

DATE February 8, 2010

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 2009 HMA PAVEMENT SCARIFICATION & RESURFACING, OMG MIDWEST, INC. D/B/A DES MOINES ASPHALT & PAVING

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 2009 HMA Pavement Scarification & Resurfacing, 06-2009-015, in accordance with the contract approved between OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, James Gauger, President, 5550 NE 22nd Street, P.O. Box 3365, Des Moines, IA 50316-0365, under Roll Call No. 09-1145, of June 22, 2009, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

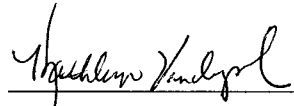
BE IT FURTHER RESOLVED: That \$428,096.86 is the total cost, of which \$406,692.02 has been paid the Contractor, and \$0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$21,404.84 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code chapter 573.

BE IT FURTHER RESOLVED: That the 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.

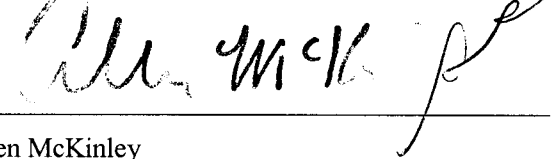
Moved by _____ to adopt.

FORM APPROVED:




Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE



Allen McKinley
Des Moines Finance Director

 Funding Source: 2009-2010 CIP, Page Street-5, Asphaltic Paving Restoration Program, STR003, Being: \$161,768.86 in G. O. Bonds from STR003 and \$266,328 in TIF-Backed G. O. Bonds from Downtown Area Street Restoration, STR075, Page Street-11

★ Roll Call Number

Agenda Item Number

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DATE February 8, 2010

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GREISS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED	APPROVED			

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.

