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DATE November 7, 2011

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT  
FOR PUMP STATION EMERGENCY POWER GENERATION - PHASE 1, BIERMANN'S UNIVERSITY  
ELECTRIC COMPANY, INC.**

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 Pump Station Emergency Power Generation - Phase 1, 08-2010-003, in accordance with the contract approved between Biermann's University Electric Company, Inc., Gary P. Cornelius, President, 512 Elm Street, Des Moines, IA 50309, under Roll Call No. 10-1418, of August 23, 2010, 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 \$1,279,039.18 is the total cost, of which \$1,202,455.74 has been paid the Contractor, and \$12,631.48 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$63,951.96 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:

*Kathleen Vanderpool*  
Kathleen Vanderpool  
Deputy City Attorney

FUNDS AVAILABLE

*Scott E. Sanders*  
Scott E. Sanders  
Des Moines Finance Director

*JB* Funding Source: 2011-2012 CIP, Page Storm-16, Storm Water Pump Station Emergency Power Generation, STE084, Being: \$1,119,812.52 in HUD Disaster funds (\$2,500,000 Grant maximum leaving \$1,380,187.48 for Phase 2 work), and the remaining \$159,226.66 Storm Water Utility Funds.

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

MOTION CARRIED APPROVED

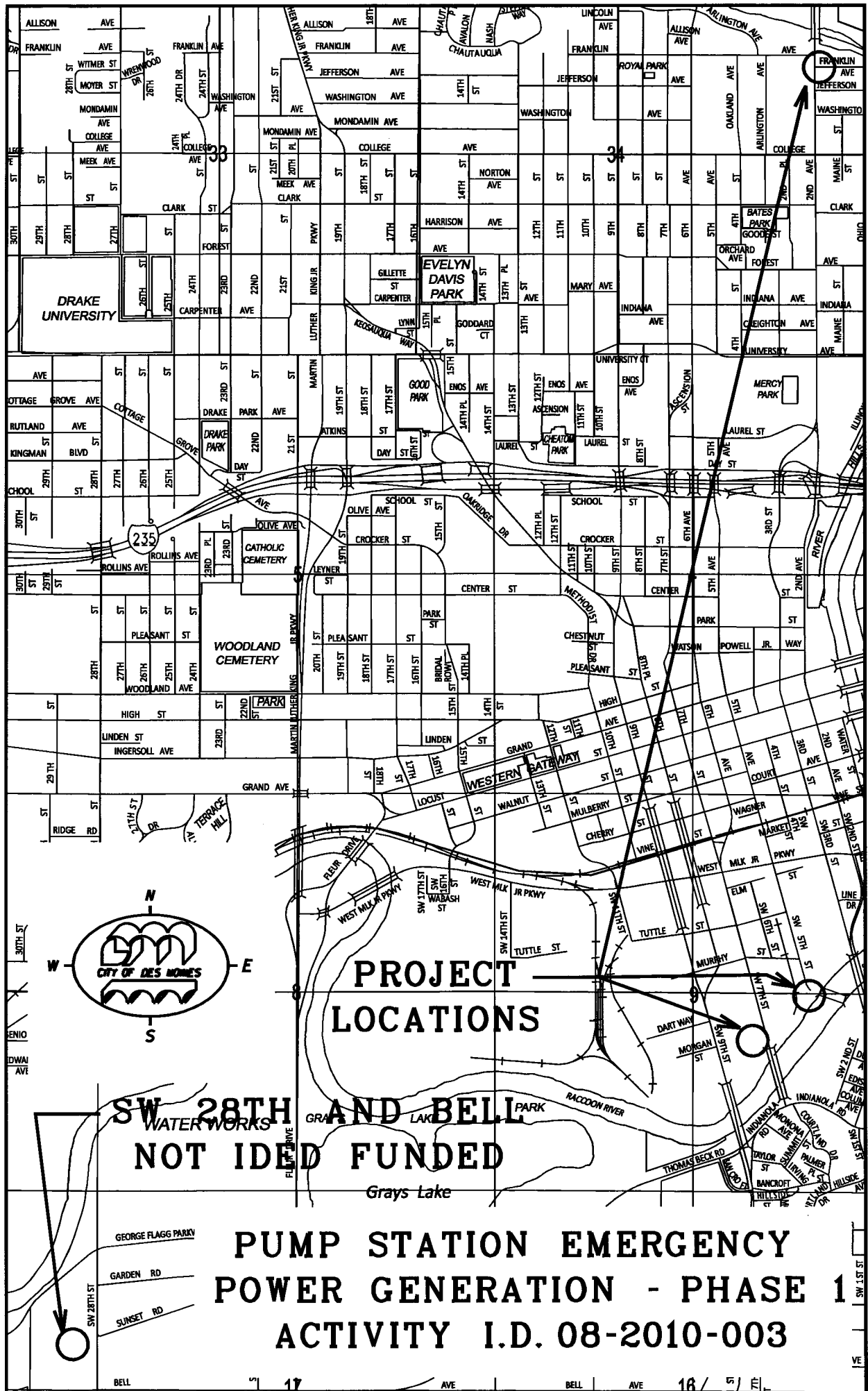
\_\_\_\_\_  
Mayor

**CERTIFICATE**

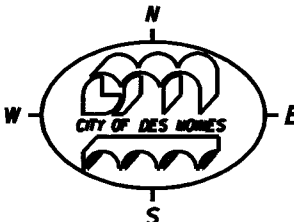
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

\_\_\_\_\_  
City Clerk



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**PROJECT  
LOCATIONS**

**SW 28TH AND BELL  
WATER WORKS  
NOT IDED FUNDED**

**PUMP STATION EMERGENCY  
POWER GENERATION - PHASE 1  
ACTIVITY I.D. 08-2010-003**



