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DATE September 12, 2011

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR MLK PUMP STATION EMERGENCY DISCHARGE PIPE 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 Des Moines City Engineer, showing the cost of the construction of the MLK Pump Station Emergency Discharge Pipe Repair, 08-2011-008, in accordance with the contract approved between The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047, and the City of Des Moines, which was executed by the City Manager on February 22, 2011, pursuant to Iowa Code Section 384.103(2), and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

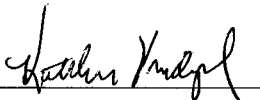
BE IT FURTHER RESOLVED: That \$80,300.00 is the total cost, of which has been paid the Contractor, and \$76,285.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$4,015.00 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code Chapter 573.

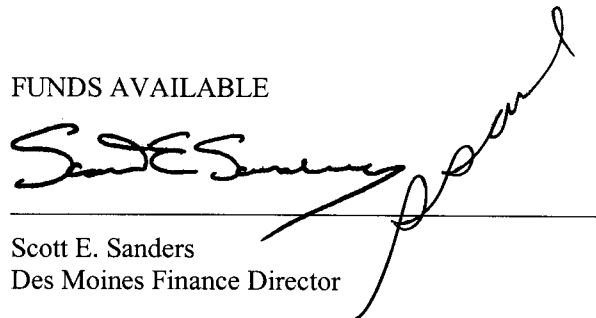
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

Moved by _____ to adopt.

FORM APPROVED:


FUNDS AVAILABLE





Kathleen Vanderpool
Deputy City Attorney

Scott E. Sanders
Des Moines Finance Director

 Funding Source: 2011-2012, Page Storm - 4, City-wide Storm Water Utility Projects, STE057, Storm Water Utility Funds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED				APPROVED

