

DATE November 24, 2008

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR PRINCIPAL RIVERWALK BRIDGE OVER DES MOINES RIVER - REHABILITATION, JENSEN CONSTRUCTION CO.

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 Principal Riverwalk Bridge over Des Moines River - Rehabilitation, 12-2004-007, in accordance with the contract approved between Jensen Construction Co., Kurt E. Rasmussen, Owner, 5550 NE 22nd Street, Des Moines, IA 50313, under Roll Call No. 05-1433, 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 \$2,129,131.95 is the total cost, of which \$2,097,495.65 has been paid the Contractor, and \$1,636.30 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$30,000.00 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. Said remaining balance of \$30,000.00 is to be paid at the end of thirty days, also provided that a release of this payment has been approved by the Iowa Department of Transportation through the Des Moines Engineering Department. Said Engineering Department shall not release this payment until all projects audits have been completed, and any monetary penalties resulting from audit deficiencies shall be deducted from said balance of \$30,000.00 before being released to the Contractor. 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.

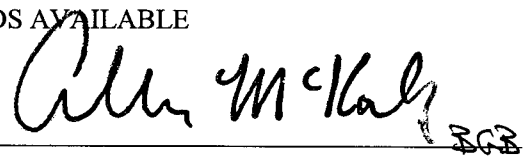
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

Moved by _____ to adopt.

FORM APPROVED:

FUNDS AVAILABLE





Kathleen Vanderpool
Deputy City Attorney

Allen McKinley
Des Moines Finance Director

★ **Roll Call Number**

Agenda Item Number

9F

DATE November 24, 2008

Funding Source: 2008-2009 CIP, Page Park-23, Riverwalk, PKS162, Various Funding, Being: \$668,420 in IDOT Statewide Transportation Enhancement Program funds 80% maximum Federal participation; an earmark from Congress in Federal Fiscal Year 2004 appropriations for \$1,000,000 in Federal Demonstration Program Section 115 funds; and the balance of the project funding of \$460,711.95 will be donated by Principal Financial as a part of their \$10 million commitment to the Principal Riverwalk with a separate funding agreement with Principal Financial

