

DATE January 28, 2008

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT  
FOR CRIVARO PARK & BATES PARK PLAYGROUND IMPROVEMENTS, 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 Crivaro Park & Bates Park Playground Improvements, 11-2007-009, in accordance with the contract approved between Rocky Hurst Construction, Rocky Hurst, Owner, 3126 Timber Ridge Lane, Truro, IA 50257, under Roll Call No. 07-913, of May 7, 2007, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

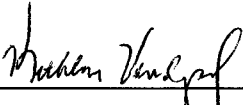
BE IT FURTHER RESOLVED: That \$188,798.60 is the total cost, of which \$175,840.25 has been paid the Contractor, and \$3,518.42 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$9,439.93 is to be paid at the end of thirty days, provided no claims 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.

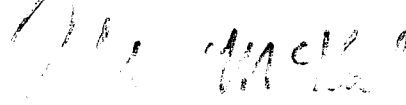
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:

  
\_\_\_\_\_  
Kathleen Vanderpool  
Deputy City Attorney

FUNDS AVAILABLE

  
\_\_\_\_\_  
Allen McKinley  
Des Moines Finance Director

 Funding Source: 2007-2008 CIP, Page Park-19, Park Redevelopment, PKS100, G. O. Bonds

★ **Roll Call Number**

**Agenda Item Number**

Date January 28, 2008

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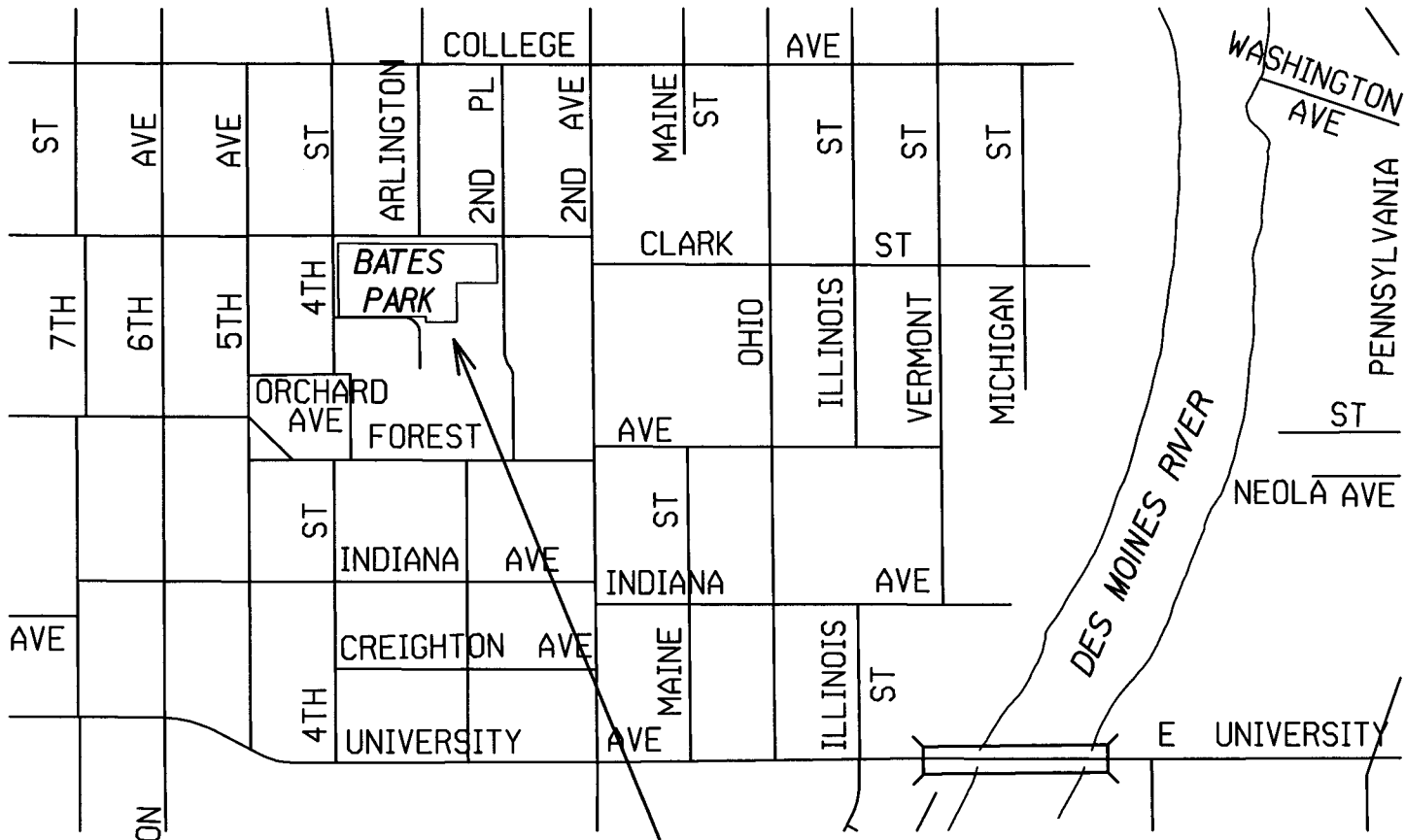
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLUSSIS				
TOTAL				
MOTION CARRIED		APPROVED		
_____ Mayor				

