

DATE February 9, 2009

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR CENTRAL BUSINESS DISTRICT TRAFFIC SIGNAL UPGRADE, THE WALDINGER CORPORATION**

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 Central Business District Traffic Signal Upgrade, 04-1998-002, in accordance with the contract approved between The Waldinger Corporation, Tom Koehn, President, 2601 Bell Avenue, Des Moines, IA 50321, under Roll Call No. 03-1360, of June 9, 2003, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

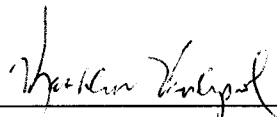
BE IT FURTHER RESOLVED: That \$2,394,965.21 is the total cost, of which \$2,364,965.21 has been paid the Contractor, and \$0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$30,000.00 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. Said remaining balance of \$30,000.00 is to be paid at the end of thirty days, also provided that a release of this payment has been approved by the Iowa Department of Transportation through the Des Moines Engineering Department. Said Engineering Department shall not release this payment until all projects audits have been completed, and any monetary penalties resulting from audit deficiencies shall be deducted from said balance of \$30,000.00 before being released to the Contractor. The Mayor be and is hereby authorized and directed to sign the Iowa Department of Transportation Certificate of Completion and Final Acceptance of Agreement Work. 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.

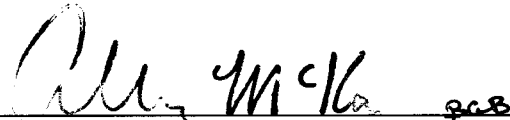
Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:



Kathleen Vanderpool  
Deputy City Attorney

FUNDS AVAILABLE



Allen McKinley  
Des Moines Finance Director

★ **Roll Call Number**

**Agenda Item Number**

**13A**

DATE February 9, 2009

Funding Source: 2008-2009 CIP, Page Traffic-8, Signal System Reconstruction - Central Business District, TFC093, Various Funding, Being:  
 \$406,993.04 in TIF Funds from TFC093, \$360,000.00 in Traffic Safety Funds under Iowa DOT Agreement 97-TS-011 (\$360,000.00 maximum) for Division 1 Construction Cost only, \$1,627,972.17 in Congestion Mitigation and Air Quality Improvements Funds under Iowa DOT Agreement 95-AU-82 (maximum \$2,400,000.00 for 80% Design and 80% Construction less \$360,000.00 TSF for Division 1)