A

STP-ES-1945(692)--81-77

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

MOTION CARRIED

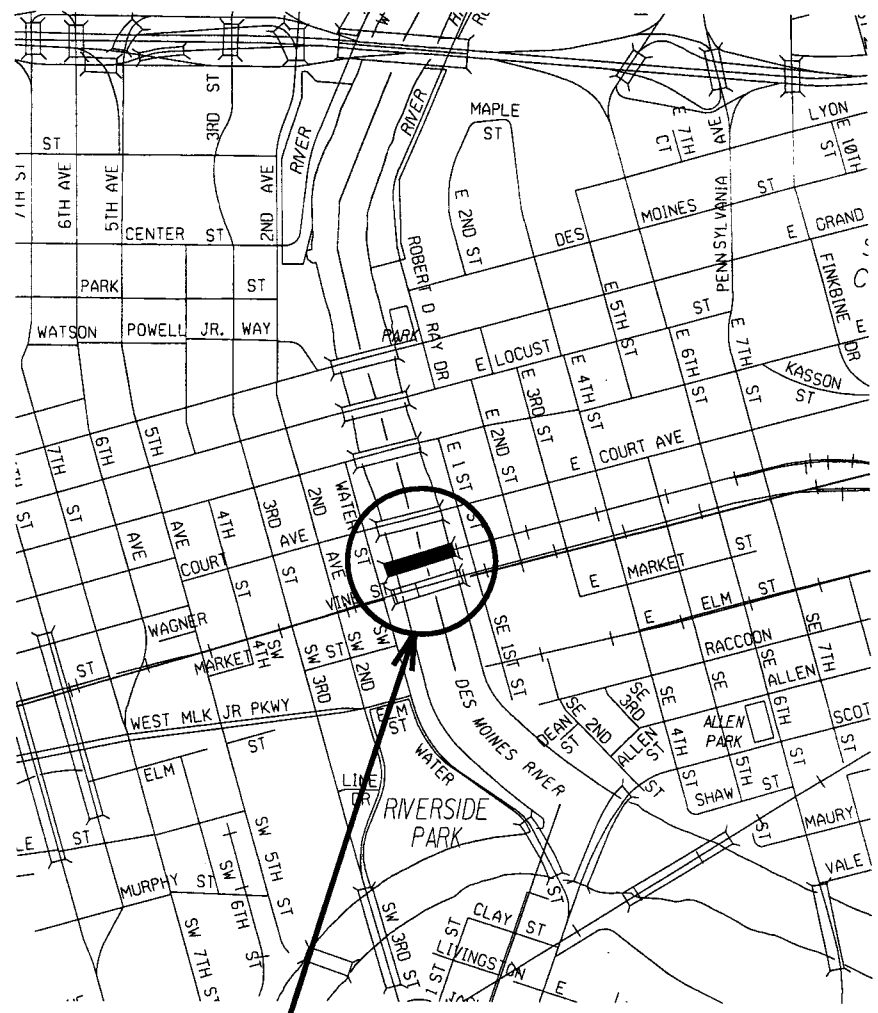
APPROVED

Mayor

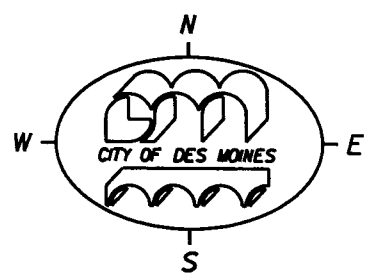
I, Diane Rauh, City Clerk of said City Council, hereby certify that at a meeting of the City Council, held on the above date, among other proceedings the above was adopted.

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

City Clerk



**PROJECT
LOCATION**



**PRINCIPAL RIVERWALK BRIDGE OVER
DES MOINES RIVER REHABILITATION
ACTIVITY I.D. 12-2004-007**

9F

PROJECT SUMMARY

Principal Riverwalk Bridge Rehab.

Activity ID 12-2004-007

On June 6, 2005, under Roll Call No. 05-1433, the City Council awarded the contract for the above improvement to Jensen Construction Co., in the amount of \$2,118,575.00 to convert the historic Des Moines Railway Bridge to a multi-use recreational trail. Work includes HMA pavement, bridge rehabilitation and modification, and other related 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	6/26/2006 Add glass panels and modify the temporary fencing at the abutments to better accommodate future needs.	Engineering	\$9,454.00
2	4/29/2008 Add erosion control mat. Deduct one glass panel to replace breakage by Contractor. Deduct Mid Am service fee previously paid by City.	Engineering	(\$4,001.11)
3	4/29/2008 Add Negotiated Price for Aluminum Grating material cost increase	Engineering	\$10,000.00
4	4/29/2008 Adjust contract quantities to match as-constructed quantities as a "Balancing Change Order" to adjust the contract dollar amount.	Engineering	(\$4,895.94)
Original Contract Amount			\$2,118,575.00
Total Change Orders			\$10,556.95
Percent of Change Orders to Original Contract			0.50%
Final Contract Amount			\$2,129,131.95

9F

November 24, 2008

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Principal Riverwalk Bridge over Des Moines River - Rehabilitation, Jensen Construction Co..

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$2,129,131.95 As-Built Contract Cost

Funding Source: 2008-2009 CIP, Page Park-23, Riverwalk, PKS162, Various Funding, Being:

\$668,420 in IDOT Statewide Transportation Enhancement Program funds 80% maximum Federal participation; an earmark from Congress in Federal Fiscal Year 2004 appropriations for \$1,000,000 in Federal Demonstration Program Section 115 funds; and the balance of the project funding of \$460,711.95 will be donated by Principal Financial as a part of their \$10 million commitment to the Principal Riverwalk with a separate funding agreement with Principal Financial

CERTIFICATION OF COMPLETION:

On June 6, 2005, under Roll Call No. 05-1433, the City Council awarded a contract to Jensen Construction Co., Kurt E. Rasmussen, Owner, 5550 NE 22nd Street, Des Moines, IA 50313 for the construction of the following improvement:

Principal Riverwalk Bridge over Des Moines River - Rehabilitation, 12-2004-007

This project involves the conversion of this historic bridge to a multi-use recreational trail for pedestrians, bicyclists and rollerskaters. Work includes bridge rehabilitation and modification, approach pavement, fencing and other related items, all in accordance with the contract documents including Plan File Nos. 450-121/177. The bridge is located approximately 300 feet south of Court Avenue on the Des Moines River

I hereby certify that the construction of said Principal Riverwalk Bridge over Des Moines River - Rehabilitation, Activity ID 12-2004-007, 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 20, 2005, and was completed on November 13, 2008.