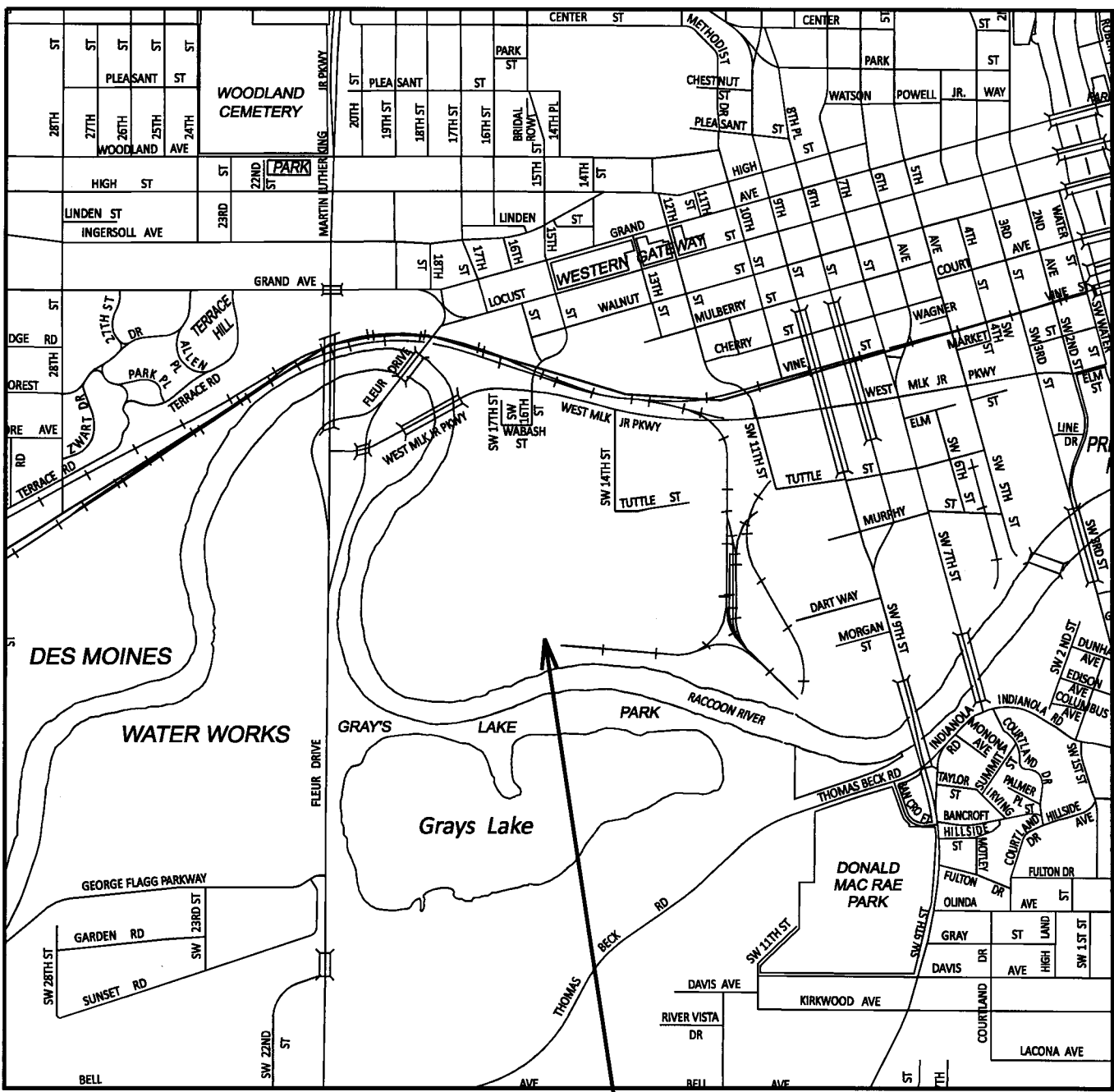
CERTIFICATE

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.

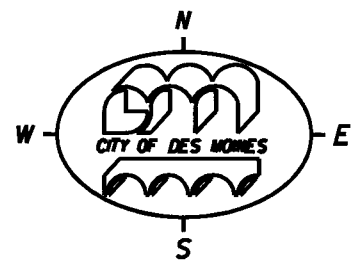
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk



**PROJECT
LOCATION**



**MLK PUMP STATION EMERGENCY
DISCHARGE PIPE REPAIR
ACTIVITY I.D. 08-2011-008**

PROJECT SUMMARY

MLK Pump Station Emergency Discharge Pipe Repair

Activity ID 08-2011-008

On February 22, 2011, under emergency proceedings, the City awarded the contract for the above improvements to The Underground Company, Ltd., in the amount of \$80,300.00. Tabulated below is a history of project change orders.

<u>Change Order No.</u>	<u>Initiated By</u>	<u>Description</u>	<u>Amount</u>
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None

Original Contract Amount	\$80,300.00
Total Change Orders	\$0.00
Percent of Change Orders to Original Contract	0.00%
Total Contract Amount	\$80,300.00

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September 12, 2011



CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the MLK Pump Station Emergency Discharge Pipe Repair, The Underground Company, Ltd..

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$80,300.00 As-Built Contract Cost

Funding Source: 2011-2012, Page Storm - 4, City-wide Storm Water Utility Projects, STE057, Storm Water Utility Funds

CERTIFICATION OF COMPLETION:

On February 22, 2011, the City Manager executed an emergency contract, pursuant to Iowa Code Section 384.103(2), with The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047 for the construction of the following improvement:

MLK Pump Station Emergency Discharge Pipe Repair, 08-2011-008

The improvement includes emergency repair of the discharge pipe at the ML King Pump Station adjacent to the south wall of the pump station at the sinkhole that is approximate 2'x3' at the surface; including but not limited to, mobilization, dewatering of the 12'x4' discharge reinforced concrete box to gain access inside the box to assess damages and make repairs, excavation to expose the outside of the box and make necessary repairs, backfill and compaction, restoration and seeding, and restoration of the granular access road; and generally located south of the intersection of ML King Parkway and SW 14th Street, just north of the Raccoon River in Des Moines, Iowa

I hereby certify that the construction of said MLK Pump Station Emergency Discharge Pipe Repair, Activity ID 08-2011-008, 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 March 1, 2011, and was completed on July 29, 2011.

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I further certify that \$80,300.00 is the total cost of said improvement, of which has been paid the Contractor and \$76,285.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$4,015.00 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.



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

