

DATE February 9, 2009

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR SW 9TH STREET AT BELL AND PARK AVENUES TRAFFIC SIGNAL MODIFICATIONS, IOWA SIGNAL 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 SW 9th Street at Bell and Park Avenues Traffic Signal Modifications, 04-2007-012, in accordance with the contract approved between Iowa Signal Inc., Wayne Lesley, President, 7840 University Blvd., Des Moines, IA 50325, under Roll Call No. 07-819, of April 23, 2007, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

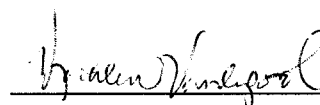
BE IT FURTHER RESOLVED: That \$149,132.62 is the total cost, of which \$141,675.99 has been paid the Contractor, and \$0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$7,456.63 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. Said remaining balance of \$7,456.63 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 \$7,456.63 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.

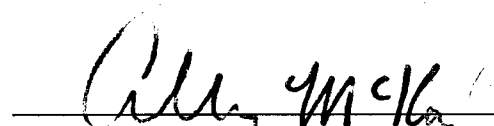
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

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

13C

DATE February 9, 2009

Funding Source: 2008-2009 CIP, Page Traffic-5, City-wide Signals, Channelization, and School Crossing Protection Program, TFC091, Various Funding, Being:

\$80,000 in Iowa DOT Traffic Safety Funds for 100% of Divisions 1 construction contract costs only (Max \$80,000) and \$69,132.62 in G. O. Bonds from TFC091 for the remaining Division 1 costs and 100% of Division 2 work

CS-TSF-1945(698)--85-77

SEB

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

MOTION CARRIED

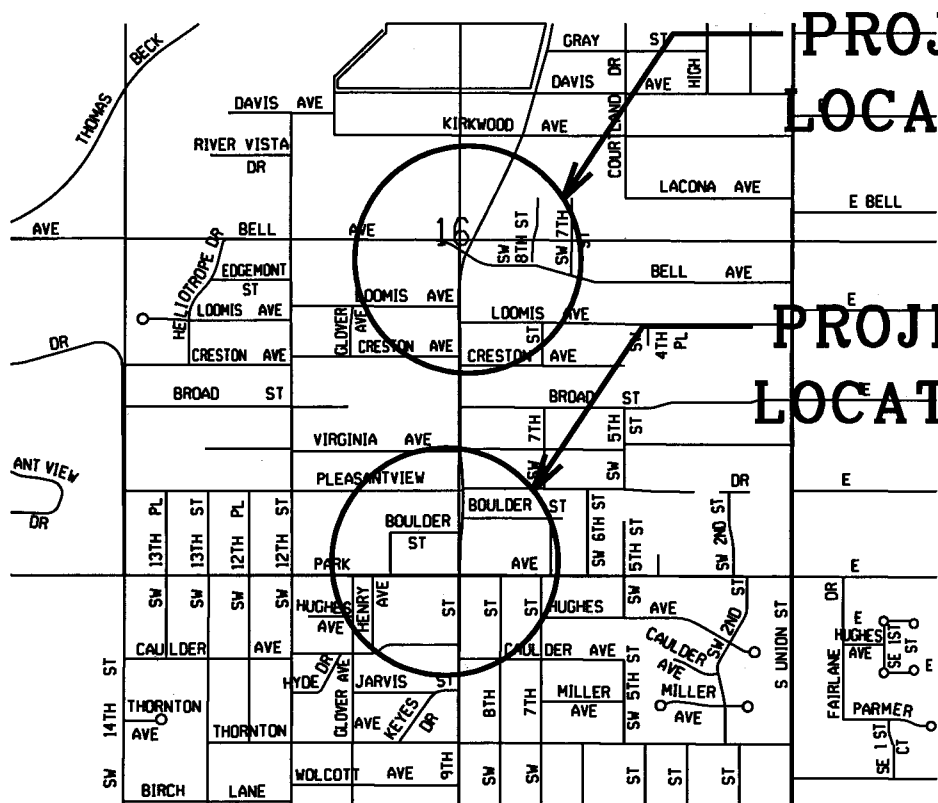
APPROVED

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.

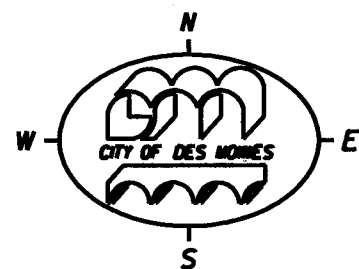
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk



**PROJECT
LOCATION**

**PROJECT
LOCATION**



**SW 9TH AT BELL/PARK
TRAFFIC SIGNAL MODIFICATIONS
ACTIVITY ID 04-2007-012**

PROJECT SUMMARY

SW 9th St at Bell & Park Aves Traffic S
Activity ID 04-2007-012

On April 23, 2007, under Roll Call No. 07-819, the City Council awarded the contract for the above improvements to Iowa Signal Inc., in the amount of \$146,562.62 to modify traffic signals at SW 9th St. at Bell & Park Aves.

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	8/10/2007 Additional sidewalk to access pedestrian pushbutton. 4 additional pedestrian signal heads with countdown timers.	Engineering	\$2,570.00
Original Contract Amount			\$146,562.62
Total Change Orders			\$2,570.00
Percent of Change Orders to Original Contract			1.75%
Final Contract Amount			\$149,132.62

February 9, 2009

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the SW 9th Street at Bell and Park Avenues Traffic Signal Modifications, Iowa Signal 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: \$149,132.62 As-Built Contract Cost

Funding Source: 2008-2009 CIP, Page Traffic-5, City-wide Signals, Channelization, and School Crossing Protection Program, TFC091, Various Funding, Being: \$80,000 in Iowa DOT Traffic Safety Funds for 100% of Divisions 1 construction contract costs only (Max \$80,000) and \$69,132.62 in G. O. Bonds from TFC091 for the remaining Division 1 costs and 100% of Division 2 work

CERTIFICATION OF COMPLETION:

On April 23, 2007, under Roll Call No. 07-819, the City Council awarded a contract to Iowa Signal Inc., Wayne Lesley, President, 7840 University Blvd., Des Moines, IA 50325 for the construction of the following improvement:

SW 9th Street at Bell and Park Avenues Traffic Signal Modifications, 04-2007-012

The improvement includes adding mast arm mounted signal indications on side streets which do not currently have overhead signals, and side-mounted signal indications on all approaches for better visibility; all in accordance with the contract documents including Plan File Nos. 472-73/79 on SW 9th Street at Bell Avenue and Park Avenue, Des Moines, Iowa

I hereby certify that the construction of said SW 9th Street at Bell and Park Avenues Traffic Signal Modifications, Activity ID 04-2007-012, 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 13, 2007, and was completed on February 3, 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 \$149,132.62 is the total cost of said improvement, of which \$141,675.99 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 \$7,456.63 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, reading "Jeb E. Brewer" with a small flourish at the end.

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