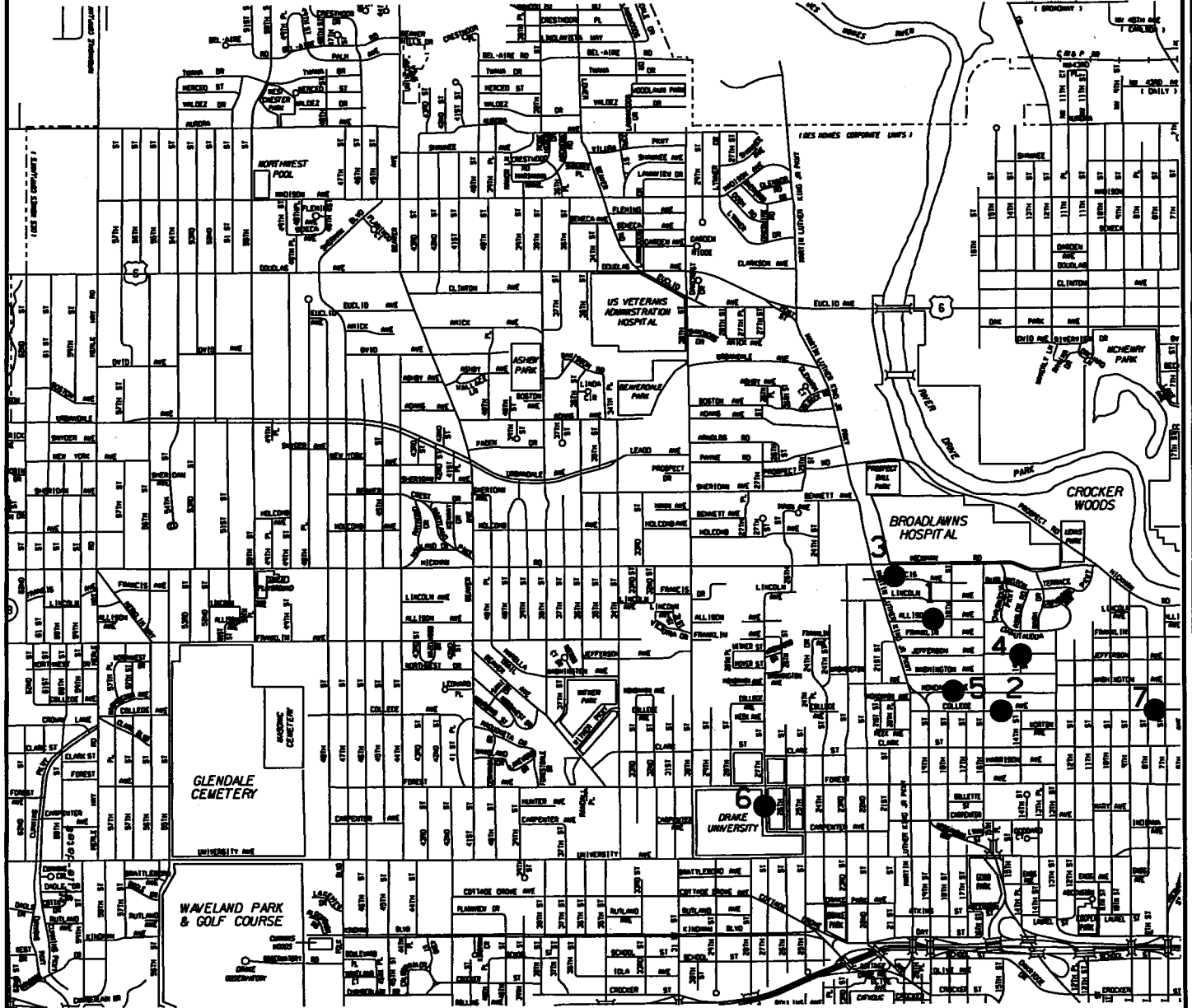
Mayor

City Clerk

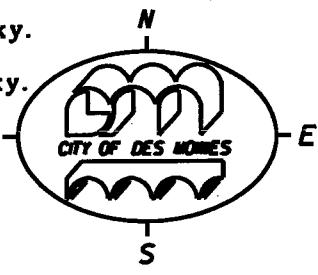
2009 HMA PAVEMENT SCARIFICATION & RESURFACING ACTIVITY ID 06-2009-015

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WARD 1

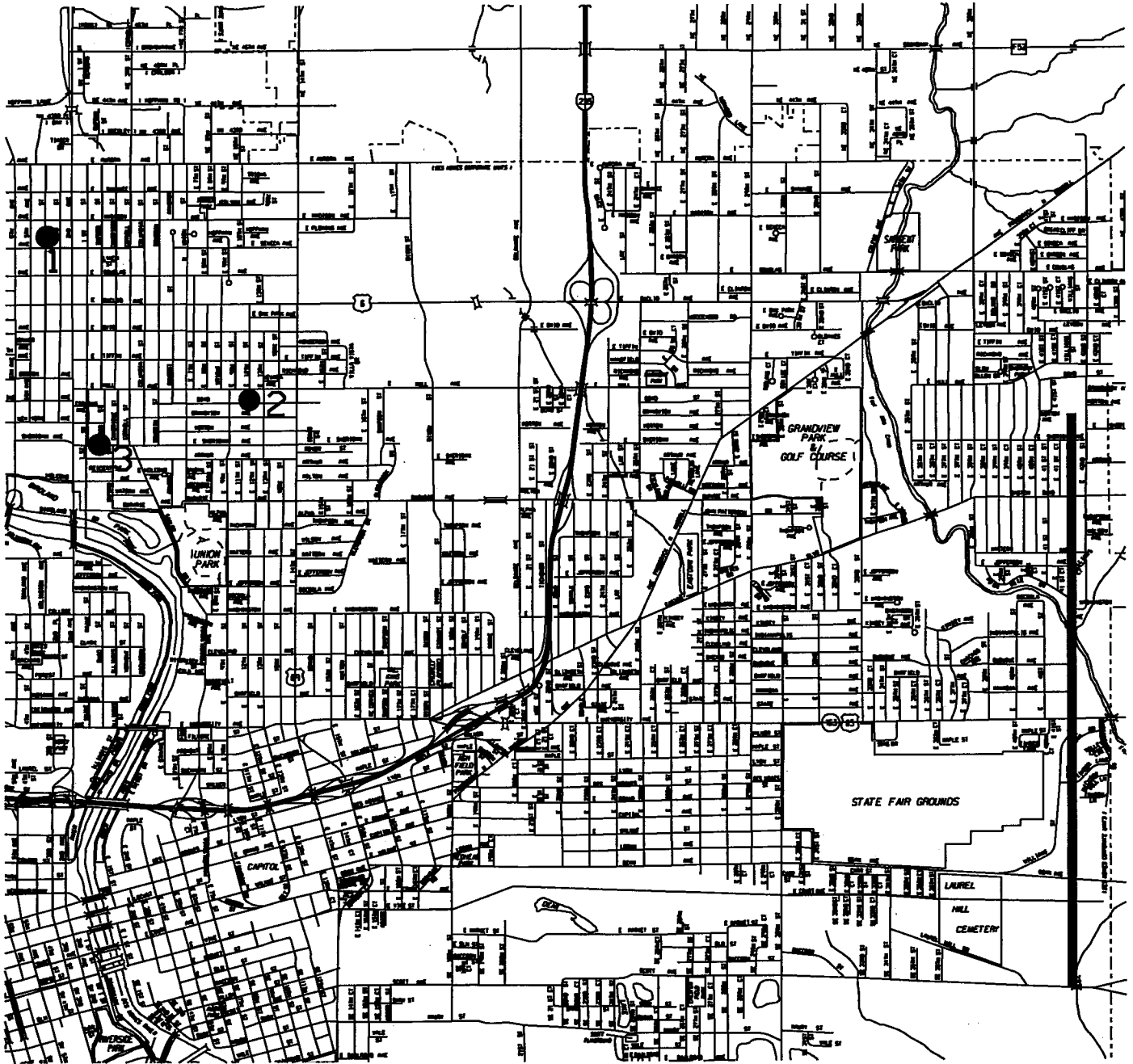


1. Allison Ave. - 1830 Allison Ave. to M.L. King Jr. Pwky.
2. College Ave. - 13th St. to 16th St.
3. Francis Ave. - 1911 Francis Ave. to M.L. King Jr. Pwky.
4. Jefferson Ave. - 13th St. to 16th St.
5. Mondamin Ave. - 16th St. to M.L. King Jr. Pwky.
6. 27th St. - Forest Ave. to Carpenter Ave.
7. College Ave. - 6th St. to 9th St.

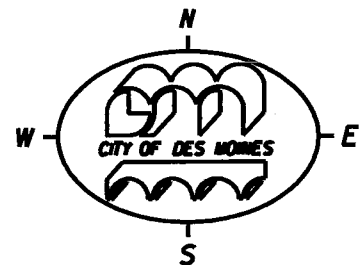


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**2009 HMA PAVEMENT
SCARIFICATION & RESURFACING
ACTIVITY ID 06-2009-015
WARD 2**

