

11 A

DATE October 8, 2012

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR CITY HALL GREAT HALL WINDOW REPLACEMENT, STRONG TOWER CONSTRUCTION, LLC DBA KOCH CORPORATION

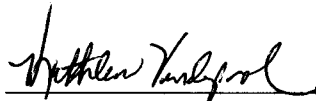
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached report of the Des Moines City Engineer, showing the cost of the construction of the City Hall Great Hall Window Replacement, 10-2011-006, in accordance with the contract approved between Strong Tower Construction, LLC dba Koch Corporation, Benjamin Feinn, CEO, 1131 Logan Street, Louisville, KY 40204, under Roll Call No. 11-0741, of April 25, 2011, 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 \$545,734.04 is the total cost, of which \$517,497.34 has been paid the Contractor, and ~~\$950.00~~ is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$27,286.70 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
Deputy City Attorney

FUNDS AVAILABLE



Scott E. Sanders
Des Moines Finance Director

 Funding Source: 2012-2013, Page Building - 5, Energy Conservation, BLD110, Being: \$337,322.32 in Department of Energy, Energy Efficiency and Conservation Block Grant with the local share of the grant being \$208,411.72 in G. O. Bonds

DE-SC0003333/002



Roll Call Number

Agenda Item Number

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DATE October 8, 2012

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

PROJECT SUMMARY

City Hall Great Hall Window Replacement

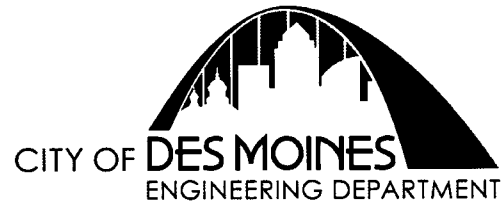
Activity ID 10-2011-006

On April 25, 2011, under Roll Call No. 11-0741, the Council awarded the contract for the above improvements to Strong Tower Construction, LLC dba Koch Corporation, in the amount of \$533,000.00. Tabulated below is a history of project change orders.

Change Order No.	Initiated By	Description	Amount
1	Engineering	1/31/2012 Delay Great Hall window installation until Spring, 2012.	\$12,734.04
		Original Contract Amount	\$533,000.00
		Total Change Orders	\$12,734.04
		Percent of Change Orders to Original Contract	2.39%
		Total Contract Amount	\$545,734.04

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October 8, 2012



CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the City Hall Great Hall Window Replacement, Strong Tower Construction, LLC dba Koch Corporation.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$545,734.04 As-Built Contract Cost

Funding Source: 2012-2013, Page Building - 5, Energy Conservation, BLD110, Being: \$337,322.32 in Department of Energy, Energy Efficiency and Conservation Block Grant with the local share of the grant being \$208,411.72 in G. O. Bonds

CERTIFICATION OF COMPLETION:

On April 25, 2011, under Roll Call No. 11-0741, the City Council awarded a contract to Strong Tower Construction, LLC dba Koch Corporation, Benjamin Feinn, CEO, 1131 Logan Street, Louisville, KY 40204 for the construction of the following improvement:

City Hall Great Hall Window Replacement, 10-2011-006

The improvement includes removing the existing exterior arched aluminum framed windows, abating asbestos containing exterior window caulk and window pane perimeter caulk, installing new thermally broken aluminum framed arched windows with 1" insulating glass, removal, tagging and replacement of existing interior motorized window shades; all work is to be performed in accordance with the contract documents including Plan File Nos. 511-94/98, located at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa

I hereby certify that the construction of said City Hall Great Hall Window Replacement, Activity ID 10-2011-006, 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 May 1, 2012, and was completed on September 28, 2012.

