

DATE December 8, 2008

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 503 SE 8TH STREET EMERGENCY STORM 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 503 SE 8th Street Emergency Storm Sewer Repair, 08-2009-001, in accordance with the contract approved between The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047, under Roll Call No. 08-1439, of August 11, 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 \$34,635.00 is the total cost, of which \$32,903.25 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 \$1,731.75 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.

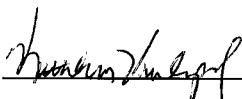
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such 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.

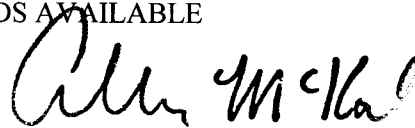
Moved by _____ to adopt.

FORM APPROVED:

FUNDS AVAILABLE



Kathleen Vanderpool
Deputy City Attorney



Allen McKinley
Des Moines Finance Director

803

Funding Source: 2008-2009 CIP, Page STE-4, City-wide Storm Water Utility Projects, STE057, Storm Water Utility Funds

Roll Call Number

Agenda Item Number



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Date December 8, 2008

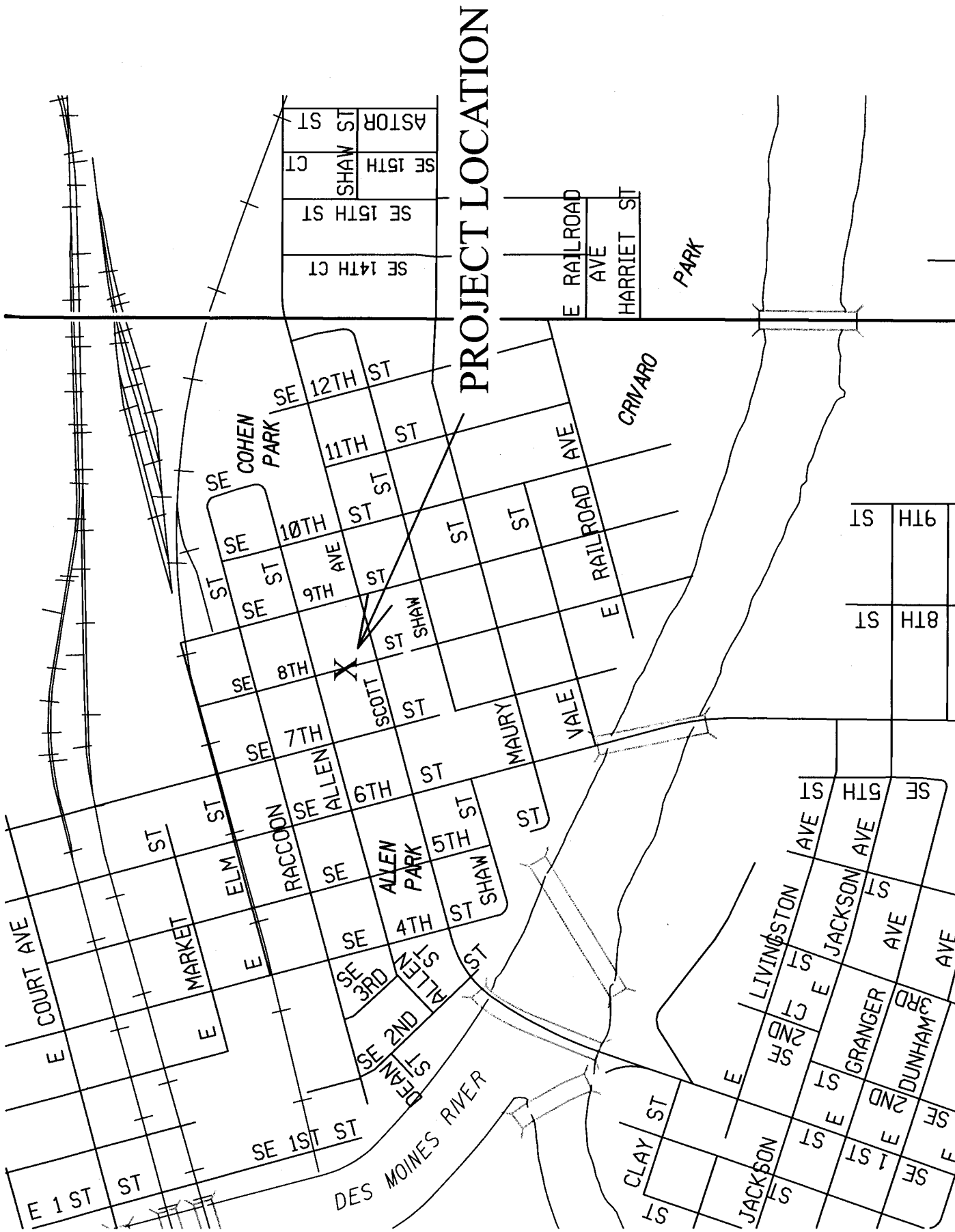
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED		APPROVED		
_____ Mayor				