*JEB*

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

MOTION CARRIED

APPROVED

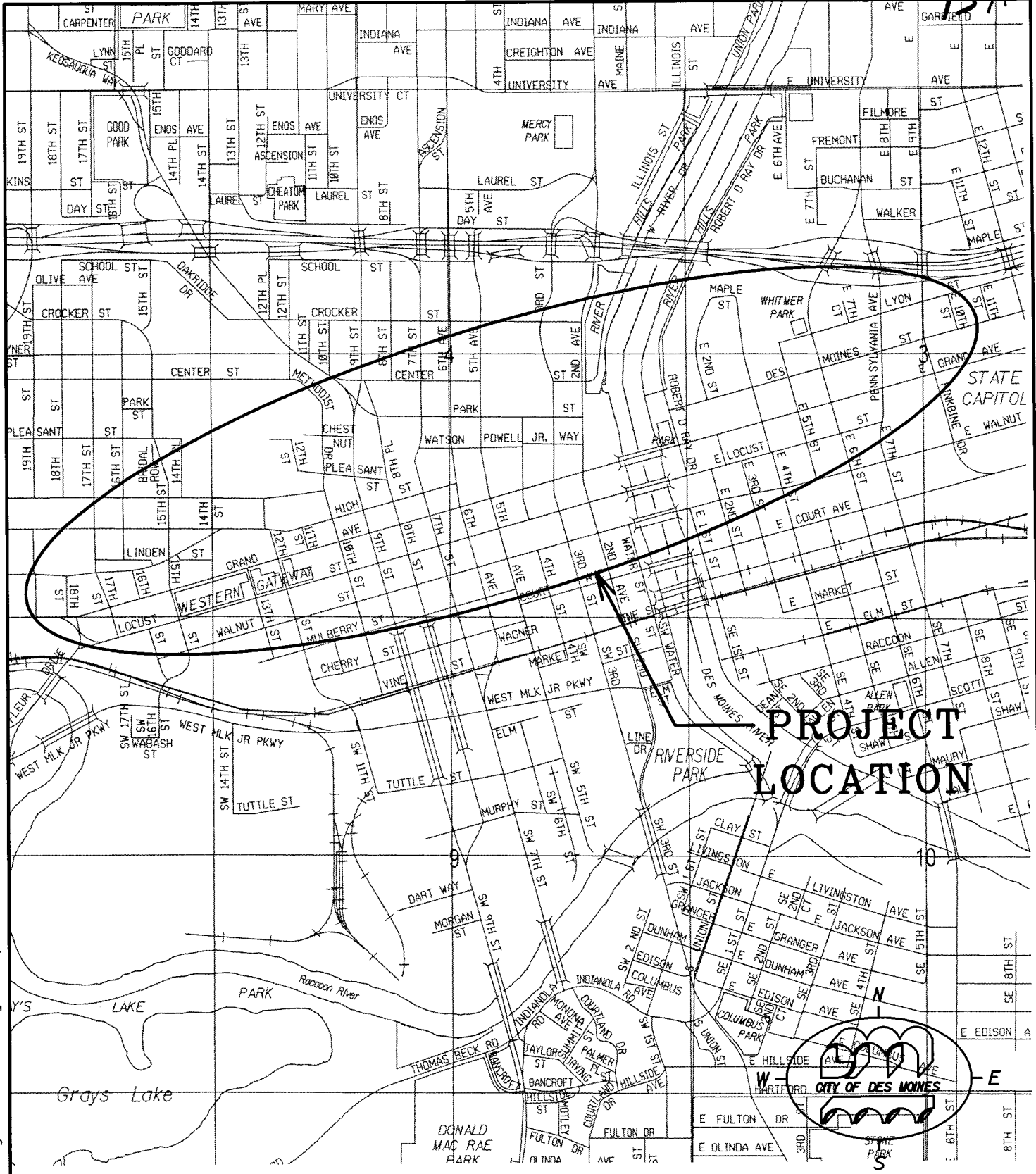
\_\_\_\_\_  
 Mayor

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

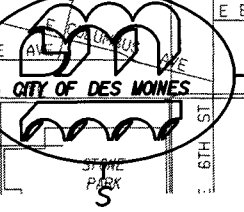
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

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

13A



**PROJECT  
LOCATION**



**CENTRAL BUSINESS DISTRICT  
SIGNAL UPGRADE  
ACTIVITY I.D. 04-1998-002  
STP-A-1945(23)--86-77**

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# PROJECT SUMMARY

## CBD Traffic Signal Upgrade

**Activity ID 04-1998-002**

On June 09, 2003 under Roll Call No.03-1360, the Des Moines City Council awarded the contract for the above improvement to The Waldinger Corporation in the amount of \$1,793,691.70, for work on the Central Business district Signal Upgrade that includes installation of traffic signalization communication network, traffic signalization control center, traffic signalization detection, traffic signalization observation CCTV, traffic control flaggers and mobilization, within the Central Business District of the City of Des Moines, Iowa.

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	11/4/2003 Delete bored conduit and sidewalk removal and replacement for trenched conduit.	Engineering	\$8,058.75
2	12/9/2003 Additional work and materials for relocation of handholes, conduit, wiring and sign poles required by unknown underground conditions at various intersections on Grand, Locust and Walnut.	Contractor	\$7,215.48
3	12/9/2003 At various intersections on High, Powell, Mulberry, Court, additional work and materials for relocation of handholes, conduit, signal cable, power cables, wiring and ADA ramp required by unknown underground conditions.	Contractor	\$9,509.64
4	1/26/2004 Work related to the repair of Qwest vault and rerouting of wiring and cable to avoid vault.	Consultant	\$20,323.60
5	1/26/2004 Modify and/or supply controllers, cabinets, handholes, conduit and wiring at 3rd and Grand, 8th and Grand and on Walnut at 2nd, 3rd, 5th, 5th and 9th intersections to accomidate fiber optic cable.	User	\$86,366.09

