

Agenda Item Number 8 F

DATE February 8, 2010

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR UNIVERSITY AVENUE RESURFACING - DES MOINES RIVER BRIDGE TO 6TH AVENUE, 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 University Avenue Resurfacing - Des Moines River Bridge to 6th Avenue, 06-2006-003, 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. 08-1055, of June 9, 2008, 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 \$755,089.79 is the total cost, of which \$732,437.10 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 \$22,652.69 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, and provided that a release of this payment has been approved by the Iowa Department of Transportation through the Department of Engineering for the City of Des Moines, Iowa. Said Engineering Department shall not release this payment until all project audits have been completed, and any monetary penalties resulting from audit deficiencies shall be deducted from said balance of \$22,652.69 before being released to the Contractor.

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

1 Will

Allen McKinley Des Moines Finance Director

9=B

Funding Source: 2009-2010 CIP, Page Street-32, Rehabilitation and Preservation of Major Roadways, STR222, Being: \$276,759.79 from G. O. Bonds and \$478,330 from Iowa DOT Surface Transportation Program (STP) Funds for 80% of eligible construction costs (Maximum \$478,330) STP-U-1945(708)--70-77

06-2006-003



Agenda Item Number

DATE February 8, 2010

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				<u> </u>
GREISS	1			
HENSLEY				
MAHAFFEY	<u> </u>			
MEYER				
MOORE			· · · · · · · · · · · · · · · · · · ·	
TOTAL				
MOTION CARRIED	1			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



PROJECT SUMMARY

University Avenue Resurfacing Activity ID 06-2006-003

The University Avenue Resurfacing Project from the Des Moines River Bridge to 6th Avenue is described as patching of existing street, furnishing and placing 3 inches of hot mix asphalt, and furnishing and placing pavement markings.

Tabulated below is a history of project change orders.

Change Order No.	Description	Initiated By	Amount
1	5/7/2009 Replace loop detectors at the south approach of University	Engineering	\$4,295.00
	Avenue & 2nd Avenue and add temp painted turn arrows.		
2	9/9/2009	Engineering	(\$6,207.84)
	Adjust quantities to final as-built quantities.		
	Original Contract Amount		\$757,002.63
	Total Change Orders		(\$1,912.84)
	Percent of Change Orders to Original Contract		-0.25%
	Final Contract Amount		\$755,089.79

February 8, 2010



CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the University Avenue Resurfacing - Des Moines River Bridge to 6th Avenue, 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: \$755,089.79 As-Built Contract Cost

<u>Funding Source:</u> 2009-2010 CIP, Page Street-32, Rehabilitation and Preservation of Major Roadways, STR222, Being: \$276,759.79 from G. O. Bonds and \$478,330 from Iowa DOT Surface Transportation Program (STP) Funds for 80% of eligible construction costs (Maximum \$478,330)

CERTIFICATION OF COMPLETION:

On June 9, 2008, under Roll Call No. 08-1055, 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:

University Avenue Resurfacing - Des Moines River Bridge to 6th Avenue, 06-2006-003

The improvement includes patching of the existing street, furnish and place 3 inches of hot mix asphalt, furnish and place pavement markings, and other incidental items; in accordance with the contract documents, including Plans File Nos. 488-001/023 on University Avenue from the Des Moines River Bridge to 6th Avenue, Des Moines, Iowa

I hereby certify that the construction of said University Avenue Resurfacing - Des Moines River Bridge to 6th Avenue, Activity ID 06-2006-003, 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 12, 2008, and was completed on February 3, 2010.

I further certify that \$755,089.79 is the total cost of said improvement, of which \$732,437.10 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 \$22,652.69 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.

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

ERUNG DEPARTMENT	F DES MOINES, IOWA
ENGINEERIN	CITY OF DES

ESTIMATE OF CONSTRUCTION COMPLETED FOR WORK DONE FROM 07/23/09 to 10/26/09 FINAL PAYMENT (Partial Payment No. 6)

PROJECT: UNIVERSITY AVENUE RESURFACING - 6TH AVE. TO THE DM RIVER BRIDGE CONTRACTOR: OMG MIDWEST, INC. DBA DES MOINES ASPHALT & PAVING

