Roll Call Number	Agenda Item Number
	9

### ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR GRAY'S LAKE NORTHWEST ENTRANCE MODIFICATIONS, ELDER CORPORATION

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 Gray's Lake Northwest Entrance Modifications, 11-2006-009, in accordance with the contract approved between Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA 50327, under Roll Call No. 06-1391, of July 10, 2006, 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 \$31,686.00 is the total cost, of which \$28,443.00 has been paid the Contractor, and \$1,658.70 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$1,584.30 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 FURTHE 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  Mellah Hal
Kathleen Vanderpool Deputy City Attorney	Allen McKinley Des Moines Finance Director

Funding Source: 2006-2007 CIP, Page Park-7, Gray's Lake Park Improvements, PKS140, Being:

FY-2006 G. O. Bonds

DATE November 20, 2006

*Roll	Call Number
Date	November 20, 2006

Agenda	<b>Item</b>	Number
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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
VLASSIS				
TOTAL				
MOTION CARRIED		-L	A	PPROVED

### 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
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Mayor

## PROJECT SUMMARY

# Gray's Lake Northwest Entrance Mod **Activity ID** 11-2006-009

On July 10, 2006, under Roll Call No. 06-1390, the City Council awarded the contract for the above improvement to Elder Corporation in the amount of \$31,500.00, for constructing a right turn lane, pedestrian ramp, relocating entrance gates, surface restoration, and other incidental items. The project is located at the Northwest Entrance to Gray's Lake along Fleur Drive.

Tabulated below is a history of project change orders.

Change Order No.	<b>Description</b>	Initiated By	Amount
1	10/17/2006  Contractor provided a cost deduct for the Parks  Department backfilling and compacting the curb. Adjust contract quantities to match as-built quantities.	Engineering	\$186.00
	Original Contract Amount		\$31,500.00
	<b>Total Change Orders</b>		\$186.00
	Percent of Change Orders to Original Contract		0.59%
	Final Contract Amount		\$31,686.00

November 20, 2006

### **CERTIFICATION OF COMPLETION**

### AGENDA HEADING:

Accepting completed construction and approving final payment for the Gray's Lake Northwest Entrance Modifications, Elder Corporation.

### **SYNOPSIS:**

Approve the Jurisdictional Engineer's Certification of Completion, accept construction of said improvement, and authorize final payment to the contractor.

### FISCAL IMPACT:

Amount: \$31,686.00 As-Built Contract Cost

Funding Source: 2006-2007 CIP, Page Park-7, Gray's Lake Park Improvements,

PKS140, Being:

FY-2006 G.O. Bonds

### CERTIFICATION OF COMPLETION:

On July 10, 2006, under Roll Call No. 06-1391, the City Council awarded a contract to Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA 50327 for the construction of the following improvement:

Gray's Lake Northwest Entrance Modifications, 11-2006-009

The improvement includes construction of a right turn lane, pedestrian ramp, and other incidental items; in accordance with the contract documents, including Plans File Nos. 462-086/093, on the Northwest Entrance to Gray's Lake Park along Fleur Drive, Des Moines, Iowa.

I hereby certify that the construction of said Gray's Lake Northwest Entrance Modifications, Activity ID 11-2006-009, 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 26, 2006, and was completed on October 13, 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 \$31,686.00 is the total cost of said improvement, of which \$28,443.00 has been paid the Contractor and \$1,658.70 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$1,584.30 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

ACTIVITY ID 11-2006-009

# ESTIMATE OF CONSTRUCTION COMPLETED

FINAL PAYMENT (PAYMENT NO. 3) FOR WORK DONE FROM 9/28/06 TO 10/13/06

DATE: 10/20/06

FÜNAL PAYMENT (PAYMENT NO. 3)

PROJECT: GRAY'S LAKE NORTHWEST ENTRANCE MODIFICATIONS

CONTRACTOR: Elder Corporation

DEPARTMENT OF ENGINEERING CITY OF DES MOINES, IA.

1				UNITS			
	· · · · · · · · · · · · · · · · · · ·				CONSTRUCTED		
	DESCRIPTION	UNIT	ESTIMATED	AUTHORIZED	TO DATE	UNIT PRICE	TOTAL AMOUNT
Kemov	Kemoval of Curb	LF	146.0	146.0	146.0	\$19.50	\$2.847.00
Remov	Removal of Sidewalk	SY	19.0	19.0	19.0	\$10.00	
Excava	Excavation, Class 10, Roadway and Borrow	CY	110.0	110.0	110.0	\$13.50	Ç
Portlano	Portland Cement Concrete 6-Inch Base	SY	95.0	95.0	95.0	\$30.50	
Portlan	Portland Cement Concrete 8-Inch Pavement	SY	26.0	26.0	26.0	05 598	
HMA (	HMA (1M ESAL), 1/2", Surface Course	TON	9.6	0.6	9.0	\$200.00	
Handic	Handicapped Ramps, W/Truncated Domes	SY	11.0	11.0	110	00 06\$	
Sidewa	Sidewalk, P.C. Concrete, 4 In	SY	7.0	7.0	7.0	\$76.50	
Painted	Painted Pavement Marking	STA	1.3	1.3	1.3	00 002\$	
Painted	Painted Symbols and Legend, As Per Plan	EACH	4.0	4.0	4.0	\$80.00	
Relocat	Relocate Gates	TS	1.0	1.0	10	\$12,308,00	13
Sod		OS	12.0	12.0	30.0	\$5.000.000	
Traffic	Traffic Control	TS	1.0	1.0	1 00	\$1.500.00	
Mobilization	ation	TS	1.0	1.0	1 00	\$3,500,000 \$3,600,000	
Deduct	Deduct for Backfilling	TS	0.0	-1.0	-1 00	\$750.00	
	Control of the Contro					0.00	
TOTAL	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$31.686.00				
PARTL	PARTIAL PAYMENT NO. 1		\$17,199.75				
PARTI	PARTIAL PAYMENT NO. 2		\$11,243.25				
THIS P	THIS PARTIAL PAYMENT		\$1,658.70				
TOTAL	TOTAL PARTIAL PAYMENTS		\$30,101.70				

PREPARED BY:

CHECKED BY:

Page 1 of 1

\$31,686.00 \$1,584.30 \$30,101.70

\$1,658.70 \$28,443.00

FINAL PAYMENT (PAYMENT NO. 3)

LESS PREVIOUS PAYMENT TOTAL LESS RETAINAGE

RETAINAGE

AMOUNT DUE