<u>Change Order No.</u>	<u>Description</u>	<u>Initiated By</u>	<u>Amount</u>
6	5/3/2004 Cost Adjustment for unforeseen conditions and replacement footing at 7th and Locust	Engineering	\$249,000.00
7	5/3/2004 Contract Time Extension of 92 Working Days due to unforeseen Conditions in C.O. 6	Engineering	\$0.00
8	6/17/2004 New base mounted cabinet at 3rd and Watson Powell. Repair damaged sewer pipe in the NW corner of 5th and Grand. Removal and replacement of concrete at 19th and Grand. Change in handhole type at 19th and Grand.	Engineering	\$9,930.84
9	7/19/2004 Removal and replacement of a pedestal pole footing on the SW corner of 6th and High. Removal and replacement of sidewalk at 5th and Mulberry. Add service wire and remove/replace sidewalk at 6th and High. Add one (1) Type I Handhole and conduit at the intersection of 8th and Locust. Install service wire to intersection of 4th and Walnut.	Consultant	\$8,295.74
10	8/16/2004 Install additional conduit @ 8th & Locust. Remove and Replace Walk @ 4th & Grand. Remove and Replace Walk @ 5th & Mulberry.	Consultant	\$9,569.66
11	10/12/2004 Rerouting FO Cable and elimination of splice enclosure between 3rd and 4th on Grand. Add Type I Handhole at 9th And Grand. Add new Controller Cabinet Footing and Riser at 8th and Locust. Added costs to route and terminate additional FO Cable to conntroller at 5th and Cherry	Consultant	\$7,005.04
12	10/12/2004 Relocate Pole #2 at E 15th and Walnut.	Consultant	\$3,634.33
13	10/26/2004 Additional Street Opening at 7th and High. Additional Street Opening at 7th and Grand.	Consultant	\$9,116.51

<b>Change Order No.</b>	<b>Description</b>	<b>Initiated By</b>	<b>Amount</b>
14	11/9/2004 Additional Street Opening SE Corner of 7th and Grand	Consultant	\$7,378.92
15	11/18/2004 Conflict with concrete cap & conduit	Consultant	\$8,802.04
16	11/22/2004 Additional street concrete removal and replacement at 10th and Mulberry and 17th and Ingersoll intersections.	Consultant	\$8,600.17
17	11/30/2004 Additional signal base, sidewalk removal/replacement and handhole at 12th and Walnut. Additional concrete sidewalk removal and replacement at 8th and Cherry.	Consultant	\$9,729.43
18	12/6/2004 Additional curb removal/replacement at 9th and Walnut. Additional boring at 12th and Walnut intersection.	Consultant	\$8,948.93
19	12/28/2004 Install additional FO cable, splices, enclosures and terminations at 6th and Crocker. Special curb replacement at SE corner of 9th and Walnut.	Consultant	\$9,288.09
20	12/28/2004 Modification of the communication network between 6th and 12th Streets on High. Installation of additional FO conduit at 8th and Cherry.	Consultant	\$9,412.26
21	1/25/2005 Rebuild handhole and replace sidewalk at 9th to 10th and Locust. Replacement of sidewalk and curb, installation of Controller footing, cabinet riser and handhole at 9th and Locust.	Consultant	\$9,671.88
22	1/25/2005 Credit for FO Splice Enclosure. Add extra cabinet riser. Modifications to the Control Center. Pavement removals 9th Street at Locust and Walnut Streets.	Consultant	\$9,260.23

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<u>Change Order No.</u>	<u>Description</u>	<u>Initiated By</u>	<u>Amount</u>
23	Credit for 3" Bored Conduit. Additional street removal and replacement for conduit installation at 6th and Grand.	Consultant	\$50,772.69
24	8/3/2005 Additional street removals and replacement at 6th and Grand intersection to install communication network circuits.	Consultant	\$9,991.66
25	8/12/2005 Credit for deleted pole base. Add Costs Street R/R and Spread Ftg. Over Sewer.	Consultant	\$9,800.42
26	8/24/2005 Additional street removals/replacement	Consultant	\$9,892.75
27	9/9/2005 Credit for Deleted Pole Base. Additional street removals and conduit. Addition of three section signal head. Additional fiber optic cable.	Consultant	\$9,994.02
28	9/28/2005 Credit for fusion splices at E 14th and Grand. Credit for reduction in communication equipment. Additional SM fiber optic cable and splice. Additional MM fiber optic cable and splice. Install additional FO conversion equipment. Install video detection cameras. Fabricate and install steel plate bases.	Consultant	\$1,704.34
<b>Original Contract Amount</b>			\$1,793,691.70
<b>Total Change Orders</b>			\$601,273.51
<b>Percent of Change Orders to Original Contract</b>			33.52%
<b>Final Contract Amount</b>			\$2,394,965.21

February 9, 2009

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the Central Business District Traffic Signal Upgrade, The Waldinger Corporation.