**CERTIFICATE**

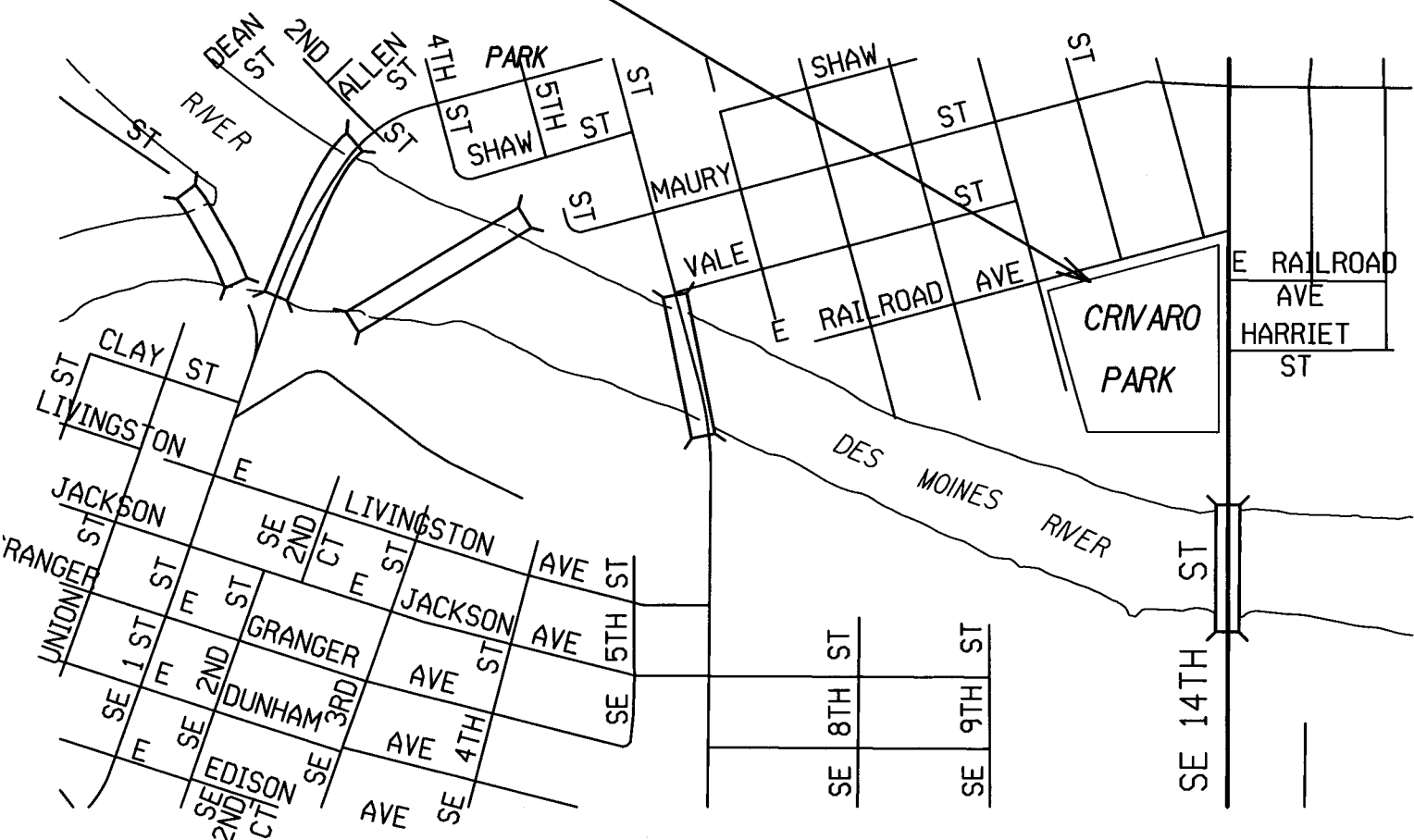
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

\_\_\_\_\_ City Clerk



**PROJECT LOCATIONS**



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# PROJECT SUMMARY

## Crivaro & Bates Parks Improvements

### Activity ID 11-2007-009

On May 7, 2007, under Roll Call No. 07-913, the City Council awarded the contract for the above improvements to Rocky Hurst Construction, in the amount of \$188,910.00 to install new playground equipment at Crivaro and Bates 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	Adjust contract item amounts to as-built quantities. Seal joints in basketball courts.	Engineering	(\$111.40)
<b>Original Contract Amount</b>			\$188,910.00
<b>Total Change Orders</b>			(\$111.40)
<b>Percent of Change Orders to Original Contract</b>			-0.06%
<b>Final Contract Amount</b>			\$188,798.60