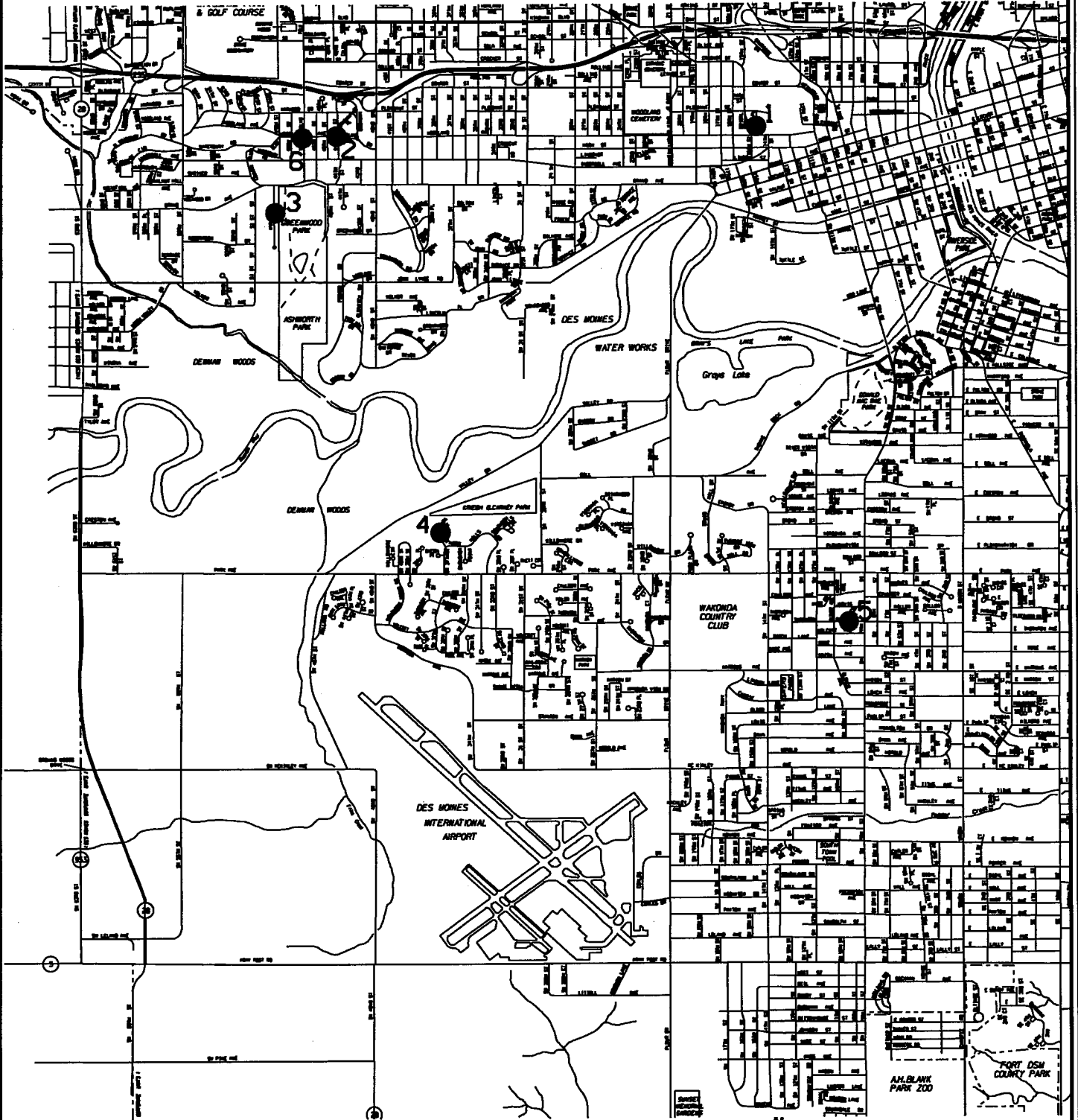


- 1. 4th St. - Douglas Ave. to Aurora Ave.
- 2. Boyd St. - E. 9th St. to E. 13th St.
- 3. Sheridan Ave. - 2nd Ave. to Cornell St.