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

503 SE 8TH EMERGENCY STORM SEWER REPAIR

ACT. ID 08-2009-001

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PROJECT SUMMARY

503 SE 8th Emergency St. Sewer Repair Activity ID 08-2009-001

On August 11, 2008, under RollCall No. 08-1439, the City Council awarded the contract for the above improvements to The Underground Co., in the amount of \$36,600.00, to repair the storm sewer at 503 SE 8th Street.

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	Adjust contract item amounts to as-built quantities.	Engineering	(\$1,965.00)
Original Contract Amount			\$36,600.00
Total Change Orders			(\$1,965.00)
Percent of Change Orders to Original Contract			-5.37%
Final Contract Amount			\$34,635.00

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December 8, 2008

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the 503 SE 8th Street Emergency Storm 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: \$34,635.00 As-Built Contract Cost

Funding Source: 2008-2009 CIP, Page STE-4, City-wide Storm Water Utility Projects, STE057, Storm Water Utility Funds

CERTIFICATION OF COMPLETION:

On August 11, 2008, under Roll Call No. 08-1439, 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:

503 SE 8th Street Emergency Storm Sewer Repair, 08-2009-001

The improvement includes repair of the 18" clay storm sewer, backfill and compaction, replacement of sidewalk and street, and restoration site in accordance with the contract documents in front of 503 SE 8th Street, Des Moines, Iowa

I hereby certify that the construction of said 503 SE 8th Street Emergency Storm Sewer Repair, Activity ID 08-2009-001, 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 August 4, 2008, and was completed on December 1, 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, 1976, 1981
2003

I further certify that \$34,635.00 is the total cost of said improvement, of which \$32,903.25 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 \$1,731.75 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 horizontal line extending to the right.

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



ESTIMATE OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 10/2/08 to 10/29/08
PARTIAL PAYMENT NO. 2 (FINAL)

PROJECT: 503 SE 8TH STREET EMERGENCY STORM SEWER REPAIR
CONTRACTOR: THE UNDERGROUND CO.

Activity ID: 08-2009-001
Date: 10/29/08

LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
1	503 SE 8TH SPOT REPAIR, 18" STORM	LS	1.000	1.000	1.000	\$22,400.00
2	ADDITIONAL 18" STORM SEWER	LF	20.000	20.000	0.000	\$0.00
3	SIDEWALK	SY	30.000	30.000	10.700	\$535.00
4	DEWATERING	LS	1.000	1.000	1.000	\$9,500.00
5	SOIL, IMPORT & COMPACT	LS	1.000	1.000	1.000	\$100.00
6	SEEDING	LS	1.000	1.000	1.000	\$300.00
7	TRAFFIC CONTROL	LS	1.000	1.000	1.000	300
8	BY-PASS PUMPING	LS	1.000	1.000	1.000	\$1,500.00
CO 1	ADJUST CONTRACT ITEM AMOUNTS TO AS-BUILT QUANTITIES					
			\$34,635.00			
TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS						
PARTIAL PAYMENT NO. 1			\$32,903.25			
THIS PARTIAL PAYMENT			\$0.00			
TOTAL PARTIAL PAYMENTS			\$32,903.25			
BALANCE (RETAINAGE)			\$1,731.75			
TOTAL						\$34,635.00
RETAINAGE						\$1,731.75
TOTAL LESS RETAINAGE						\$32,903.25
LESS PREVIOUS PAYMENT						\$32,903.25
AMOUNT DUE						\$0.00

PREPARED BY: *[Signature]*

CHECKED BY: *[Signature]*

PARTIAL PAYMENT NO. 2 (FINAL)

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