

DATE February 8, 2010

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR PRINCIPAL PARK EMERGENCY DECK REPAIRS, WESTERN WATERPROOFING CO., INC.**

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 Principal Park Emergency Deck Repairs, 11-2009-016, in accordance with the emergency contract approved between Western Waterproofing Co., Inc., William Bishop, President, 1829 Industrial Circle, West Des Moines, IA 50265, and the City of Des Moines, which was executed by the City Manager on May 29, 2009 pursuant to Iowa Code Section 384.103(2), and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

BE IT FURTHER RESOLVED: That \$61,246.70 is the total cost, of which \$58,184.36 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 \$3,062.34 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.

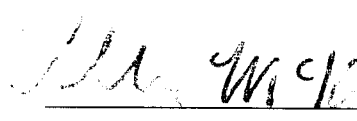
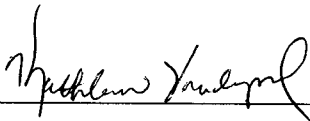
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such 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:

FUNDS AVAILABLE



Kathleen Vanderpool
Deputy City Attorney

Allen McKinley
Des Moines Finance Director

~~SEB~~ Funding Source: 2009/2010 CIP, Page Park-20, Principal Park, PKS132, Tax Increment Funds

★ **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		
_____				Mayor

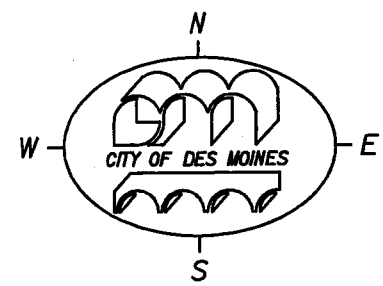
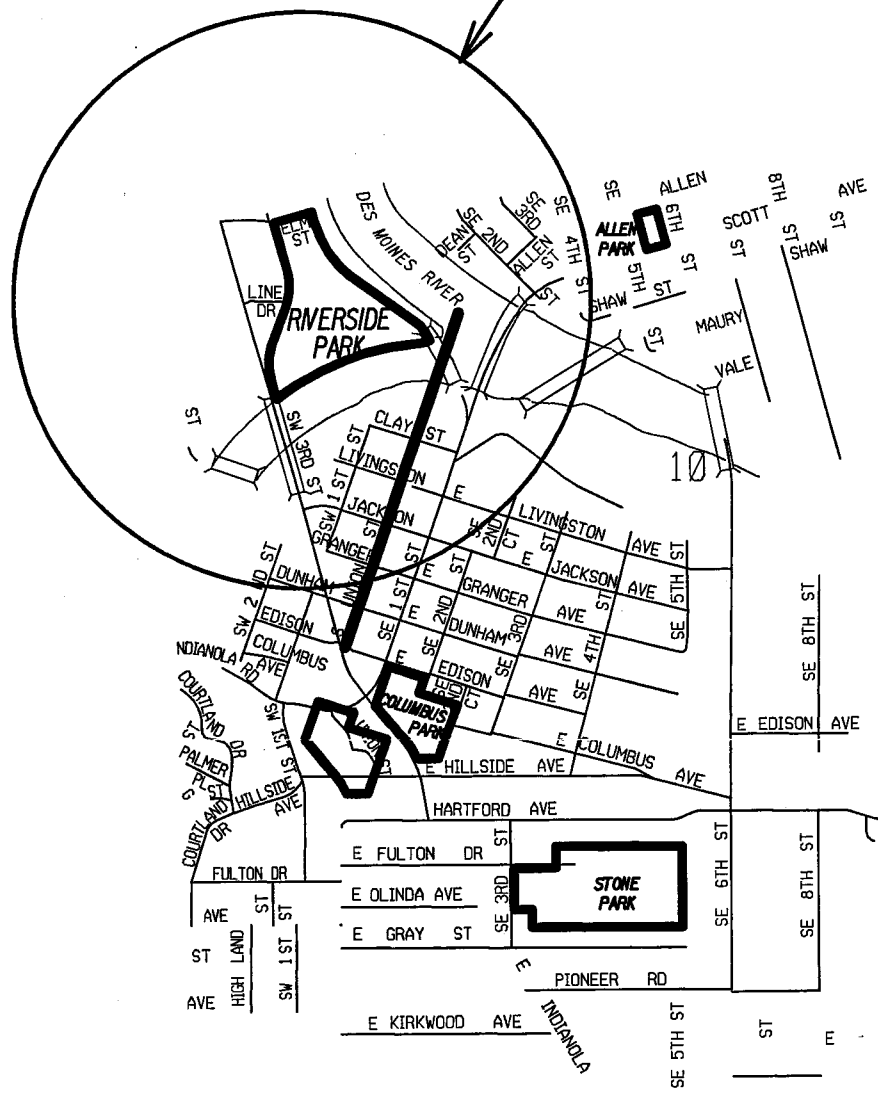
CERTIFICATE

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 LOCATION



PRINCIPAL PARK EMERGENCY DECK REPAIRS ACTIVITY I.D. 11-2009-016

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PROJECT SUMMARY

Principal Park Emergency Deck Repair

Activity ID 11-2009-016

On May 29, 2009 under Roll Call ----- the City Council awarded the contract for the above improvements to Western Waterproofing Co, Inc. in the amount of \$38,386.68 for Emergency Deck Repairs at Principal Park in the City of Des Moines, IA.