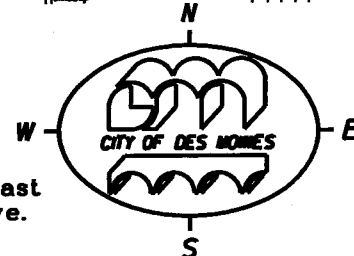


2009 HMA PAVEMENT SCARIFICATION & RESURFACING ACTIVITY ID 06-2009-015 WARD 3

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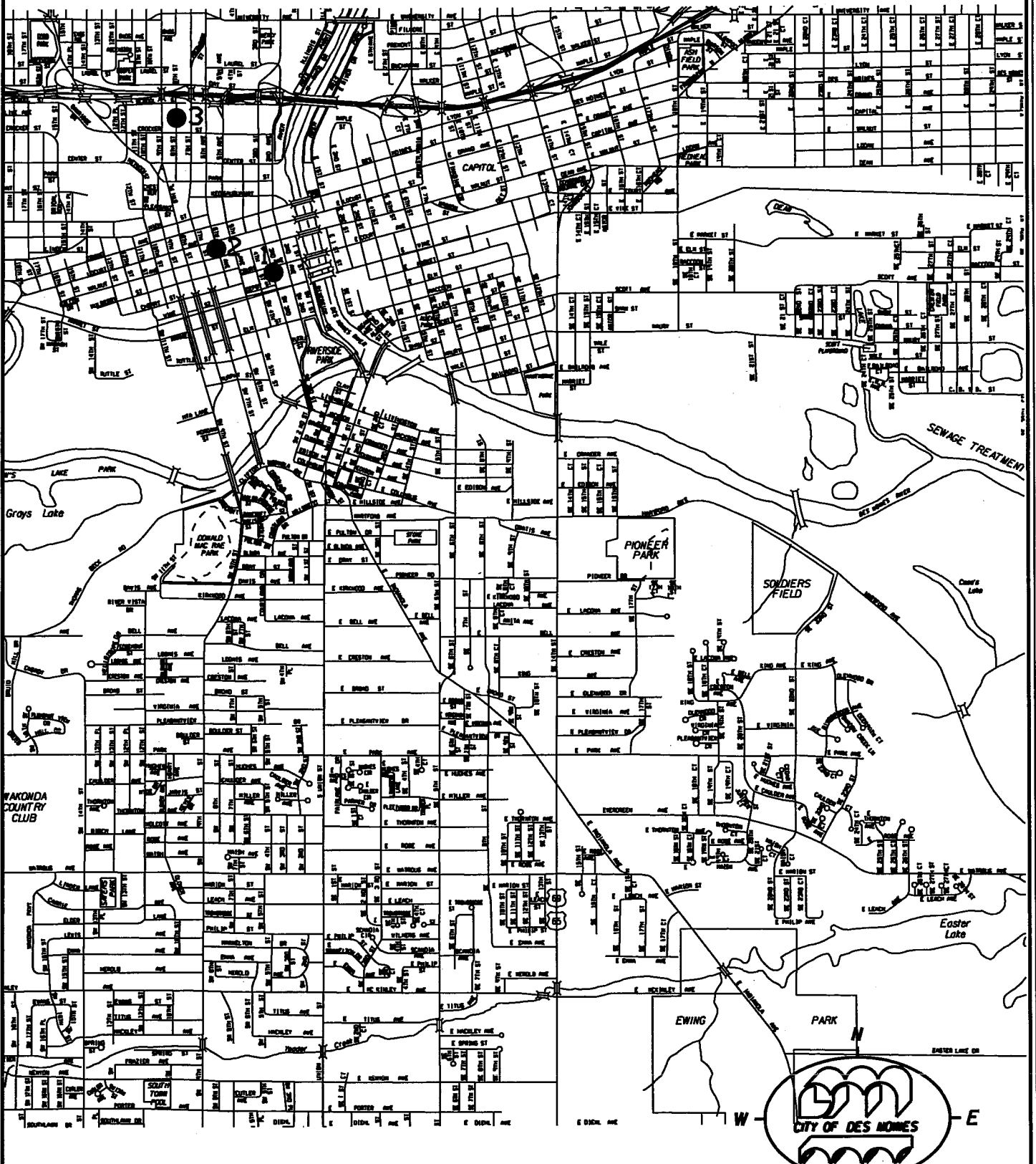


1. 14th Pl. - Woodland Ave. to Pleasant St.
2. 44th St. - Ingersoll Ave. to Harwood Dr.
3. 49th St. - Grand Ave. to Dead End South
4. Cayuga Pt. - SW 37th St. to Cul-de-sac East
5. Thornton Ave. - SW 9th St. to Glover Ave.
6. Woodland Ave. - Harwood Dr. to 44th St.

