



**Roll Call Number**

**Agenda Item Number**

9

DATE November 23, 2020

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR GRAY'S LAKE EARTHEN BERM STABILIZATION, PETERSON CONTRACTORS, 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 Gray's Lake Earthen Berm Stabilization, 112016006, in accordance with the contract approved between Peterson Contractors, Inc., Cordell Peterson, President, 104 Blackhawk Street, Reinbeck, IA 50669, under Roll Call No. 18-1123, of June 25, 2018, 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 \$1,879,515.63 is the total cost, of which \$1,823,130.16 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 \$56,385.47 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 Director of Finance 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

s/ Kathleen Vanderpool

Kathleen Vanderpool  
Deputy City Attorney

Nickolas J. Schaul  
Director of Finance

*SMS* Funding Source: 2018-2019 CIP, Page Parks - 6, Gray's Lake Park Improvements, PK140, G.O. Bonds to be issued



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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COWNIE				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

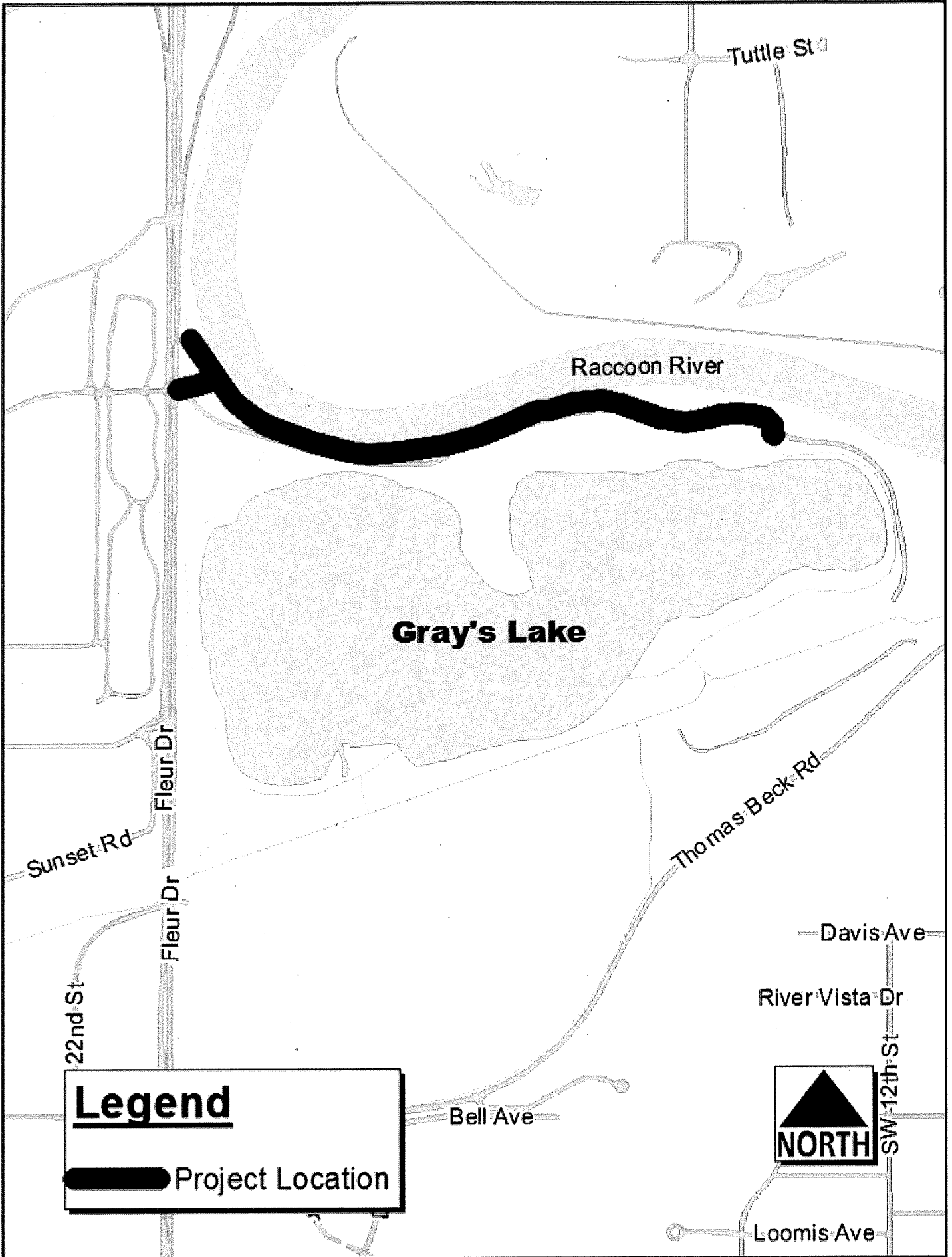
APPROVED

\_\_\_\_\_  
Mayor

I, P. Kay Cmelik, 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



**Legend**

 Project Location





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## PROJECT SUMMARY

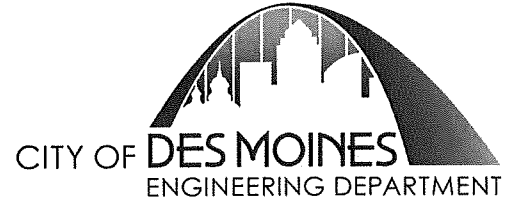
### Gray's Lake Earthen Berm Stabilization

#### Activity ID 112016006

On June 25, 2018, under Roll Call No. 18-1123, the Council awarded the contract for the above improvements to Peterson Contractors, Inc., in the amount of \$1,773,364.00. 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	Engineering	9/10/2018 Provide additional bank stabilization at the eastern end of the project limits.	\$142,672.75
2	Engineering	2/8/2019 Transport light poles off site for refinishing and return to site when complete.	\$3,289.00
3	Engineering	7/31/2019 Remove and replace three damaged light poles at Gray's Lake.	\$34,788.60