**SYNOPSIS:**

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

**FISCAL IMPACT:**

Amount: \$2,394,965.21 As-Built Contract Cost

Funding Source: 2008-2009 CIP, Page Traffic-8, Signal System Reconstruction - Central Business District, TFC093, Various Funding, Being:  
\$406,993.04 in TIF Funds from TFC093, \$360,000.00 in Traffic Safety Funds under Iowa DOT Agreement 97-TS-011 (\$360,000.00 maximum) for Division 1 Construction Cost only, \$1,627,972.17 in Congestion Mitigation and Air Quality Improvements Funds under Iowa DOT Agreement 95-AU-82 (maximum \$2,400,000.00 for 80% Design and 80% Construction less \$360,000.00 TSF for Division 1)

**CERTIFICATION OF COMPLETION:**

On June 9, 2003, under Roll Call No. 03-1360, the City Council awarded a contract to The Waldinger Corporation, Tom Koehn, President, 2601 Bell Avenue, Des Moines, IA 50321 for the construction of the following improvement:

Central Business District Traffic Signal Upgrade, 04-1998-002

Installation of traffic signalization communication network, traffic signalization control center, traffic signalization, traffic signalization detection, traffic signalization observation CCTV, traffic control, flaggers and mobilization all in accordance with the contract documents including Plan File Nos. 420 - 129/192 in the Central Business District of the City of Des Moines, Iowa

I hereby certify that the construction of said Central Business District Traffic Signal Upgrade, Activity ID 04-1998-002, 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 30, 2003, and was completed on February 3, 2009.



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 \$2,394,965.21 is the total cost of said improvement, of which \$2,364,965.21 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 \$30,000.00 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. Said remaining balance of \$30,000.00 is to be paid at the end of thirty days, also provided that a release of this payment has been approved by the Iowa Department of Transportation through the Des Moines Engineering Department. Said Engineering Department shall not release this payment until all projects audits have been completed, and any monetary penalties resulting from audit deficiencies shall be deducted from said balance of \$30,000.00 before being released to the Contractor. 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, P.E.", with a small mark at the end of the signature.

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



**ESTIMATE OF CONSTRUCTION COMPLETED**

FOR WORK DONE FROM 11/30/06 to 06/01/08

**PARTIAL PAYMENT NO. 25 - FINAL**

Project No. STP-A-1945(23)--86-77/  
CS-TSF-1945(30)--85-77  
Activity ID: 04-1998-002  
Date: 01/27/09

**CENTRAL BUSINESS DISTRICT TRAFFIC SIGNAL UPGRADE  
CONTRACTOR: THE WALDINGER CORPORATION**

LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
1	Traffic Signalization, Comm. Network Install	LS	1.000	1.000	1.000	\$447,122.85
2	Traffic Signalization, Control Center (Arch.)	LS	1.000	1.000	1.000	\$22,699.65
3	Traffic Signalization, Div. 1	LS	1.000	1.000	1.000	\$522,191.88
4	Traffic Signalization, Div. 2	LS	1.000	1.000	1.000	\$664,761.42
5	Traffic Signalization, System Detection	LS	1.000	1.000	1.000	\$56,700.20
6	Traffic Signalization, Traffic Observation, CCTV	LS	1.000	1.000	1.000	\$16,603.46
7	Traffic Control	LS	1.000	1.000	1.000	\$19,887.17
8	Flagger	DAY	15.000	15.000	15.000	\$3,375.00
9	Mobilization	LS	1.000	1.000	1.000	\$40,350.07
CO1		LS	-	1.000	1.000	\$8,058.75
CO2		LS	-	1.000	1.000	\$7,215.48
CO3		LS	-	1.000	1.000	\$9,509.64
CO4		LS	-	1.000	1.000	\$20,323.60
CO5		LS	-	1.000	1.000	\$86,366.09
CO6		LS	-	1.000	1.000	\$249,000.00
CO7		LS	-	1.000	1.000	\$0.00
CO8		LS	-	1.000	1.000	\$9,930.84
CO9		LS	-	1.000	1.000	\$8,295.74
CO10		LS	-	1.000	1.000	\$9,569.66
CO11		LS	-	1.000	1.000	\$7,005.04
CO12		LS	-	1.000	1.000	\$3,634.33
CO13		LS	-	1.000	1.000	\$9,116.51
CO14		LS	-	1.000	1.000	\$7,378.92
CO15		LS	-	1.000	1.000	\$8,802.04
CO16		LS	-	1.000	1.000	\$8,600.17
CO17		LS	-	1.000	1.000	\$9,729.43
CO18		LS	-	1.000	1.000	\$8,948.93
CO19		LS	-	1.000	1.000	\$9,288.09