## PROJECT SUMMARY

### Pump Station Emergency Power Generation - Phase 1

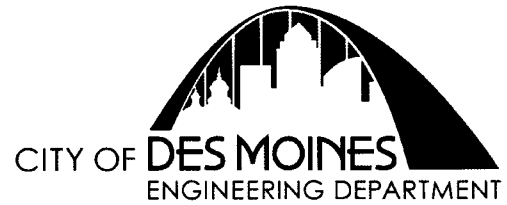
#### Activity ID 08-2010-003

On August 23, 2010, under Roll Call No. 10-1418, the Council awarded the contract for the above improvements to Biermann's University Electric Company, Inc., in the amount of \$1,259,051.50. Tabulated below is a history of project change orders.

<b>Change Order No.</b>	<b>Initiated By</b>	<b>Description</b>	<b>Amount</b>
1	User	1/19/2011 Stepdown transformer changes, addition of exercise clocks for maintenance protocol, and storm box locates to redesign the pad location at 2nd & Franklin for Corps of Engineers coordination issues.	\$11,774.97
2	User	2/14/2011 Special Generator pad allowing better maintenance access and coordinating with Corps of Engineers contract.	\$51,566.31
3	City	Final out change order adjusting final pay quantities to asbuilt measured amounts.	\$(43,353.60)
<b>Original Contract Amount</b>			\$1,259,051.50
<b>Total Change Orders</b>			\$19,987.68
<b>Percent of Change Orders to Original Contract</b>			1.59%
<b>Total Contract Amount</b>			\$1,279,039.18 ✓

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November 7, 2011



**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the Pump Station Emergency Power Generation - Phase 1, Biermann's University Electric Company, Inc..

**SYNOPSIS:**

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

**FISCAL IMPACT:**

Amount: \$1,279,039.18 As-Built Contract Cost

Funding Source: 2011-2012 CIP, Page Storm-16, Storm Water Pump Station Emergency Power Generation, STE084, Being: \$1,119,812.52 in HUD Disaster funds (\$2,500,000 Grant maximum leaving \$1,380,187.48 for Phase 2 work), and the remaining \$159,226.66 Storm Water Utility Funds.