4	Engineering	8/21/2020 Adjust plan quantities to as-built quantities.	\$(74,598.72)
<b>Original Contract Amount</b>			\$1,773,364.00
<b>Total Change Orders</b>			\$106,151.63
<b>Percent of Change Orders to Original Contract</b>			5.99%
<b>Total Contract Amount</b>			\$1,879,515.63

November 23, 2020



**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the Gray's Lake Earthen Berm Stabilization, Peterson Contractors, Inc.

**SYNOPSIS:**

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

**FISCAL IMPACT:**

Amount: \$1,879,515.63 As-Built Contract Cost

Funding Source: 2018-2019 CIP, Page Parks - 6, Gray's Lake Park Improvements, PK140, G.O. Bonds to be issued

**CERTIFICATION OF COMPLETION:**

On June 25, 2018, under Roll Call No. 18-1123, the City Council awarded a contract to Peterson Contractors, Inc., Cordell Peterson, President, 104 Blackhawk Street, Reinbeck, IA 50669 for the construction of the following improvement:

Gray's Lake Earthen Berm Stabilization, 112016006

The improvement includes river bank stabilization construction including clearing and grubbing, bank grading and shaping, Class B rip rap, live stake plantings, 6-inch Portland Cement Concrete (PCC) pavement, 6-inch hot-mix asphalt (HMA) paving, lighting installation, seeding, erosion control, restoration and miscellaneous associated work including cleanup and other incidental items; all in accordance with the contract documents including Plan File Nos. 595-006/047, located in Gray's Lake Park along the southern bank of the Raccoon River, in Des Moines, Iowa.

I hereby certify that the construction of said Gray's Lake Earthen Berm Stabilization, Activity ID 112016006, 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 12, 2018, and was completed on November 10, 2020.

I further certify that \$1,879,515.63 is the total cost of said improvement, of which \$1,823,130.16 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 \$56,385.47 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.

A handwritten signature in black ink that reads "Steven L. Naber" with a stylized flourish at the end.

