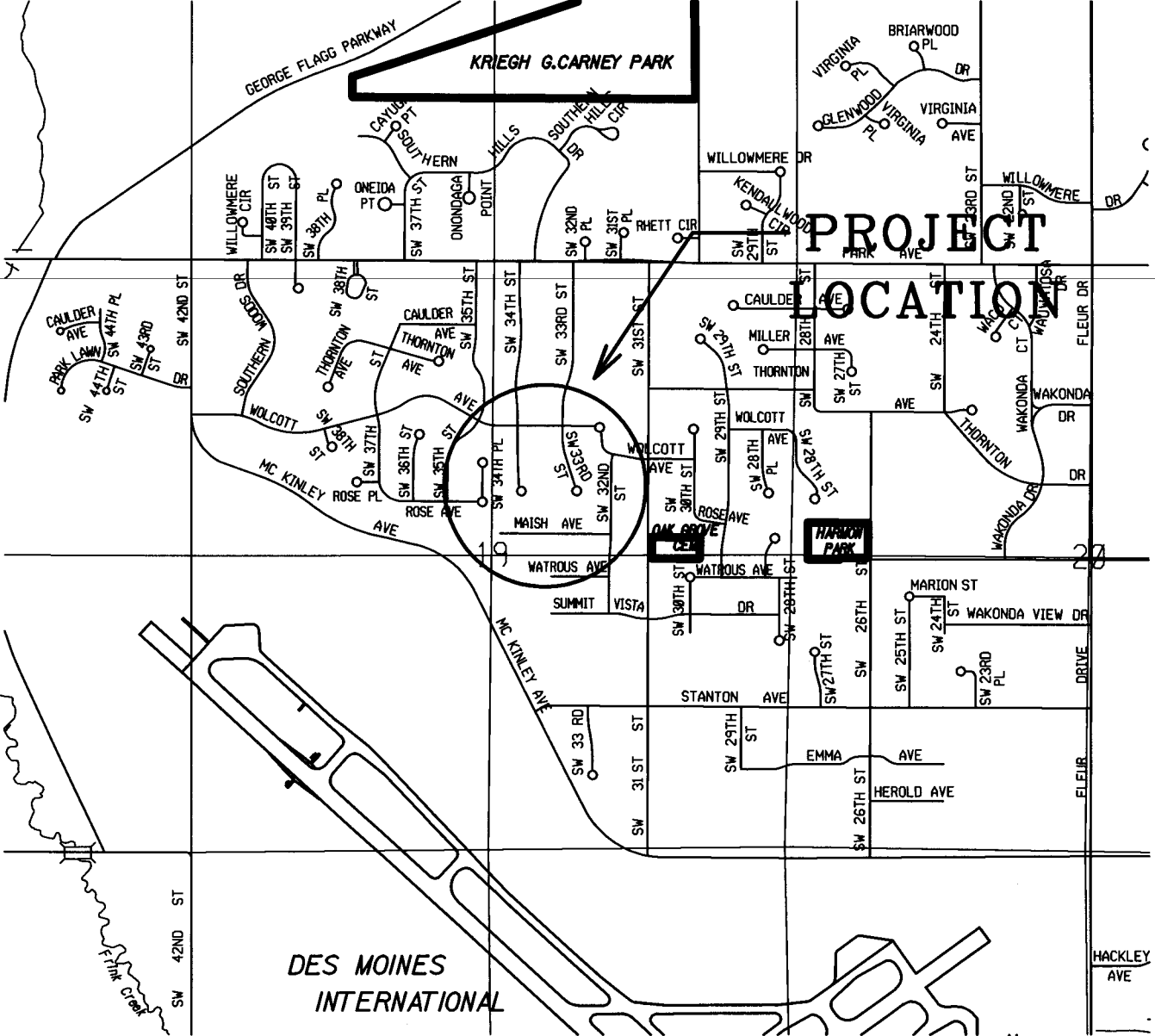
Mayor

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.

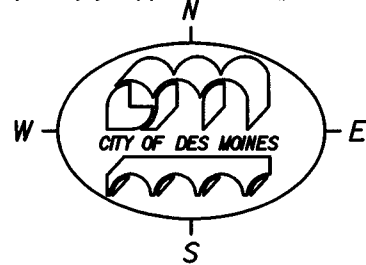
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk



PROJECT LOCATION

**3625 SW 34TH STREET
 EMERGENCY SANITARY
 SEWER REPAIR
 ACTIVITY ID 07-2009-002**



PROJECT SUMMARY

3625 SW 34TH ST. EMERGENCY SANI. SEWER REPAIR Activity ID 07-2009-002

On October 13, 2008, under Roll Call No. 08-1731, the City Council awarded the contract for the above improvement to The Underground Co., in the amount of \$46,200.00, to repair the sanitary sewer at 3625 SW 34th St.

Tabulated below is a history of project change orders.

<u>CHANGE ORDER NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
	Original Contract Amount	\$46,200.00
	Total Change Orders	0
	Percent of Change Orders to Original Contract	
	Final Contract Amount	\$46,200.00

September 28, 2009

CERTIFICATION OF COMPLETION



AGENDA HEADING:

Accepting completed construction and approving final payment for the 3625 SW 34th Street Emergency Sanitary Sewer Repair, 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: \$46,200.00 As-Built Contract Cost

Funding Source: 2009-2010 CIP, Page Sanitary-5, City-wide Sanitary Sewers, SAE054, Sanitary Sewer Funds

CERTIFICATION OF COMPLETION:

On October 13, 2008, under Roll Call No. 08-1731, 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:

3625 SW 34th Street Emergency Sanitary Sewer Repair, 07-2009-002

The improvement includes all labor, equipment, and materials necessary to complete the emergency sanitary sewer repair, which includes repair and relocation of approximately 100 feet of 12" sanitary sewer, backfill and compaction, and restoration of the site in accordance with the contract documents behind 3625 SW 34th Street, Des Moines, Iowa.

I hereby certify that the construction of said 3625 SW 34th Street Emergency Sanitary Sewer Repair, Activity ID 07-2009-002, 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 9, 2008, and was completed on September 22, 2009.

I further certify that \$46,200.00 is the total cost of said improvement, of which \$39,140.00 has been paid the Contractor and \$4,750.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$2,310.00 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code chapter 573. The amount of completed work is shown on the attached Estimate of Construction Completed.

A handwritten signature in black ink that reads "Jeb E. Brewer, P.E." with a small flourish at the end.

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