13 A

LINE NO.	DESCRIPTION	UNIT	UNITS			CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED				
CO20		LS	-	1.000	1.000	\$9,412.26	\$9,412.26	
CO21		LS	-	1.000	1.000	\$9,671.88	\$9,671.88	
CO22		LS	-	1.000	1.000	\$9,260.23	\$9,260.23	
CO23		LS	-	1.000	1.000	\$50,772.69	\$50,772.69	
CO24		LS	-	1.000	1.000	\$9,991.66	\$9,991.66	
CO25		LS	-	1.000	1.000	\$9,800.42	\$9,800.42	
CO26		LS	-	1.000	1.000	\$9,892.75	\$9,892.75	
CO27		LS	-	1.000	1.000	\$9,994.02	\$9,994.02	
CO28		LS	-	1.000	1.000	\$1,704.34	\$1,704.34	
	ORIGINAL CONTRACT AMOUNT		\$1,793,691.70					
	AMOUNT OF APPROVED CHANGE ORDERS 1 THROUGH 28		\$601,273.51					
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$2,394,965.21					
	PARTIAL PAYMENT NO. 1		\$3,833.26					
	PARTIAL PAYMENT NO. 2		\$62,882.98					
	PARTIAL PAYMENT NO. 3		\$91,119.78					
	PARTIAL PAYMENT NO. 4		\$124,583.42					
	PARTIAL PAYMENT NO. 5		\$538,819.72					
	PARTIAL PAYMENT NO. 6		\$275,297.14					
	PARTIAL PAYMENT NO. 7		\$120,943.58					
	PARTIAL PAYMENT NO. 8		\$73,783.87					
	PARTIAL PAYMENT NO. 9		\$152,689.69					
	PARTIAL PAYMENT NO. 10		\$35,479.23					
	PARTIAL PAYMENT NO. 11		\$39,615.00					
	PARTIAL PAYMENT NO. 12		\$44,000.00					
	PARTIAL PAYMENT NO. 13		\$273,736.37					
	PARTIAL PAYMENT NO. 14		\$23,000.00					
	PARTIAL PAYMENT NO. 15		\$47,295.74					
	PARTIAL PAYMENT NO. 16		\$32,045.73					
	PARTIAL PAYMENT NO. 17		\$25,000.00					
	PARTIAL PAYMENT NO. 18		\$95,639.37					
	PARTIAL PAYMENT NO. 19		\$105,102.27					
	PARTIAL PAYMENT NO. 20		\$77,589.57					
	PARTIAL PAYMENT NO. 21		\$30,352.61					
	PARTIAL PAYMENT NO. 22		\$50,772.69					

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LINE NO.	DESCRIPTION	UNIT	UNITS		CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED			
	PARTIAL PAYMENT NO. 23		\$9,991.66				
	PARTIAL PAYMENT NO. 24		\$31,391.53				
	THIS PARTIAL PAYMENT		\$0.00				
	TOTAL PARTIAL PAYMENTS		\$2,364,965.21				
	BALANCE		\$30,000.00				
TOTAL							\$2,394,965.21
RETAINAGE							\$30,000.00
TOTAL LESS RETAINAGE							\$2,364,965.21
LESS PREVIOUS PAYMENT							\$2,364,965.21
AMOUNT DUE							\$0.00

PARTIAL PAYMENT NO. 25 - FINAL

PREPARED BY: 

CHECKED BY: 