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I further certify that \$545,734.04 is the total cost of said improvement, of which \$517,497.34 has been paid the Contractor and \$950.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$27,286.70 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



AIA Document G702™ - 1992

Application and Certificate for Payment

TO OWNER: PROJECT: 7
 City of Des Moines Des Moines City Hall Great Hall
 400 Robert D. Ray Dr. 400 Robert D. Ray Dr.
 Des Moines, IA 50309-1891 VIA ARCHITECT: Mark Dinges
 FROM CONTRACTOR: dba KOCH CORPORATION 400 Robert D. Ray Dr.
 1131 LOGAN STREET Des Moines, IA 50309-1891
 LOUISVILLE, KY 40204

APPLICATION NO: 7
 PERIOD TO: 8/31/2012
 CONTRACT FOR: Des Moines City Hall Great Hall
 CONTRACT DATE: / /
 PROJECT NOS: 2679 /
 INVOICE NO: 8164

Distribution to:
 OWNER
 ARCHITECT
 CONTRACTOR
 FIELD
 OTHER

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. AIA Document G703™, Continuation Sheet, is attached.

1. ORIGINAL CONTRACT SUM \$ 533,000.00
2. NET CHANGE BY CHANGE ORDERS \$ 12,734.04
3. CONTRACT SUM TO DATE (Line 1 ± 2) \$ 545,734.04
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$ 545,734.04

5. RETAINAGE:
 a. 0 % of Completed Work (Columns D + E on G703) \$ 27,286.70
 b. 0 % of Stored Material (Column F on G703) 0.00

Total Retainage (Lines 5a + 5b, or Total in Column I of G703) \$ 27,286.70

6. TOTAL EARNED LESS RETAINAGE \$ 518,447.34
 (Line 4 minus Line 5 Total) *MAD*
 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$ 517,497.34
 (Line 6 from prior Certificate) *apv*

8. CURRENT PAYMENT DUE \$ 950.00
 9. BALANCE TO FINISH, INCLUDING RETAINAGE \$ 27,286.70
 (Line 3 minus Line 6)

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$ 12,734.04	0.00
Total approved this month	\$ 0.00	0.00
TOTAL	\$ 12,734.04	0.00
NET CHANGES by Change Order	\$ 12,734.04	

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

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The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Des Moines KOCH CORPORATION Date: 9-4-12
 By: Mark Dinges
 State of: Iowa
 County of: Jefferson
 Subscribed and sworn to before me this 4th day of September 2012
 Notary Public: Mark Dinges
 My commission expires: 9-2-2013

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED. 9/27/12 MAD OK

AMOUNT CERTIFIED \$ 950.00
 (Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT: Mark Dinges Date: 9/4/12
 By: Mark Dinges

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance of payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

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AIA Document G703™ - 1992

Continuation Sheet

AIA Document G702™-1992, Application and Certificate for Payment, or G732™-2009, Application and Certificate for Payment, Construction Manager as Adviser Edition, containing Contractor's signed certification is attached.
 In tabulations below, amounts are in US dollars.
 Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 7
 APPLICATION DATE: 9/4/2012
 PERIOD TO: 8/31/2012
 ARCHITECT'S PROJECT NO: 2679

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (Not in D or E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G ÷ C)	BALANCE TO FINISH (C - G)	I RETAINAGE (ff variable rate)
			FROM PREVIOUS APPLICATION (D + E)							
10	Bond	6,239.00	6,239.00	0.00	0.00	0.00	6,239.00	100	0.00	0.00
20	Measure Visit	7,000.00	7,000.00	0.00	0.00	0.00	7,000.00	100	0.00	0.00
30	Shop Drawings / Submittals	15,000.00	15,000.00	0.00	0.00	0.00	15,000.00	100	0.00	0.00
40	Mobilization	23,000.00	23,000.00	0.00	0.00	0.00	23,000.00	100	0.00	0.00
50	General Conditions	27,000.00	27,000.00	0.00	0.00	0.00	27,000.00	100	0.00	0.00
60	Window Material	328,471.00	328,471.00	0.00	0.00	0.00	328,471.00	100	0.00	0.00
70	Window Labor	125,290.00	125,290.00	0.00	0.00	0.00	125,290.00	100	0.00	0.00
80	Close-out	1,000.00	0.00	1,000.00	0.00	0.00	1,000.00	100	0.00	0.00
90	Change Order No. 1	12,734.04	12,734.04	0.00	0.00	0.00	12,734.04	100	0.00	0.00
	GRAND TOTAL	545,734.04	544,734.04	1,000.00	0.00	0.00	545,734.04	100	0.00	0.00

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