Proj No: STP-U-1945(708)--70-77 Activity ID: 06-2006-003 Date: 10/26/09

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DESCRIPTION DESCRIPTION UNIT EXEMPTION DUNT NUE					STINU			
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Curb, Doweled PCC, As Per Plan STA 0.300 0.000 589.25 \$30.00 Safety Closure EACH 8.000 8.000 8.000 \$105.00 \$89.25 \$30.00 Painted Pavement Marking, Waterborne/Solvent STA 173.000 18.6.240 \$105.00 \$105.00 \$89.25 \$57.607.90 Painted Pavement Marking, Waterborne/Solvent STA 173.000 18.6.240 \$10.50 \$31.75 \$57.607.90 Painted Pavement Marking, Profiled Pavement Marking Tape STA 11.930 12.980 \$304.50 \$53.41.00 Permanent Tape Marking, Intersection Marking Tape STA 26.160 38.300 \$35.175 \$13,472.03 Pre-Cut Symbol and Legend STA 38.090 \$12.000 \$12.000 \$35.25 \$43.47.00 Grooves Cut for Pavement Marking Tape 38.300 \$12.000 \$12.000 \$35.25 \$43.47.00 Oroves Cut for Pavement Marking Tape 38.300 \$12.000 \$12.000 \$13.47.00 \$55.230 \$55.30 \$55.30 \$57.300 \$57.30 \$5		Detectable Warning - Curb Ramp	SF	160.000	148.000	148.000	\$68.25	\$10 101 00
Safety Closure Safety		Curb, Doweled PCC, As Per Plan	STA	0.300	0.000	0.000	\$89.25	00.02
Painted Pavement Marking, Waterborne/Solvent STA 173.000 186.240 186.240 \$40.85 \$7,607.90 Permanent Tape Marking, Profiled Pavement Marking Tape STA 11.930 12.980 12.980 \$304.50 \$3,952.41 Permanent Tape Marking, Intersection Marking Tape STA 26.160 38.300 \$351.75 \$13,472.03 Pre-Cut Symbol and Legend STA 26.160 38.300 \$352.25 \$4,347.00 Pre-Cut Symbol and Legend STA 38.090 51.280 \$352.25 \$4,347.00 Oroves Cut for Pavement Marking STA 38.090 51.280 \$51.280 \$53.50 Grooves Cut for Symbol and Legend LS 12.000 12.000 \$51.280 \$73.50 \$553.30 Grooves Cut for Symbol and Legend LS 10.000 12.000 \$73.50 \$553.30 Grooves Cut for Symbol and Legend LS 10.000 12.000 \$73.50 \$553.30 Grooves Cut for Symbol and Legend LS 10.000 12.000 \$73.50 \$540.00 Taffic Control		Safety Closure	EACH	8.000	8.000	8.000	\$105.00	\$840.00
Permanent Tape Marking, Profiled Pavement Marking Tape STA 11.930 12.980 5304.50 \$33,952.41 Permanent Tape Marking, Intersection Marking Tape STA 26.160 38.300 \$351.75 \$13,472.03 Pre-Cut Symbol and Legend EACH 12.000 12.000 \$362.25 \$4,347.00 Pre-Cut Symbol and Legend STA 38.090 51.280 \$37.50 \$53.30 Oroves Cut for Pavement Marking STA 38.090 51.280 \$18.59 \$53.30 Grooves Cut for Pavement Marking FACH 12.000 12.000 \$12.000 \$51.280 \$53.30 Grooves Cut for Pavement Marking STA 38.090 \$51.280 \$51.360 \$53.30 Grooves Cut for Symbol and Legend LS 10.000 12.000 \$51.280 \$53.50 Taffic Control LS 1000 12.000 12.000 \$73.50 \$95.340.00 Flaggers DAY 20.000 10.000 10.000 \$73.50 \$95.40.00 Flaggers DAY 26.000 18.000		Painted Pavement Marking, Waterborne/Solvent	STA	173.000	186.240	186.240	\$40.85	06 209 2%
Permanent Tape Marking, Intersection Marking Tape STA 26.160 38.300 \$351.75 \$13,472.03 Pre-Cut Symbol and Legend EACH 12.000 12.000 12.000 \$362.25 \$43,3700 Grooves Cut for Pavement Marking STA 38.090 51.280 \$18.59 \$5953.30 Grooves Cut for Pavement Marking EACH 12.000 12.000 \$12.000 \$362.25 \$497.00 Grooves Cut for Pavement Marking STA 38.090 51.280 \$18.59 \$5953.30 Grooves Cut for Pavement Marking EACH 12.000 12.000 \$18.59 \$\$953.30 Grooves Cut for Symbol and Legend LS 1.000 12.000 \$73.50 \$\$953.30 Traffic Control LS 1.000 12.000 12.000 \$\$73.50 \$\$92.40.00 Flaggers DAY 20.000 13.000 \$\$73.50 \$\$92.40.00 \$\$92.40.00 Flaggers DAY 20.000 13.000 \$\$1200 \$\$240.00 \$\$3,640.00 \$\$3,640.00 \$\$3,640.00 \$\$3,640.00	_	Permanent Tape Marking, Profiled Pavement Marking Tape	STA	11.930	12.980	12.980	\$304.50	\$3,952,41
Pre-Cut Symbol and Legend EACH 12.000 12.000 53.62.25 \$4,347.00 Grooves Cut for Pavement Marking STA 38.090 51.280 51.280 \$3.62.55 \$4,347.00 Grooves Cut for Pavement Marking STA 38.090 51.280 \$18.59 \$953.30 Grooves Cut for Pavement Marking EACH 12.000 12.000 \$73.50 \$882.00 Traffic Control LS 1.000 12.000 \$73.50 \$5,240.00	- 1	Permanent Tape Marking, Intersection Marking Tape	STA	26.160	38.300	38.300	\$351.75	\$13 472 03
Grooves Cut for Pavement Marking STA 38.090 51.280 51.280 \$18.59 \$953.30 Grooves Cut for Symbol and Legend EACH 12.000 12.000 \$12.000 \$73.50 \$882.00 Traffic Control LS 1.000 12.000 \$73.50 \$59,240.00 \$59,240.00 Flaggers DAY 20.000 13.000 13.000 \$280.00 \$35,640.00 Changeable Message Sign. Portable CDAY 56.000 18.000 \$68.25 \$1.28.50		Pre-Cut Symbol and Legend	EACH	12.000	12.000	12.000	\$362.25	\$4 347 00
Groove Cut for Symbol and Legend EACH 12.000 12.000 \$73.50 \$882.00 Traffic Control LS 1.000 1.000 \$9,240.0		Grooves Cut for Pavement Marking	STA	38.090	51.280	51.280	\$18.59	\$953 30
Traffic Control LS 1.000 1.000 \$9,240.00 Flaggers DAY 20.000 13.000 \$3,640.00 Changeable Message Sign. Portable CDAY 56.000 18.000 \$68.25 \$1.228.50		Groove Cut for Symbol and Legend	EACH	12.000	12.000	12.000	\$73.50	\$82.00
Flaggers DAY 20.000 13.000 \$280.00 \$3,640.00 <td></td> <td>Traffic Control</td> <td>ΓS</td> <td>1.000</td> <td>1.000</td> <td>1.000</td> <td>\$9 240 00</td> <td>\$9 240 00</td>		Traffic Control	ΓS	1.000	1.000	1.000	\$9 240 00	\$9 240 00
Changeable Message Sign, Portable CDAY 56.000 18.000 \$68.25 \$1.228.50		Flaggers	DAY	20.000	13.000	13.000	\$280.00	\$3,640.00
		Changeable Message Sign, Portable	CDAY	56.000	18.000	18.000	\$68.25	\$1 228 50

