



**Roll Call Number**

**Agenda Item Number**

8 A

DATE November 7, 2022

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 2019 SEWER REPAIR CONTRACT 1, 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 2019 Sewer Repair Contract 1, 082019011, in accordance with the contract approved between The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047, under Roll Call No. 19-1158, of July 15, 2019, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted.

BE IT FURTHER RESOLVED: That \$2,085,993.32 is the total cost, of which \$2,023,413.52 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 \$62,579.80 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. Second by \_\_\_\_\_

FORM APPROVED:

FUNDS AVAILABLE

s/ Kathleen Vanderpool

Nickolas J. Schaul BB

Kathleen Vanderpool  
Deputy City Attorney

Nickolas J. Schaul  
Director of Finance

**SLN**  
*pw* Funding Source: 2022-23 CIP, Page 101, City-wide Storm Water Utility Projects, SM057, Storm Water Utility Funds

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

I, Laura Baumgartner, 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.

MOTION CARRIED APPROVED

Mayor

City Clerk

## PROJECT SUMMARY

### 2019 Sewer Repair Contract 1

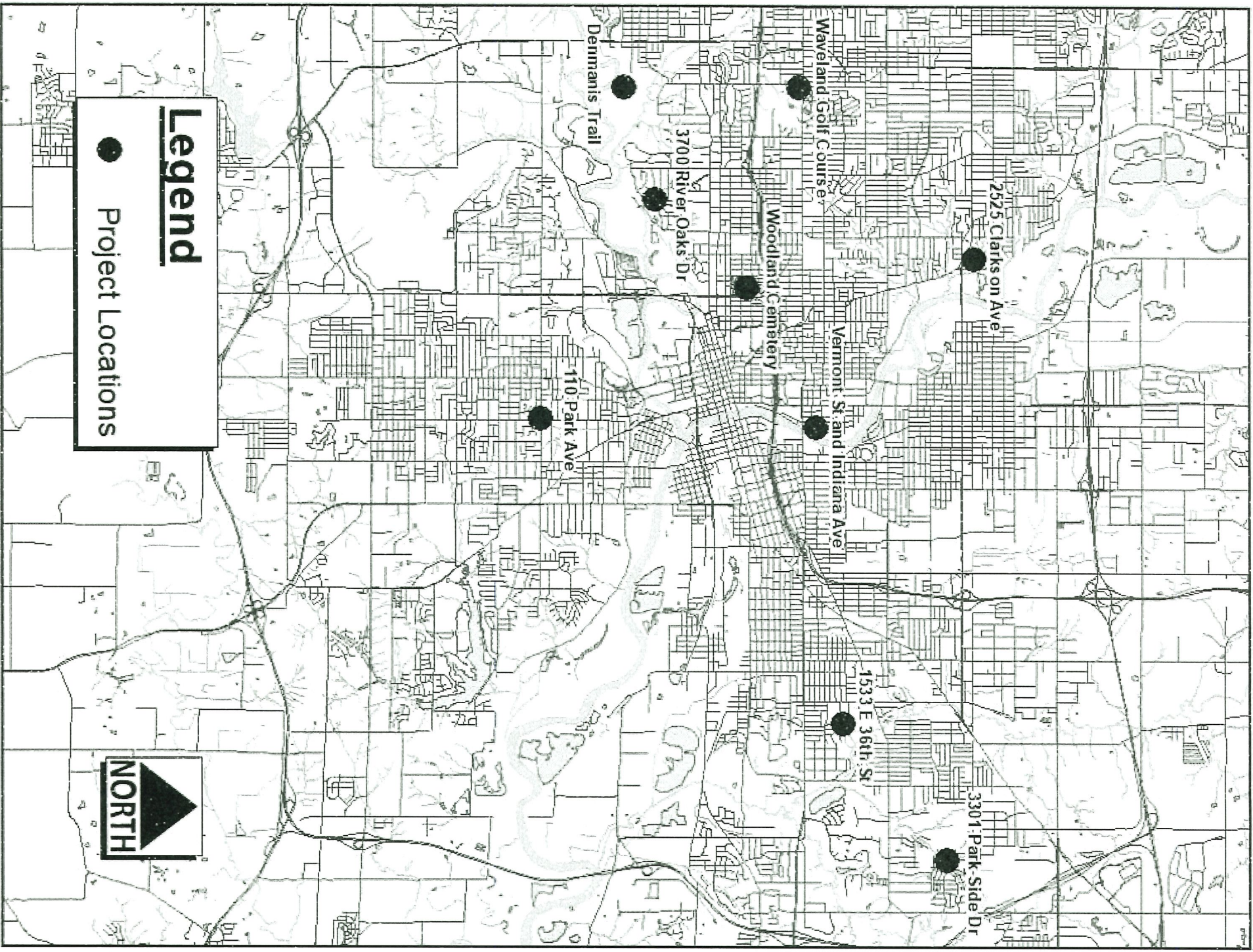
#### Activity ID 082019011

On July 15, 2019, under Roll Call No. 19-1158, the Council awarded the contract for the above improvements to The Underground Company, Ltd., in the amount of \$1,121,000.00. Tabulated below is a history of project change orders.

Change Order No.	Initiated By	Description	Amount
1	Engineering	8/19/2019 Install 60-inch storm sewer on Market Street from SE 6th Street to SE 7th Street.	\$465,000.00
2	Engineering	9/19/2019 Pennsylvania Ave. Air Relief Valve	\$44,500.00
3	Engineering	11/18/2019 Contractor performed additional storm sewer repairs along Lynner Drive.	\$46,424.50
4	Engineering	1/29/2020 Construct new manhole and water main alterations to avoid conflict with new storm sewer.	\$30,360.00
5	Engineering	6/8/2020 Water main relocations for floodwall work and additional volume for Embassy Suites for fire portection due to Locust St. bridge project.	\$117,140.00
6	City	8/11/2020 Erosion stabilization and creek improvements downstream from Beaver Avenue and Aurora Avenue.	\$41,000.00
7	Engineering	8/24/2020 PCC Patching	\$48,656.00
8	Engineering	10/2/2020 Additional work done at Park Ave. and repair at Hallett's Quarry	\$46,500.00
9	City	1/7/2021 Additional trail work and as-built change order	\$29,411.29
10	City	6/15/2021 Storm sewer work at Waverly and Ravina Drive	\$(1,140.00)
11	Engineering	7/29/2021 High Street lateral sewer inspections	\$436.53
12	City	10/5/2021 Sewer Repair at Northwest Aquatic Center	\$305.00
13	City	12/21/2021	\$1,900.00

		Rose Ave. intake outlet and Waveland Cemetery intake outlet	
14	City	1/11/2022 E. Douglas Sump Connections	\$20,000.00
15	City	6/10/2022 Penn. Ave. force main top replacement	\$6,500.00
16	City	8/10/2022 Change order includes a sewer repair on SW 9th Street south of Park Avenue.	\$48,000.00
17	City	9/13/2022 As-built Change Order	\$20,000.00
<b>Original Contract Amount</b>			\$1,121,000.00
<b>Total Change Orders</b>			\$964,993.32
<b>Percent of Change Orders to Original Contract</b>			86.08%
<b>Total Contract Amount</b>			\$2,085,993.32







November 7, 2022



**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the 2019 Sewer Repair Contract 1, 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: \$2,085,993.32 As-Built Contract Cost

Funding Source: 2022-23 CIP, Page 101, City-wide Storm Water Utility Projects, SM057, Storm Water Utility Funds

**CERTIFICATION OF COMPLETION:**

On July 15, 2019, under Roll Call No. 19-1158, 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:

2019 Sewer Repair Contract 1, 082019011

The improvement includes the construction of storm sewers, manholes, intakes, Portland Cement Concrete (PCC) pavement, Hot Mix Asphalt (HMA) pavement, seeding, sodding, and other incidental items; in accordance with the contract documents, including Plan File Nos. 607-087/116 at the following locations: Lynner Drive and Martin Luther King Jr. Parkway, 3301 Parkside Drive, Park Avenue and South Union Street, Woodland Cemetery, intersection of Vermont Street and Indiana Avenue, Waveland Golf Course, Lincoln Place Drive and River Oaks, 2525 Clarkson Street, DM III east of North Valley Drive, and various other locations all in Des Moines, Iowa

I hereby certify that the construction of said 2019 Sewer Repair Contract 1, Activity ID 082019011, 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 12, 2019, and was completed on September 15, 2022.

I further certify that \$2,085,993.32 is the total cost of said improvement, of which \$2,023,413.52 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 \$62,579.80 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 blue ink that reads "Steven L. Naber" followed by the initials "pw".

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

Handwritten signature or initials, possibly "M. J. ...".

ENGINEERING DEPARTMENT  
CITY OF DES MOINES, IOWA



8A

**ESTIMATE OF CONSTRUCTION COMPLETED**  
FOR WORK DONE FROM 09/15/2022 09/16/2022  
**FINAL PARTIAL PAYMENT**

**PROJECT: 2019 SEWER REPAIR CONTRACT 1**  
**CONTRACTOR: THE UNDERGROUND COMPANY, LTD.**

Proj No: N/A  
Activity ID: 08-2019-011  
Date: 09/16/2022

LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
1	CLEARING AND GRUBBING	LS	1.000	1.000	1.000	\$12,000.00	\$12,000.00
2	TOPSOIL, OFF-SITE	CY	250.000	250.000	250.000	\$75.00	\$18,750.00
3	CLASS 10 EXCAVATION	CY	660.000	660.000	660.000	\$17.00	\$11,220.00
4	SUBGRADE PREPARATION, 12"	SY	90.000	90.000	90.000	\$23.00	\$2,070.00
5	MODIFIED SUBBASE, 8"	SY	459.000	240.000	240.000	\$30.00	\$7,200.00
6	FLOWABLE MORTAR	CY	7.000	0.000	0.000	\$200.00	\$0.00
7	SANITARY SEWER, 8"	LF	20.000	0.000	0.000	\$230.00	\$0.00
8	REMOVAL OF SANITARY SEWER, 8"	LF	20.000	0.000	0.000	\$90.00	\$0.00
9	STORM SEWER GRAVITY MAIN, TRENCHED, REINFORCED CONCRETE	LF	20.000	22.000	22.000	\$150.00	\$3,300.00
10	STORM SEWER GRAVITY MAIN, TRENCHED, REINFORCED CONCRETE	LF	72.000	76.500	76.500	\$200.00	\$15,300.00
11	STORM SEWER GRAVITY MAIN, TRENCHED, REINFORCED CONCRETE	LF	20.000	0.000	0.000	\$275.00	\$0.00
12	REMOVAL OF STORM SEWER, 15" RCP	LF	20.000	22.000	22.000	\$10.00	\$220.00
13	REMOVAL OF SEWER, 18"	LF	71.000	37.000	37.000	\$10.00	\$370.00
14	MODIFIED APRON GUARD, 48" RCP	EA	1.000	1.000	1.000	\$9,500.00	\$9,500.00
15	MODIFIED APRON GUARD, 54" RCP	EA	1.000	1.000	1.000	\$9,900.00	\$9,900.00
16	MODIFIED APRON GUARD, 60" RCP	EA	1.000	2.000	2.000	\$11,900.00	\$23,800.00
17	SUBDRAIN 6", REMOVAL	LF	502.000	465.000	465.000	\$2.00	\$930.00
18	SUBDRAIN 6"	LF	502.000	502.000	502.000	\$36.00	\$18,072.00
19	SPOT REPAIR, 14' DEEP OR LESS, 21" DIAMETER OR LESS	EA	5.000	5.000	0.000	\$22,000.00	\$0.00
20	SPOT REPAIR, 14' DEEP OR LESS, GREATER THAN 21" DIAMETER	EA	4.000	4.000	0.000	\$27,000.00	\$0.00
21	SPOT REPAIR, GREATER THAN 14' DEEP, 21" DIAMETER OR LESS	EA	3.000	3.000	2.000	\$27,000.00	\$54,000.00
22	SPOT REPAIR, GREATER THAN 14' DEEP, GREATER THAN 21"	EA	3.000	3.000	1.000	\$32,000.00	\$32,000.00
23	SEWER SERVICE CONNECTION REPAIR MADE DURING SPOT REPAIR	EA	15.000	15.000	0.000	\$2,000.00	\$0.00
24	CONNECTION TO EXISTING INTAKE	EA	1.000	2.000	2.000	\$1,800.00	\$3,600.00
25	REMOVAL OF STORM SEWER INTAKE STRUCTURE	EA	9.000	9.000	9.000	\$500.00	\$4,500.00
26	REMOVAL OF STORM SEWER MANHOLE STRUCTURE	EA	1.000	1.000	1.000	\$500.00	\$500.00
27	STORM MANHOLE, SW-401, 48" DIA.	EA	1.000	1.000	1.000	\$5,500.00	\$5,500.00



LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
28	STORM MANHOLE, SW-401, 60" DIA.	EA	1.000	1.000	1.000	\$14,000.00	\$14,000.00
29	STORM INTAKE, SW-501	EA	6.000	4.000	4.000	\$5,000.00	\$20,000.00
30	STORM INTAKE, SW-503	EA	1.000	2.000	2.000	\$5,500.00	\$11,000.00
31	STORM INTAKE, SW-507	EA	2.000	4.000	4.000	\$8,000.00	\$32,000.00
32	REBUILD INTAKE, TOP ONLY	EA	1.000	0.000	0.000	\$1,500.00	\$0.00
33	CURB AND GUTTER 2' PCC	LF	80.000	0.000	0.000	\$80.00	\$0.00
34	PCC SIDEWALK, 6"	SY	107.000	209.500	209.500	\$85.00	\$17,807.50
35	FULL DEPTH PAVEMENT PATCH, P.C.C., MIN. 8"	SY	240.000	250.500	450.500	\$100.00	\$45,050.00
36	TRAFFIC CONTROL	LS	1.000	1.000	1.000	\$8,000.00	\$8,000.00
37	TRAFFIC CONTROL FOR SPOT REPAIR, RESIDENTIAL STREET	EA	5.000	0.000	0.000	\$400.00	\$0.00
38	TRAFFIC CONTROL FOR SPOT REPAIR, NON-RESIDENTIAL STREET	EA	5.000	0.000	0.000	\$1,400.00	\$0.00
39	CONVENTIONAL SEEDING, TYPE 3	ACRE	0.500	0.500	0.500	\$6,600.00	\$3,300.00
40	SEEDING, FERTILIZING, MULCHING FOR HYDRAULIC SEEDING (TYPE	SQ	165.000	0.000	0.000	\$22.00	\$0.00
41	SEEDING, FERTILIZING, MULCHING FOR HYDRAULIC SEEDING (NATIV	SQ	15.000	0.000	0.000	\$66.00	\$0.00
42	SODDING	SQ	10.000	0.000	0.000	\$220.00	\$0.00
43	FILTER SOCKS	LF	670.000	155.000	155.000	\$5.50	\$852.50
44	RIP RAP, CLASS B	TON	486.000	693.990	693.990	\$75.00	\$52,049.25
45	RIP RAP, CLASS D OR E	TON	80.000	80.000	80.000	\$75.00	\$6,000.00
46	EROSION CONTROL MULCHING, HYDROMULCHING	ACRE	0.500	0.000	0.000	\$2,200.00	\$0.00
47	TURF REINFORCEMENT MAT (TRM), TYPE 2	SQ	36.000	29.330	29.330	\$88.00	\$2,581.04
48	MOBILIZATION	LS	1.000	1.000	1.000	\$219,000.00	\$219,000.00
49	MOBILIZATION, FOR SPOT REPAIR	EA	15.000	8.000	8.000	\$3,000.00	\$24,000.00
50	TEMPORARY GRANULAR SURFACING	TON	150.000	0.000	0.000	\$30.00	\$0.00
51	CONCRETE WASHOUT	EA	3.000	0.500	0.500	\$500.00	\$250.00
52	ARTICULATING BLOCK MAT, 6"	SY	20.000	0.000	0.000	\$140.00	\$0.00
53	RESET ARTICULATING BLOCK MAT, 6"	SY	40.000	40.000	40.000	\$175.00	\$7,000.00
54	SEEDING, FERTILIZING, MULCHING FOR HYDRAULIC SEEDING, LEVEE	SQ	10.000	10.000	10.000	\$55.00	\$550.00
55	REMOVAL OF FIELD HYDRANT STRUCTURE AND BRICKS	LS	1.000	1.000	1.000	\$1,500.00	\$1,500.00
56	INTAKE TOP, SPECIAL	EA	1.000	1.000	1.000	\$3,500.00	\$3,500.00
57	GROUT FOR RIP RAP	CY	80.000	80.000	56.000	\$280.00	\$15,680.00
58	BRICK SURFACE REMOVAL, CLEAN, SALVAGE	SY	90.000	90.000	0.000	\$150.00	\$0.00
59	PCC SLAB 6", UNDER BRICK SURFACE	SY	90.000	90.000	0.000	\$150.00	\$0.00
60	BRICK SURFACE INSTALLATION, OVER CONCRETE BASE	SY	90.000	90.000	0.000	\$150.00	\$0.00
61	DEWATERING FOR SPOT REPAIR	LS	1.000	1.000	0.000	\$8,000.00	\$0.00
62	TREE PROTECTION FENCE, 4' HIGH	LF	800.000	800.000	0.000	\$3.30	\$0.00
63	TRAIL SIGNAGE	EA	1.000	1.000	1.000	\$996.00	\$996.00
1.01	60" RCP Storm Sewer	LF	475.000	435.000	435.000	\$650.00	\$282,750.00
1.02	SW-404, Modified	LS	1.000	1.000	1.000	\$91,250.00	\$91,250.00
1.03	9" PCC Pavement	SY	200.000	341.000	341.000	\$85.00	\$28,985.00



LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
1.04	Modified Subbase, 6"	SY	200.000	220.000	220.000	\$20.00	\$4,400.00
1.05	Pavement Removal	SY	200.000	341.000	341.000	\$15.00	\$5,115.00
1.06	6" Subdrain Remove and Replace	LF	40.000	15.000	15.000	\$40.00	\$600.00
1.07	18" RCP Storm Sewer Remove and Replace	LF	25.000	0.000	0.000	\$130.00	\$0.00
1.08	24" RCP Storm Sewer Remove and Replace	LF	100.000	32.000	32.000	\$155.00	\$4,960.00
1.09	Traffic Control	LS	1.000	1.000	1.000	\$10,000.00	\$10,000.00
1.10	Dewatering	LS	1.000	1.000	1.000	\$6,650.00	\$6,650.00
1.11	60" RCP Bend	EA	2.000	0.000	0.000	\$2,000.00	\$0.00
2.01	Pennsylvania Avenue Air Relief Valve	LS	1.000	1.000	1.000	\$44,500.00	\$44,500.00
3.01	Lynner Drive Storm Sewer Repairs	LS	1.000	1.000	1.000	\$98,339.00	\$98,339.00
3.02	Pennsylvania Avenue Traffic Control	LS	1.000	1.000	1.000	\$2,085.50	\$2,085.50
4.01	Remove 24" RCP	LF	100.000	100.000	100.000	\$20.00	\$2,000.00
4.02	Remove and Replace Sanitary Manhole	EA	1.000	1.000	1.000	\$3,000.00	\$3,000.00
4.03	Remove 8" Sanitary Sewer and Replace with D.I.P.	LF	40.000	40.000	40.000	\$150.00	\$6,000.00
4.04	Water Main Alteration	EA	2.000	2.000	2.000	\$13,500.00	\$27,000.00
4.05	Manhole, SW-402	EA	1.000	1.000	1.000	\$16,000.00	\$16,000.00
4.06	Additional Dewatering Setup	LS	1.000	1.000	1.000	\$6,650.00	\$6,650.00
5.01	East 1st St. and East Court Ave. Water Main Loop	LS	1.000	1.000	1.000	\$117,140.00	\$117,140.00
6.01	Beaver Ave. & Aurora Ave. Storm Improvements	LS	0.000	1.000	1.000	\$90,000.00	\$90,000.00
7.01	Additional 8-IN. PCC Patch	LS	0.000	1.000	1.000	\$80,656.00	\$80,656.00
8.01	Park Ave. Retaining Wall	LS	0.000	1.000	1.000	\$13,000.00	\$13,000.00
8.02	Park Ave. Tree Removal	LS	0.000	1.000	1.000	\$7,500.00	\$7,500.00
8.03	Hallett's Quarry Repairs	LS	0.000	1.000	1.000	\$200,000.00	\$200,000.00
9.01	Inter-Urban Trail and Trestle Trail	LS	0.000	1.000	1.000	\$14,220.00	\$14,220.00
9.02	Inter-Urban Trail west of 30th Street & Urbandale Avenue	LS	0.000	1.000	1.000	\$29,128.00	\$29,128.00
9.03	George Flagg Parkway near Grays Lake Concession Stand	LS	0.000	1.000	1.000	\$12,355.00	\$12,355.00
10.10	Waverly and Ravina Drive	LS	0.000	1.000	1.000	\$15,000.00	\$15,000.00
11.10	High Street Lateral Inspections	LS	0.000	1.000	1.000	\$15,156.53	\$15,156.53
12.10	Sewer Repair at Northwest Aquatic Center	LS	0.000	1.000	1.000	\$8,305.00	\$8,305.00
13.10	Rose Ave. Bike Path	LS	0.000	1.000	1.000	\$7,500.00	\$7,500.00
13.20	Waveland Cemetery Subdrain	LS	0.000	1.000	1.000	\$7,900.00	\$7,900.00
14.10	E. Douglas Sump Services	LS	0.000	1.000	1.000	\$20,000.00	\$20,000.00
15.10	Penn. Ave/ Force Main Top Replacement	LS	0.000	1.000	1.000	\$20,000.00	\$20,000.00
16.10	SW 9th Sewer Repair	LS	0.000	1.000	1.000	\$70,000.00	\$70,000.00
TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS			\$2,085,993.32				
PARTIAL PAYMENT NO. 1			\$91,589.34				
PARTIAL PAYMENT NO. 2			\$252,787.33				
PARTIAL PAYMENT NO. 3			\$413,439.22				

LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
	PARTIAL PAYMENT NO. 4		\$68,918.50				
	PARTIAL PAYMENT NO. 5		\$67,059.98				
	PARTIAL PAYMENT NO. 6		\$143,659.43				
	PARTIAL PAYMENT NO. 7		\$211,845.82				
	PARTIAL PAYMENT NO. 8		\$112,968.62				
	PARTIAL PAYMENT NO. 9		\$86,939.69				
	PARTIAL PAYMENT NO. 10		\$320,488.00				
	PARTIAL PAYMENT NO. 11		\$75,371.91				
	PARTIAL PAYMENT NO. 12		\$14,550.00				
	PARTIAL PAYMENT NO. 13		\$14,701.83				
	PARTIAL PAYMENT NO. 14		\$8,055.85				
	PARTIAL PAYMENT NO. 15		\$34,338.00				
	PARTIAL PAYMENT NO. 16		\$19,400.00				
	PARTIAL PAYMENT NO. 17		\$87,300.00				
	THIS PARTIAL PAYMENT		\$0.00				
	TOTAL PARTIAL PAYMENTS		\$2,023,413.52				
	BALANCE		\$62,579.80				
			100%				

PREPARED BY: Basil B. Beckman  
CHECKED BY: [Signature]

	\$2,085,993.32
RETAINAGE	\$62,579.80
TOTAL LESS RETAINAGE	\$2,023,413.52
PREVIOUS PAYMENT	\$2,023,413.52
AMOUNT DUE	\$0.00