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January 28, 2008

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the Crivaro Park & Bates Park Playground Improvements, 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: \$188,798.60 As-Built Contract Cost

Funding Source: 2007-2008 CIP, Page Park-19, Park Redevelopment, PKS100, G. O. Bonds

**CERTIFICATION OF COMPLETION:**

On May 7, 2007, under Roll Call No. 07-913, 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:

Crivaro Park & Bates Park Playground Improvements, 11-2007-009

The improvement includes installation of a play structure, basketball courts and goals, PCC paving and restoration; all in accordance with the contract documents, including Plan File Nos. 472-102/109 at Crivaro Park, SE 14th Street and Railroad Avenue, and Bates Park, 4th Street and Clark Street, Des Moines, Iowa

I hereby certify that the construction of said Crivaro Park & Bates Park Playground Improvements, Activity ID 11-2007-009, 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 11, 2007, and was completed on January 23, 2008.



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 \$188,798.60 is the total cost of said improvement, of which \$175,840.25 has been paid the Contractor and \$3,518.42 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$9,439.93 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, flowing style with a long horizontal stroke at the end.

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

**ESTIMATE OF CONSTRUCTION COMPLETED**  
FOR WORK DONE FROM 9/6/07 TO 12/27/07  
**PARTIAL PAYMENT NO. 5 (FINAL)**

ACTIVITY ID: 11-2007-009


DATE: 12/27/07

**PARTIAL PAYMENT NO. 5 (FINAL)**

**PROJECT: CRIVARO & BATES PARKS PLAYGROUND IMPROVEMENTS**  
**CONTRACTOR: ROCKY HURST CONST.**

LINE NO.	DESCRIPTION	UNIT	UNITS			CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED				
1	PLAY STRUCTURE	EA	1	1	1.00	\$49,400.00	\$49,400.00	
2	BASKETBALL COURT, 6" PCC	SY	890	890	888.90	\$36.00	\$32,000.40	
3	SIDEWALK, 5" PCC	SY	720	720	710.60	\$32.00	\$22,739.20	
4	CURB, 8" X 8" PCC	LF	180	180	171.00	\$23.00	\$3,933.00	
5	POURED-IN-PLACE RESILIENT SURFACING	SF	1960	1960	1960.00	\$15.30	\$29,988.00	
6	EARTHWORK - BATES	JOB	1	1	1.00	\$3,200.00	\$3,200.00	
7	EARTHWORK - CRIVARO	JOB	1	1	1.00	\$5,000.00	\$5,000.00	
8	BASE, 4" PCC WITH STEEL	SY	218,000	218,000	218.00	\$38.00	\$8,284.00	
9	BENCH	EA	8,000	8,000	8.00	\$822.50	\$6,580.00	
10	BASKETBALL GOALS	EA	4,000	4,000	4.00	\$4,062.00	\$16,248.00	
11	CONCRETE REMOVALS	JOB	1,000	1,000	1.00	\$5,000.00	\$5,000.00	
12	ADDITIONAL TOPSOIL	TON	50,000	50,000	0.00	\$30.00	\$0.00	
13	SPRING PLATFORM	EA	1,000	1,000	1.00	\$1,380.00	\$1,380.00	
14	RESILIENT SURFACING DRAIN	JOB	1,000	1,000	1.00	\$500.00	\$500.00	
15	BASKETBALL COURT STRIPING	JOB	1,000	1,000	1.00	\$800.00	\$800.00	
16	TRASH RECEPTACLE	EA	2,000	2,000	2.00	\$655.00	\$1,310.00	
17	PROJECT SIGN - SMALL	EA	2,000	2,000	2.00	\$250.00	\$500.00	
CO 1	ADJUST CONTRACT ITEM AMOUNTS TO AS-BUILT QUANTITIES							
CO 1.01	SEAL JOINTS IN BASKETBALL COURTS	JOB	1,000	1,000	1.00	\$1,936.00	\$1,936.00	
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS					\$188,798.60		
	PARTIAL PAYMENT NO.1		\$29,963.00					
	PARTIAL PAYMENT NO.2		\$58,713.80					
	PARTIAL PAYMENT NO.3		\$50,026.05					
	PARTIAL PAYMENT NO.4		\$37,137.40					
	THIS PARTIAL PAYMENT		\$3,518.42					
	TOTAL PARTIAL PAYMENTS		\$179,358.67					
	BALANCE		\$9,439.93					
	Percent Complete	100%						
	TOTAL					\$188,798.60		
	RETAINAGE					\$9,439.93		
	TOTAL LESS RETAINAGE					\$179,358.67		
	LESS PREVIOUS PAYMENT					\$175,840.25		
	AMOUNT DUE					\$3,518.42		

PARTIAL PAYMENT NO. 5 (FINAL)

PREPARED BY:   
CHECKED BY: 