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				STINU			
LINE NO.	DESCRIPTION	UNIT	ESTIMATED	ALTHORIZED	CONSTRUCTED TO DATE		
0300	CD Joint Assembly	EACH	25.000	42.000	42.000	\$113.40	1 VIUNIMA TO LOT
0310	Mobilization	ILS	1 000	1 000	1 000	C 171 C3	00.201,170
0320	Storm Sewer Utility Acces, Type M-D	PACH	000 1	0001	1 000	47,401.04 401.000 000	401.07 401.00
8001	Loon Detector		0001	000.1	000.1	\$21,000.00	\$21,000.00
0000		EACH		3.000	3.000	\$1,265.00	\$3,795.00
2000	rainted Symbol+Legend, Water/Solvent	EACH		10.000	10.000	\$50.00	\$500.00
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$755 080 70				
	PARTIAL PAYMENT #1		\$220 A32 81				
	PARTIAL PAYMENT #2		0 4 4 1 0 C 0 4 0				
	PARTIAL PAYMENT #3		010 / 1007.49				
			11.600,514				
	rakiial raymeni #4		\$4,503.70				
	PARTIAL PAYMENT #5		\$46,778.93				
	THIS PARTIAL PAYMENT		\$0.00				
	TOTAL PARTIAL PAYMENTS		\$732,437.10				
	BALANCE		\$22,652.69				
					FOTAL		\$755,089.79
10 7 0 2 0 0	Prov. Ma Harrin Alada			<u> </u>	RETAINAGE		\$22,652.69
INFLAN	THANKING THANKING			<u></u> 1	FOTAL LESS RET	AINAGE	\$732,437.10
					LESS PREVIOUS	PAYMENT	\$732,437.10
					AMOUNT DUE		S0.00

CHECKED BY: Judy & End

FINAL PAYMENT (Partial Payment No. 6)