Steven L. Naber, P.E.  
Des Moines City Engineer

**ENGINEERING DEPARTMENT  
CITY OF DES MOINES, IOWA**



**ESTIMATE OF CONSTRUCTION COMPLETED**

**FINAL PAYMENT (PAYMENT #9)**

**PROJECT: GRAY'S LAKE EARTHEN BERM STABILIZATION  
CONTRACTOR: PETERSON CONTRACTORS, INC.**

**Activity ID: 11-2016-006  
3/19/2020**

LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
1	Traffic Control	LS	1.000	1.000	1.000	\$8,550.00	\$8,550.00
2	Clearing and Grubbing	LS	1.000	1.000	1.000	\$75,000.00	\$75,000.00
3	Excavation, Class 10	CY	10,600.000	12,050.000	12,050.000	\$15.75	\$189,787.50
4	Subgrade Preparation, Trail Construction	SY	3,800.000	3,500.000	3,500.000	\$1.75	\$6,125.00
5	Subgrade Preparation, Bank Stabilization	STA	22.500	26.500	26.500	\$955.00	\$25,307.50
6	Modified Subbase, 6"	SY	3,800.000	3,500.000	3,500.000	\$7.25	\$25,375.00
7	HMA Millings	TONS	150.000	0.000	0.000	\$30.00	\$0.00
8	Granular Filter Stone	TONS	3,750.000	5,094.770	5,094.770	\$20.75	\$105,716.48
9	Curb and Gutter, 2', 6" Thick	LF	30.000	14.000	14.000	\$62.00	\$868.00
10	Shared Use Path, HMA	TONS	1,150.000	1,320.290	1,320.290	\$105.00	\$138,630.45
11	PCC Sidewalk, 6"	SY	275.000	247.100	247.100	\$66.00	\$16,308.60
12	Detectable Warnings	SF	64.000	22.000	22.000	\$47.00	\$1,034.00
13	Pavement Removal	SY	3,100.000	3,735.000	3,735.000	\$5.15	\$19,235.25
14	Seeding, Fertilizing, Mulching for Hydraulic Seeding (Type 1)	ACRE	0.600	0.800	0.800	\$4,225.00	\$3,380.00
15	Seeding, Fertilizing, Mulching for Hydraulic Seeding (Native Mix)	ACRE	4.000	4.000	4.000	\$4,745.00	\$18,980.00
16	Sodding	SQ	150.000	0.000	0.000	\$70.00	\$0.00
17	Stormwater Pollution Prevention	LS	1.000	1.000	1.000	\$4,000.00	\$4,000.00
18	Filter Socks	LF	1,500.000	2,264.000	2,264.000	\$1.75	\$3,962.00
19	Removal of Filter Socks	LF	1,500.000	173.000	173.000	\$0.50	\$86.50
20	Temporary Rolled Erosion Control Product (RECP)	SY	9,100.000	9,150.000	9,150.000	\$1.70	\$15,555.00
21	Rip Rap, Class B	TON	20,400.000	20,659.000	20,659.000	\$47.50	\$981,302.50
22	Silt Fence	LF	500.000	1,609.000	1,609.000	\$1.75	\$2,815.75
23	Removal of Silt Fence	LF	500.000	400.000	400.000	\$0.50	\$200.00
24	Erosion Control Mulching, Bonded Fiber Matrix	ACRE	2.000	0.000	0.000	\$3,000.00	\$0.00
25	Removal of Railing w/ Footing	LF	1,916.000	1,916.000	1,916.000	\$3.50	\$6,706.00
26	Uniformed Police Officer	DAY	4.000	0.000	0.000	\$550.00	\$0.00
27	Tree Protection Fence	LF	500.000	220.000	220.000	\$3.00	\$660.00
28	Electrical Work	LS	1.000	1.000	1.000	\$2,840.00	\$2,840.00
29	Direct Bury Cable - Lighting	LF	3,100.000	3,100.000	3,100.000	\$13.00	\$40,300.00
30	Remove and Reinstall Light Pole	EA	23.000	23.000	23.000	\$1,750.00	\$40,250.00

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LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
31	Light Pole Footing	EA	10.000	10.000	10.000	\$1,400.00	\$14,000.00
32	Live Stakes	EA	2,600.000	3,150.000	3,150.000	\$14.75	\$46,462.50
33	Mobilization	LS	1.000	1.000	1.000	\$48,000.00	\$48,000.00
2.01	Roundtrip Transportation of Light Poles to and from Correll's Property	LS	0.000	1.000	1.000	\$3,289.00	\$3,289.00
3.01	Removal and Replacement of Damaged Light Pole	EA	0.000	3.000	3.000	\$11,596.20	\$34,788.60
TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS			\$1,879,515.63				
PARTIAL PAYMENT #1			\$109,623.09				
PARTIAL PAYMENT #2			\$454,885.87				
PARTIAL PAYMENT #3			\$482,078.10				
PARTIAL PAYMENT #4			\$192,241.03				
PARTIAL PAYMENT #5			\$212,297.76				
PARTIAL PAYMENT #6			\$221,570.55				
PARTIAL PAYMENT #7			\$133,766.01				
PARTIAL PAYMENT #8			\$16,667.75				
THIS PARTIAL PAYMENT			\$0.00				
TOTAL PARTIAL PAYMENTS			\$1,823,130.16				
BALANCE			\$56,385.47				

TOTAL	\$1,879,515.63
RETAINAGE	\$56,385.47
TOTAL LESS RETAINAGE	\$1,823,130.16
LESS PREVIOUS PAYMENT	\$1,823,130.16
AMOUNT DUE	\$0.00

PREPARED BY: *Matt K...*

CHECKED BY: *D...*

CONTRACTOR APPROVAL *Paul A. Hillman*

FINAL PAYMENT (PAYMENT #9)