**CERTIFICATION OF COMPLETION:**

On August 23, 2010, under Roll Call No. 10-1418, the City Council awarded a contract to Biermann's University Electric Company, Inc., Gary P. Cornelius, President, 512 Elm Street, Des Moines, IA 50309 for the construction of the following improvement:

Pump Station Emergency Power Generation - Phase 1, 08-2010-003

The improvement includes installing new generators for various storm water pump stations, including removing pavement and existing fence and constructing new generator pads, fence, and Portland Cement Concrete driveways, surface restoration and other incidental items; in accordance with the contract documents, including Plans File Nos. 516-114/127, at the following storm water pump stations in Des Moines:

- 2nd Avenue and Franklin Avenue Pump Station - 2nd Avenue and Franklin Avenue
- SW 5th Street Pump Station - SW 5th Street and Murphy Street
- SW 7th Street Pump Station - SW 7th Street at the Raccoon River
- SW 28th and Bell Avenue Pump Station - SW 28th Street and Sunset Road

I hereby certify that the construction of said Pump Station Emergency Power Generation - Phase 1, Activity ID 08-2010-003, 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 September 21, 2010, and was completed on November 1, 2011.

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I further certify that \$1,279,039.18 is the total cost of said improvement, of which \$1,202,455.74 has been paid the Contractor and \$12,631.48 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$63,951.96 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

ESTIMATE OF WORK COMPLETED  
FOR WORK DONE 6/29/11 TO 7/29/11  
PARTIAL PAYMENT NO. 10 & FINAL

ITEM	DESCRIPTION	UNIT	AUTOR		Non-Grant		Non-Grant		TOTAL	UNIT	PRICE	AMOUNT
			QUANTITY	QUANTITY	AUTOR	QUANTITY	CONSTRUCTED	TO DATE				
1	Mobilization	LS	1.0		0.25		0.25		1.00	\$35,000.00	\$35,000.00	
2	Clearing and Grubbing	SF	160.0		0.00				160.00	\$1.06	\$169.60	
3	Demolition	LS	1.0		0.25		0.25		1.00	\$8,550.00	\$8,550.00	
4	Excavation, Class 10	CY	130.0		30.00		30.00		130.00	\$93.75	\$12,187.50	
5	Topsoil, Strip, Salvage and Spread	CY	70.0		30.00		30.00		70.00	\$37.10	\$2,597.00	
6	Granular Surfacing	SY	603.04		74.88		74.88		603.04	\$26.50	\$15,980.56	
7	Chain Link Fence, 96" Height	LF	216.1		0.00				216.10	\$30.21	\$6,528.38	
8	Chain Link Fence Gate, 16' Wide	EA	0.0							\$1,490.00		
9	2nd and Franklin Engine Generator	EA	1.0						1.00	\$332,513.76	\$332,513.76	
10	SW 5th Engine Generator	EA	1.0						1.00	\$173,806.18	\$173,806.18	
11	SW 7th Engine Generator	EA	1.0						1.00	\$173,806.18	\$173,806.18	
12	SW 28th and Bell Engine Generator	EA	1.0		1.00		1.00		1.00	\$173,806.18	\$173,806.18	
13	Engine Generator (Installation)	EA	4.0		1.00		1.00		4.00	\$8,000.00	\$32,000.00	
14	Engine Generator Pad Type 2	EA	3.0		1.00		1.00		3.00	\$11,936.00	\$35,808.00	
15	Electrical	LS	1.0		0.25		0.25		1.000000	\$155,227.00	\$155,227.00	
16	Seeding - Levee Mix, Fertilizing and Mulching	SQ	25.75		24.00		24.00		25.75	\$31.80	\$818.85	
17	Concrete Curb and Gutter	LF	0.0							\$53.00		
18	Silt Fence Placement	LF	65.0		0.00		0.00		65.00	\$4.77	\$310.05	
19	Silt Fence Removal	LF	65.0		0.00		0.00		65.00	\$4.77	\$310.05	
20	Construction Survey	LS	1.0		0.25		0.25		1.00	\$5,936.00	\$5,936.00	
21	Driveway, 6' PCC	SY	170.6						170.60	\$116.60	\$19,891.96	
22	Drive Repair	SY	20.5						20.50	\$116.60	\$2,390.30	
23	Chain Link Fence Gate, 4' Wide	EA	1.0		0.00		0.00		1.00	\$636.00	\$636.00	
24	Concrete Sidewalk, 4' Wide	SF	0.0							\$10.60		
25	Temporary Engine Generator	Day	0.0		0.00		0.00			\$1,266.66		
26	Bollard	EA	6.0						6.00	\$318.00	\$1,908.00	
27	Large Project Sign - IDDED	EA	1.0						1.00	\$850.00	\$850.00	
28	Tree Protection Fencing	LF	0.0							\$3.00		
29	Tree Protection	LS	0.0							\$2,500.00		
<b>Change Orders</b>												
1.01	Stepdown transformers per RFP 1	LS	1.00		0.25		0.25		1.00	\$5,995.00	\$5,995.00	
1.02	Generator Exercise Clocks for maintenance	LS	4.00		1.00		1.00		4.00	\$593.88	\$2,375.52	
1.03	Storm locates for 2nd & Franklin redesign	LS	1.00						1.00	\$3,404.45	\$3,404.45	
2.01	Special Generator pad at 2nd & Franklin	LS	1.00						1.00	\$51,787.31	\$51,787.31	
2.02	Additional Electrical cable run work	LS	1.00						1.00	\$20,026.10	\$20,026.10	
3.01	SW 7th additional 4" rock fill	LS	1.00						1.00	\$1,097.25	\$1,097.25	
3.02	2nd & Franklin additional Bait shop work & 12" extra rock	LS	1.00						1.00	\$3,322.00	\$3,322.00	
											SUBTOTAL	\$1,279,039.18

