

7E

DATE January 22, 2007

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR RESTROOM ENCLOSURE AT EWING AND EASTTOWN PARKS, ROCKY HURST
CONSTRUCTION**

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 Restroom Enclosure at Ewing and Easttown Parks, 11-2004-026, in accordance with the contract approved between Rocky Hurst Construction, Rocky Hurst, Owner, 3126 Timber Ridge Lane, Truro, IA 50257, under Roll Call No. 06-1134, of June 5, 2006, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

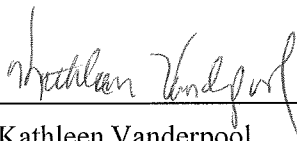
BE IT FURTHER RESOLVED: That \$75,215.00 is the total cost, of which \$67,565.66 has been paid the Contractor, and \$3,888.59 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$3,760.75 is to be paid at the end of thirty days, provided no claims 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 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



Allen McKinley
Des Moines Finance Director

 Funding Source: 2006-2007 CIP, Page Park-11, Neighborhood Park Improvements, PKS137, G. O. Bonds

★ Roll Call Number

Agenda Item Number

7 E

Date January 22, 2007

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

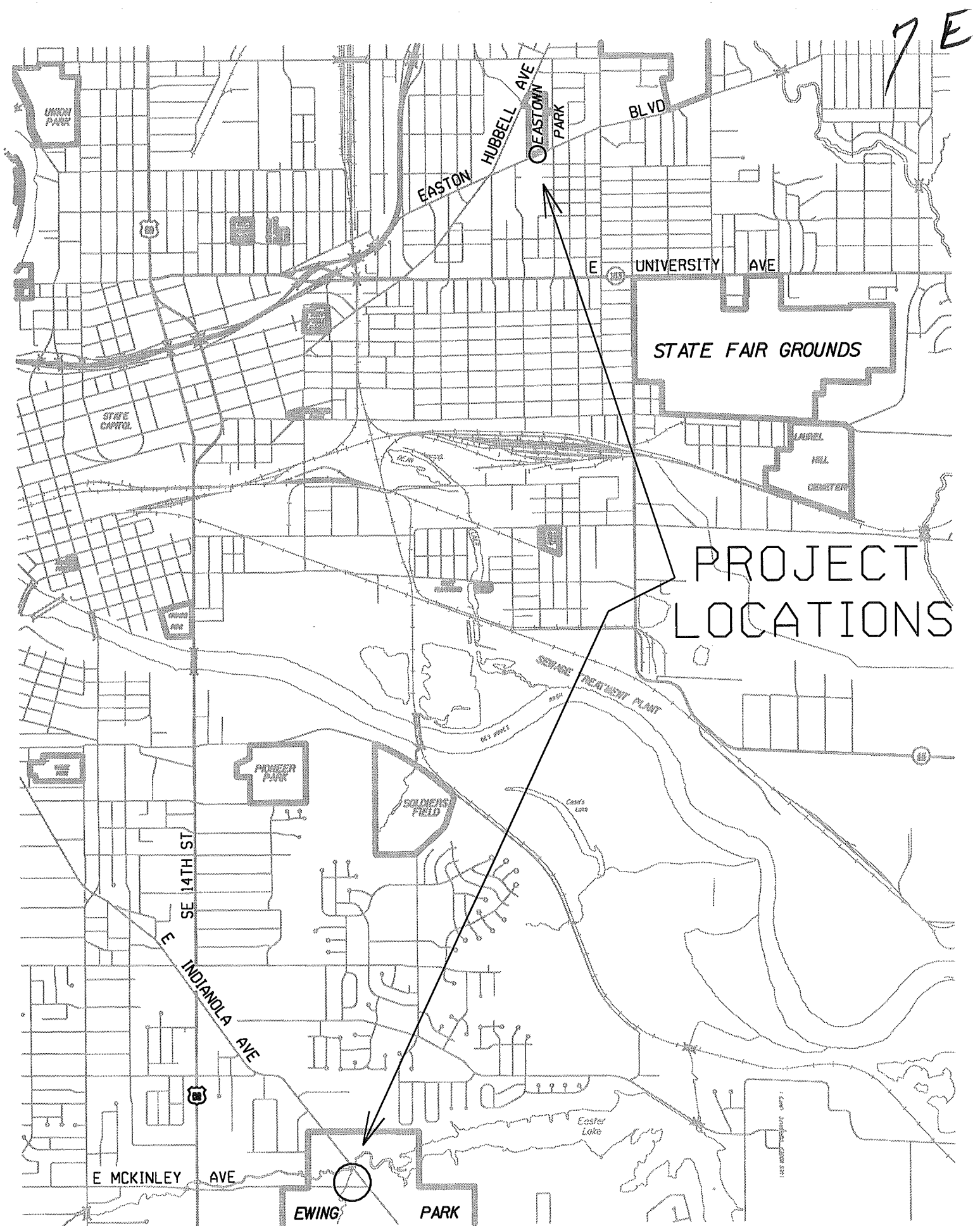
Mayor

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



RESTROOM ENCLOSURES AT EWING & EASTTOWN PARKS

ACT.ID - 11-2004-026

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PROJECT SUMMARY

Restroom Enclosures at Ewing & Easttown

Activity ID 11-2004-026

On June 5, 2006, under Roll Call No. 06-1134, the City Council awarded the contract for the above improvements to Rocky Hurst Construction, in the amount of \$74,865.00 to install restroom enclosures at Ewing and Easttown parks.

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	Trim restroom enclosure gates at Easttown Park.	Engineering	\$350.00
Original Contract Amount			\$74,865.00
Total Change Orders			\$350.00
Percent of Change Orders to Original Contract			0.47%
Final Contract Amount			\$75,215.00

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January 22, 2007

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Restroom Enclosure at Ewing and Easttown Parks, Rocky Hurst Construction.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$75,215.00 As-Built Contract Cost

Funding Source: 2006-2007 CIP, Page Park-11, Neighborhood Park Improvements, PKS137, G. O. Bonds

CERTIFICATION OF COMPLETION:

On June 5, 2006, under Roll Call No. 06-1134, the City Council awarded a contract to Rocky Hurst Construction, Rocky Hurst, Owner, 3126 Timber Ridge Lane, Truro, IA 50257 for the construction of the following improvement:

Restroom Enclosure at Ewing and Easttown Parks, 11-2004-026

Installation of restroom enclosures, PCC sidewalk and pavement, and restoration; all in accordance with the contract documents, including Plan File Nos. 462-79/82 at Ewing Park, Indianola Road and E. McKinley Avenue and Easttown Park, E. 26th Street and Easton Boulevard in Des Moines, Iowa

I hereby certify that the construction of said Restroom Enclosure at Ewing and Easttown Parks, Activity ID 11-2004-026, 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 June 26, 2006, and was completed on January 9, 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 \$75,215.00 is the total cost of said improvement, of which \$67,565.66 has been paid the Contractor and \$3,888.59 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$3,760.75 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, reading "Jeb E. Brewer". The signature is written in a cursive style with a small "n" at the end.

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