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, 1978, 1981
2003

I further certify that \$2,129,131.95 is the total cost of said improvement, of which \$2,097,495.65 has been paid the Contractor and \$1,636.30 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$30,000.00 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. Said remaining balance of \$30,000.00 is to be paid at the end of thirty days, also provided that a release of this payment has been approved by the Iowa Department of Transportation through the Des Moines Engineering Department. Said Engineering Department shall not release this payment until all projects audits have been completed, and any monetary penalties resulting from audit deficiencies shall be deducted from said balance of \$30,000.00 before being released to the Contractor. 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

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DEPARTMENT OF ENGINEERING
 CITY OF DES MOINES, IA
 ESTIMATE OF CONSTRUCTION COMPLETED
 FOR WORK DONE FROM July 20, 2006 to September 26, 2006
 FINAL PAYMENT
 ACTIVITY ID 12-2004-007
 SC PROJECT NO. 17570.05.00
 CONTRACT NO.: 14080
 DATE: April 15, 2008
 FINAL PAYMENT

LINE NO.	DESCRIPTION	UNIT	ESTIMATED	UNITS			CURRENT PAYMENT TOTAL AMOUNT
				AUTHORIZED	CONSTRUCTED TO DATE	UNIT PRICE	
0010	Clearing and Grubbing	AC	0.300	0.300	0.300	\$6,000.00	\$1,800.00
0020	Embankment-in-Place	CY	380.000	380.000	380.000	\$25.00	\$9,500.00
0030	Topsoil, Furnish and Spread	CY	184.000	184.000	184.000	\$30.00	\$5,520.00
0040	Modified Subbase	CY	31.000	31.000	31.000	\$50.00	\$1,550.00
0050	Removals, as per Plan	LS	1.000	1.000	1.000	\$2,000.00	\$2,000.00
0060	Excavation, Class 20	CY	64.000	64.000	64.000	\$30.00	\$1,920.00
0070	Structural Concrete (Bridge) (Chg Ord #4)	CY	25.800	26.600	26.600	\$1,380.00	\$36,708.00
0080	Reinforcing Steel (Chg Ord #4)	LB	1,770.000	1,933.240	1,933.240	\$1.50	\$2,899.86
0090	Structural Steel (Chg Ord #4)	LB	119,550.000	119,884.000	119,884.000	\$7.00	\$839,188.00
0100	Structural Steel Pedestrian Hand Railing	LF	1,300.000	1,300.000	1,300.000	\$150.00	\$195,000.00
0110	Recreational Trail, Hot Mix Asphalt, 4 in. (Chg Ord #4)	SY	173.000	160.920	160.920	\$60.00	\$9,655.20
0120	Sidewalk, PC Concrete, 4 in. (Chg Ord #4)	SY	16.000	20.000	20.000	\$40.00	\$800.00
0130	Safety Closure	EA	2.000	2.000	2.000	\$200.00	\$400.00
0140	Electrical Circuits	LF	7,939.000	7,939.000	7,939.000	\$25.00	\$198,475.00
0150	Handholes and Junction Boxes	EA	5.000	5.000	5.000	\$1,000.00	\$5,000.00
0160	Control Cabinet	EA	1.000	1.000	1.000	\$16,000.00	\$16,000.00
0170	Construction Survey	LS	1.000	1.000	1.000	\$10,000.00	\$10,000.00
0180	Mobilization	LS	1.000	1.000	1.000	\$110,000.00	\$110,000.00
0190	(Each' Item) Under Deck Lighting	EA	64.000	64.000	64.000	\$3,900.00	\$249,600.00
0200	(Linear Feet' Item) Aluminum Expansion Joint (Chg Ord #4)	LF	84.000	94.770	94.770	\$75.00	\$7,107.75
0210	(Linear Feet' Item) Tropical Hardwood (Chg Ord #4)	LF	10,040.000	9,796.000	9,796.000	\$9.50	\$93,062.00
0220	(Square Feet' Item) Aluminum Grating (Chg Ord #4)	SF	3,990.000	3,874.000	3,874.000	\$50.00	\$193,700.00
0230	(Square Feet' Item) Glass Guardrail Assembly (Chg Ord #1)	SF	2,618.000	2,752.000	2,752.000	\$47.00	\$129,344.00
0240	Mulching (Chg Ord #4)	AC	0.300	0.135	0.135	\$350.00	\$47.25
0250	Seeding and Fertilizing (Urban) (Chg Ord #4)	AC	0.300	0.135	0.135	\$2,000.00	\$270.00
0260	Silt Fence (Chg Ord #4)	LS	300.000	172.000	172.000	\$2.50	\$430.00
	Change Order No. 1						
7001	0230 (SQUARE FEET ITEM) GLASS GUARDRAIL ASSY. (+ 134 SF)	SF					
8001	REPLACE GUARDRAIL SHOWN ON SHEET AD6 WITH VINYL CHAIN LINK FENCE	LF	0.000	60.000	60.000	\$30.000	\$1,800.00
8002	ADD 3 GLASS PANELS AND ASSOCIATED HARDWARE	LS	0.000	1.000	1.000	\$1,356.000	\$1,356.00
	Change Order No. 2						
8003	EXCELSIOR EROSION CONTROL MAT - WEST ABUTMENT	LS	0.000	1.000	1.000	\$685.980	\$685.98
8004	PURCHASE ONE GLASS PANEL FROM CITY STORAGE	LS	0.000	1.000	1.000	-\$452.000	-\$452.00
8005	CREDIT FOR DUPLICATE PAYMENT for Mid Arm installed item	LS	0.000	1.000	1.000	-\$4,235.090	-\$4,235.09