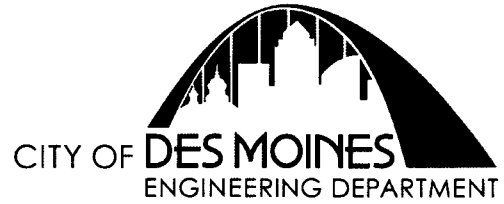
Tabulated below is a history of project change orders.

<u>Change Order No.</u>	<u>Description</u>	<u>Initiated By</u>	<u>Amount</u>
1	9/18/2009 Adjustment of final quantities to "As Built" quantities.	Engineering	\$22,860.02
Original Contract Amount			\$38,386.68
Total Change Orders			\$22,860.02
Percent of Change Orders to Original Contract			59.55%
Final Contract Amount			\$61,246.70

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February 8, 2010

CERTIFICATION OF COMPLETION



AGENDA HEADING:

Accepting completed construction and approving final payment for the Principal Park Emergency Deck Repairs, Western Waterproofing Co., Inc.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$61,246.70 As-Built Contract Cost

Funding Source: 2009/2010 CIP, Page Park-20, Principal Park, PKS132, Tax Increment Funds

CERTIFICATION OF COMPLETION:

On May 29, 2009, the City Manager executed an emergency contract, pursuant to Iowa Code Section 384.103(2), with Western Waterproofing Co., Inc., William Bishop, President, 1829 Industrial Circle, West Des Moines, IA, 50265, for the construction of the following improvement:

Principal Park Emergency Deck Repairs, 11-2009-016

The improvement includes repair of the precast concrete cored floor/ceiling slabs including epoxy injection, CFR and polymer mortar repairs; all in accordance with the contract documents at Principal Park, One Line Drive, Des Moines, Iowa.

I hereby certify that the construction of said Principal Park Emergency Deck Repairs, Activity ID 11-2009-016, 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 May 28, 2009, and was completed on February 2, 2010.

I further certify that \$61,246.70 is the total cost of said improvement, of which \$58,184.36 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 \$3,062.34 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


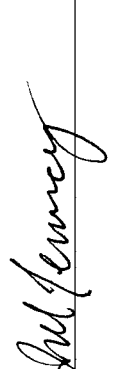


ESTIMATE OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 07/17/09 to 08/23/09
PARTIAL PAYMENT NO. 2 - FINAL

Proj No: NA
Activity ID: 11-2009-016
Date: 01/28/2010

PROJECT: PRICIPAL PARK EMERGENCY DECK REPAIRS
CONTRACTOR: WESTERN WATERPROOFING COMPANY, INC.

LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
1	Epoxy Crack Injection, Complete	LF	110.000	113.770	113.770	\$50.90	\$5,790.89
2	Fiber Reinforced Polymer Repair, Complete	SF	620.000	1,156.350	1,156.350	\$34.89	\$40,345.05
3	Polymer Motar Repair, Complete	LS	1.000	1.000	1.000	\$5,440.17	\$5,440.17
4	Mobilization and Building Permit Fee	LS	1.000	1.000	1.000	\$5,715.71	\$5,715.71
CO No. 1	Additional Quantities Bid Items 1 and 2	-	-	-	-	-	\$0.00
	1.01 Addition Manlift Rental Costs	LS	-	1.000	1.000	\$1,127.00	\$1,127.00
	1.02 Additional Costs to Tear Down and Reerect Scaffold	LS	-	1.000	1.000	\$2,827.88	\$2,827.88
	AMOUNT OF ORIGINAL CONTRACT		\$38,386.68				
	AMOUNT OF APPROVED CHANGE ORDER		22,860.02				
	TOTAL CONTRACT AMOUNT PLUS APPROVED CHANGE ORDERS		\$61,246.70				
	PARTIAL PAYMENT NO. 1		\$58,184.36				
	THIS PARTIAL PAYMENT		\$0.00				
	TOTAL PARTIAL PAYMENTS		\$58,184.36				
	BALANCE		\$3,062.34				
	TOTAL						\$61,246.70
	RETAINAGE (5%)						\$3,062.34
	TOTAL LESS RETAINAGE						\$58,184.36
	LESS PREVIOUS PAYMENT						\$58,184.36
	AMOUNT DUE						\$0.00

PREPARED BY: 
CHECKED BY: 

PARTIAL PAYMENT NO. 2 - FINAL

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