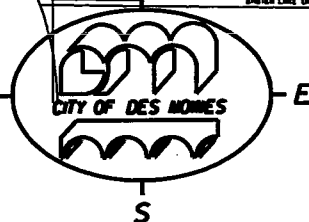


2009 HMA PAVEMENT SCARIFICATION & RESURFACING ACTIVITY ID 06-2009-015 DOWNTOWN

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- 1. 3rd St. - Market St. to Walnut St.
- 2. 6th Ave. - Cherry St. to Watson Powell Way
- 3. 8th St. - Crocker St. to School St.



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PROJECT SUMMARY

2009 HMA Pavement Scarification & Resurf

Activity ID 06-2009-015

On June 22, 2009, under Roll Call No. 09-1145, the City Council awarded the contract for the above improvements to Des Moines Asphalt and Paving Co. in the amount of \$450,959.00 for the following:

Milling two(2) inch average depth of asphalt street surfaces with specified milling machine and equipment in a cooperative effort with the City of Des Moines Public Works Department,

- Allison Ave. from 1830 Allison Ave. to M.L. King Jr. Parkway
- College Ave. from 13th St. to 16th St.
- Francis Ave. from 1911 Francis Ave. to M.L. King Jr. Parkway
- Jefferson Ave. from 13th St. to 16th St.
- Mondamin Ave. from 16th St. to M.L. King Jr. Parkway
- 27th St. from Forest Ave. to Carpenter Ave.
- College Ave. from 6th St to 9th St.
- 4th St. from Douglas Ave. to Aurora Ave.
- Boyd St. from E. 9th St. to E. 13th St.
- Sheridan Ave. from 2nd Ave. to Cornell St.
- 14th Pl. from Woodland Ave. to Pleasant St.
- 44th St. from Ingersoll Ave. to Harwood Dr.
- 49th St. From Gand Ave. to Dead End South
- Cayuga Point from S.W. 37th St. to Cul-de-sac East
- Thornton Ave. from S.W. 9th St. to Glover Ave.
- Woodland Ave. from Harwood Dr. to 44th St.
- 8th St. from Crocker St. to School St.

Furnish all labor, materials and equipment necessary to construct a two(2) inch average thickness pavement milling and HMA surfacing on existing asphaltic street surface; together with other incidental and related work;

- 3rd St. from Market St. to Walnut St.
- 6th Ave. from Cherry St. to Watson Powell Way

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	1/19/2010 To adjust quantities to final amounts.	Engineering	(\$22,862.14)

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<u>Change Order No.</u>	<u>Description</u>	<u>Initiated By</u>	<u>Amount</u>
	Original Contract Amount		\$450,959.00
	Total Change Orders		(\$22,862.14)
	Percent of Change Orders to Original Contract		-5.07%
	Final Contract Amount		\$428,096.86

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February 8, 2010

CERTIFICATION OF COMPLETION



AGENDA HEADING:

Accepting completed construction and approving final payment for the 2009 HMA Pavement Scarification & Resurfacing, OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$428,096.86 As-Built Contract Cost

Funding Source: 2009-2010 CIP, Page Street-5, Asphaltic Paving Restoration Program, STR003, Being: \$161,768.86 in G. O. Bonds from STR003 and \$266,328 in TIF-Backed G. O. Bonds from Downtown Area Street Restoration, STR075, Page Street-11

CERTIFICATION OF COMPLETION:

On June 22, 2009, under Roll Call No. 09-1145, the City Council awarded a contract to OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, James Gauger, President, 5550 NE 22nd Street, P.O. Box 3365, Des Moines, IA 50316-0365 for the construction of the following improvement:

2009 HMA Pavement Scarification & Resurfacing, 06-2009-015

The improvement includes scarification of two (2) inch average depth of asphalt street surfaces with specified milling machine and equipment in a cooperative effort with the City of Des Moines Public Works Department, all in accordance with the contract documents at the following locations within the City of Des Moines:

- Allison Avenue from 1830 Allison Avenue to M.L. King Jr. Parkway
- College Avenue from 13th Street to 16th Street
- Francis Avenue from 1911 Francis Avenue to M.L. King Jr. Parkway
- Jefferson Avenue from 13th Street to 16th Street
- Mondamin Avenue from 16th Street to M.L. King Jr. Parkway
- 27th Street from Forest Avenue to Carpenter Avenue
- College Avenue from 6th Street to 9th Street
- 4th Street from Douglas Avenue to Aurora Avenue
- Boyd Street from E. 9th Street to E. 13th Street
- Sheridan Avenue from 2nd Avenue to Cornell Street
- 14th Place from Woodland Avenue to Pleasant Street
- 44th Street from Ingersoll Avenue to Harwood Drive
- 49th Street from Grand Avenue to Dead End South
- Cayuga Point from S.W. 37th Street to Cul-de-sac East
- Thornton Avenue from S.W. 9th Street to Glover Avenue
- Woodland Avenue from Harwood Drive to 44th Street
- 8th Street from Crocker Street to School Street

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Furnish all labor, materials and equipment necessary to construct a two(2) inch average thickness pavement scarification and HMA surfacing on existing asphaltic street surface; together with other incidental and related work; all in accordance with the contract documents at the following locations within the City of Des Moines:

3rd Street from Market Street to Walnut Street
6th Avenue from Cherry Street to Watson Powell Way

I hereby certify that the construction of said 2009 HMA Pavement Scarification & Resurfacing, Activity ID 06-2009-015, 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 July 6, 2009, and was completed on January 28, 2010.

I further certify that \$428,096.86 is the total cost of said improvement, of which \$406,692.02 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 \$21,404.84 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.



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

ESTIMATE OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 10/13/09 TO 11/30/09

DATE: 1/8/10

Final

Final

PROJECT: 2009 HMA PAVEMENT SCARIFICATION & RESURFACING
CONTRACTOR: OMG MIDWEST, INC. d/b/a DES MOINES ASPHALT AND PAVING COMPANY.

LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
1	Pavement milling: two (2) inch average thickness; milling materials removed becomes the property of City (this item includes milling, loading, and hauling)	SY	74,450.000	92,051.860	92,051.860	\$2.15	\$197,911.50
2	Two (2) inch (in place) hot mix overlay (this item includes hauling, placement, and compaction of HMA and furnishing and placement of tack)	SY	22,130.000	16,844.500	16,844.500	\$2.25	\$37,900.13
3	HMA (3 M ESAL) SURF, 1/2", FRIC L-4 (this item includes furnishing material at plant site)	TONS	2,800.000	2,154.370	2,154.370	\$76.00	\$163,732.12
4	Temporary Painted Pavement Marking, Waterborne or Solvent Based	STA	69.000	95.860	95.860	\$106.00	\$10,161.16
5	Durable Pavement Marking, Epoxy	STA	69.000	60.210	60.210	\$185.00	\$11,138.85
6	Durable Symbols and Legend, Epoxy	EA	2.000	2.000	2.000	\$215.00	\$430.00
7	Grooves Cut for Pavement Markings	STA	69.000	60.210	60.210	\$110.00	\$6,623.10
8	Grooves Cut for Symbols and Legends	EA	2.000	2.000	2.000	\$100.00	\$200.00
TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS							\$428,096.86
PARTIAL PAYMENT NO. 1							\$172,245.29
PARTIAL PAYMENT NO. 2							\$181,834.73
PARTIAL PAYMENT NO. 3							\$29,475.95
PARTIAL PAYMENT NO. 4							\$23,136.05
THIS PARTIAL PAYMENT							\$0.00
TOTAL PARTIAL PAYMENTS							\$406,692.02
BALANCE							\$21,404.84
Percent Complete 100%							
TOTAL							\$428,096.86
RETAINAGE							\$21,404.84
TOTAL LESS RETAINAGE							\$406,692.02
LESS PREVIOUS PAYMENT							\$406,692.02
AMOUNT DUE							\$0.00

Final

PREPARED BY: 

CHECKED BY: 

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