8006	Change Order No. 3 Aluminum Grating-Increased Material Cost	LS	0.000	1.000	1.000	\$10,000.000	\$10,000.00
	Change Order No. 4 - As Built Quantity Adjustments						
	0070 STRUCTURAL CONCRETE (BRIDGE) (+ 0.80 CY)	LF					
	0080 REINFORCING STEEL (+ 163.24 LB)	SY					
	0090 STRUCTURAL STEEL (+ 334 LF)	LF					
	0120 SIDEWALK, PCC, 4 IN. (+ 4.0 SY)	SY					
	0200 ALUMINUM EXPANSION JOINT (+ 10.77 LF)	LF					
	0110 RECREATIONAL TRAIL, HOT MIX ASPHALT, 4" (LINEAR FEET ITEM) TROPICAL HARDWOOD	SY					
	0220 (SQUARE FEET ITEM) ALUMINUM GRATING (-116 SF)	LF					
	0240 MULCHING (- 0.165 AC)	AC					
	0250 SEEDING AND FERTILIZING (URBAN) (- 0.165 AC)	AC					
	0260 SILT FENCE (- 128 LF)	LF					
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$2,129,131.95				
	THIS PARTIAL PAYMENT		\$1,636.30				
	PARTIAL PAYMENT No. 1		\$410,027.73				
	PARTIAL PAYMENT No. 2		\$270,473.83				
	PARTIAL PAYMENT No. 3		\$111,732.01				
	PARTIAL PAYMENT No. 4		\$557,651.95				
	PARTIAL PAYMENT No. 5		\$229,376.88				
	PARTIAL PAYMENT No. 6		\$518,233.25				
	TOTAL PARTIAL PAYMENTS (Less Retainage)		\$2,099,131.95				
	BALANCE (Not Paid, Including Retainage)		\$30,000.00				
	Percent Complete		100.0%				

TOTAL	\$2,129,131.95
RETAINAGE (3%)	\$30,000.00
TOTAL LESS RETAINAGE	\$2,099,131.95
LESS PREVIOUS PAYMENT	\$2,097,495.65
AMOUNT DUE	\$1,636.30

FINAL PAYMENT

SUMMARIZED BY: Stanley Consultants Inc.

PREPARED BY:

[Signature]
 Jensen Construction Company

CHECKED BY:

[Signature]
 City of Des Moines Project Manager

CHECKED BY: