

9B

DATE January 7, 2008

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR TWANA/BEL-AIRE STORM SEWER IMPROVEMENTS, MCANINCH CORPORATION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached report of the Jurisdictional Engineer, showing the cost of the construction of the Twana/Bel-Aire Storm Sewer Improvements, 08-2006-003, in accordance with the contract approved between McAninch Corporation, Douglas D. McAninch, President, 6800 Lake Drive, Suite 125, West Des Moines, IA 50266, under Roll Call No. 06-1616, of August 7, 2006, 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 \$906,756.89 is the total cost, of which \$861,419.05 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 \$45,337.84 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. In the event that at the end of said thirty (30) day period, claims are on file as herein provided, the City of Des Moines shall continue to retain from said unpaid funds, a sum not less than double the total amount of all claims on file, or the full Chapter 573 Code of Iowa retainage amount, whichever is lesser.

BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such acceptance within which to initiate suit to collect on their claims, and that if suit is not commenced within that time, the City of Des Moines will be required to release the retainage which it is now holding.

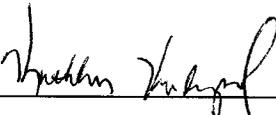
BE IT FURTHER RESOLVED: That the City Manager be and is hereby authorized and directed to certify the Pollution Prevention Plan Inspection Summary and the NPDES Stormwater General Permit Notice of Discontinuation for the above referenced project on behalf of the City of Des Moines and submit said documents to the Iowa Department of Natural Resources.

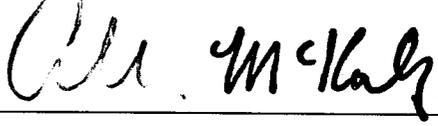
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

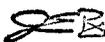
Moved by _____ to adopt.

FORM APPROVED:

FUNDS AVAILABLE


Kathleen Vanderpool
Deputy City Attorney


Allen McKinley
Des Moines Finance Director

 Funding Source: 2007-2008 CIP, Page Storm-16, Twana/Bel-Aire Storm Sewer Improvements, STE079, Various Funding, Being: \$756,756.89 in Storm Water Utility Funds from STE079, and \$150,000 developer contribution paid in 2006 toward the cost of the relief storm sewer

★ Roll Call Number

Agenda Item Number

9B

DATE January 7, 2008

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

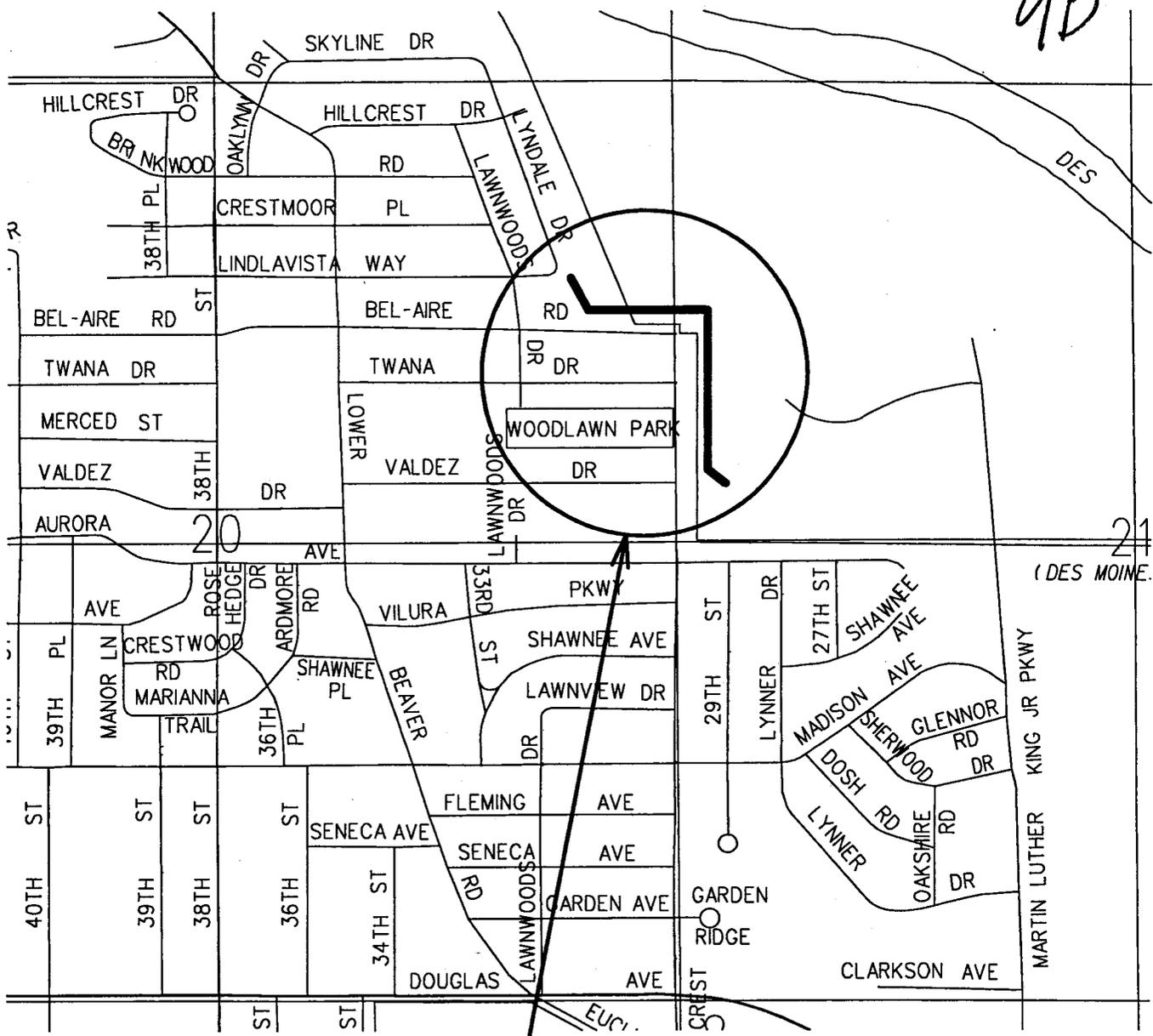
Mayor

I, Diane Rauh, 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.

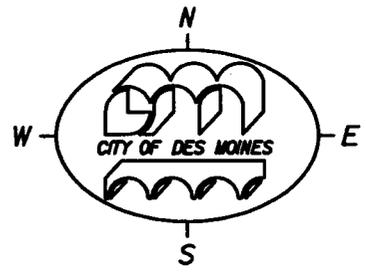
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

9B



**PROJECT
LOCATION**



**TWANA/BEL-AIRE STORM
SEWER IMPROVEMENTS**

ACTIVITY I.D. 08-2006-003

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PROJECT SUMMARY

Twana/Bel-Aire Storm Sewer Improvements

Activity ID 08-2006-003

On August 7, 2006, by Roll Call No. 06-1616, the City Council awarded the contract for the above construction to McAninch Corporation in the amount of \$993,543. Construction of a relief storm sewer totaling 1,752 linear feet of 12" through 54" reinforced concrete pipe, construction of an 8' x 6' reinforced concrete box culvert, and other incidental items; in accordance with the contract documents, including Plans File Nos. 463-061/076 in the general area east of Lower Beaver Road between Lindlavista Drive and Valdez Drive.

Tabulated below is a history of project change orders.

<u>Change Order No.</u>	<u>Description</u>	<u>Initiated By</u>	<u>Amount</u>
1	10/16/2006 Compensate the contractor to furnish and install a galvanized 60" apron guard on the existing Valdez Drive storm sewer outlet.	Engineering	\$2,075.00
2	3/20/2007 Value engineering price reduction for special M-D manholes provided by the Contractor and to compensate for guard rail installed on Aurora Avenue, bank stabilization over the sanitary sewer, and modifications to the rip rap plunge pool.	Engineering	\$2,274.59
3	12/13/2007 Increases and decreases in plan quantities to reflect final as-built measurements.	Engineering	(\$91,135.70)
Original Contract Amount			\$993,543.00
Total Change Orders			(\$86,786.11)
Percent of Change Orders to Original Contract			-8.74%
Final Contract Amount			\$906,756.89

January 7, 2008

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Twana/Bel-Aire Storm Sewer Improvements, McAninch Corporation.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$906,756.89 As-Built Contract Cost

Funding Source: 2007-2008 CIP, Page Storm-16, Twana/Bel-Aire Storm Sewer Improvements, STE079, Various Funding, Being: \$756,756.89 in Storm Water Utility Funds from STE079, and \$150,000 developer contribution paid in 2006 toward the cost of the relief storm sewer

CERTIFICATION OF COMPLETION:

On August 7, 2006, under Roll Call No. 06-1616, the City Council awarded a contract to McAninch Corporation, Douglas D. McAninch, President, 6800 Lake Drive, Suite 125, West Des Moines, IA 50266 for the construction of the following improvement:

Twana/Bel-Aire Storm Sewer Improvements, 08-2006-003

The improvement includes construction of a relief storm sewer totaling 1,752 linear feet of 12" through 54" reinforced concrete pipe, construction of an 8' x 6' reinforced concrete box culvert, and other incidental items; in accordance with the contract documents, including Plans File Nos. 463-061/076 in the general area east of Lower Beaver Road between Lindlavista Way and Valdez Drive, Des Moines, Iowa

I hereby certify that the construction of said Twana/Bel-Aire Storm Sewer Improvements, Activity ID 08-2006-003, 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 August 22, 2006, and was completed on December 31, 2007.



ENGINEERING DEPARTMENT
CITY HALL
400 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309-1891
(515) 283-4920
FAX (515) 283-4112

ALL-AMERICA CITY
1949, 1976, 1981
2003

I further certify that \$906,756.89 is the total cost of said improvement, of which \$861,419.05 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 \$45,337.84 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. In the event that at the end of said thirty (30) day period, claims are on file as herein provided, the City of Des Moines shall continue to retain from said unpaid funds, a sum not less than double the total amount of all claims on file, or the full Chapter 573 Code of Iowa retainage amount, whichever is lesser. The amount of completed work is shown on the attached Estimate of Construction Completed.

A handwritten signature in black ink, appearing to read "Jeb E. Brewer". The signature is written in a cursive style with a large initial "J" and "E".

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