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ITEM	DESCRIPTION	UNIT	AUTOR		Non-Grant		TOTAL		UNIT PRICE	AMOUNT
			QUANTITY	QUANTITY	CONSTRUCTED	TO DATE	CONSTRUCTED	TO DATE		
TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS \$ 1,279,039.18 ✓										
	Partial Payment No. 1			\$64,042.02		\$0.00				
	Partial Payment No. 2			\$50,999.95		\$0.00				
	Partial Payment No. 3			\$52,581.07		\$51,890.51				
	Partial Payment No. 4			\$518,147.62		\$184,537.26				
	Partial Payment No. 5			\$44,372.07		\$1,399.68				
	Partial Payment No. 6			\$21,888.90		\$2,256.74				
	Partial Payment No. 7			\$61,880.77		\$0.00				
	Partial Payment No. 8			\$323,488.08		\$0.00				
	Partial Payment No. 9			\$65,055.26		\$0.00				
	Final Partial Payment No. 10			\$12,631.48		\$917.59				
	Total Partial Payments			\$1,215,087.22		\$241,001.78			TOTAL	\$1,279,039.18 ✓
	Remaining to be Paid			\$ 63,951.96		\$12,684.30			RETAINED	\$63,951.96 ✓
	Percent Completion			100.00%					TOTAL LESS RETAINAGE	\$1,215,087.22 ✓
									LESS PREVIOUS PAYMENT	\$1,202,455.74 ✓
									AMOUNT DUE	\$12,631.48 ✓

LESS ANTICIPATED LIQUIDATED DAMAGES

Non-Grant  
\$253,686.08  
\$0.00  
\$0.00  
\$51,890.51 this was summary of non-grant to that point  
\$184,537.26 forgot to take retainage out of non-grant \$ last month  
\$1,399.68 corrected for retainage error in Pay 4 non-grant  
\$2,256.74

Prepared By: Bruce Rydberg  
Checked By: 