

DATE February 12, 2007

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT  
FOR SW 9TH STREET AND COUNTY LINE ROAD INTERSECTION, SHEETS EXCAVATING, LTD.**

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 and County Line Road Intersection, 06-2003-011, in accordance with the contract approved between Sheets Excavating, Ltd., Charles Sheets, President, 122 Hillcrest Ridge, Montezuma, IA 50171-3760, under Roll Call No. 05-1443, of June 6, 2005, 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 \$421,509.65 is the total cost, of which \$400,434.17 has been paid the Contractor, and \$8,430.19 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$12,645.29 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 \$12,645.29 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 \$12,645.29 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 City Manager be and is hereby authorized and directed to certify the Pollution Prevention Plan Inspection Summary and the NPDES Stormwater General Permit Notice of Discontinuation for the above referenced project on behalf of the City of Des Moines and submit said documents to the Iowa Department of Natural Resources.

★ **Roll Call Number**

**Agenda Item Number**

15A

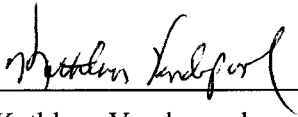
DATE February 12, 2007

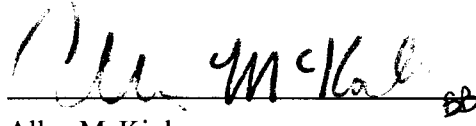
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

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

FORM APPROVED:

FUNDS AVAILABLE





Kathleen Vanderpool  
Deputy City Attorney

Allen McKinley  
Des Moines Finance Director

Funding Source: 2006-2007 CIP, Page Street-41, SW 9th Street and County Line Road Intersection, STR206, Various Funding, Being:  
\$136,509.65 in G. O. Bonds and \$285,000 in FHWA Surface Transportation Program (STP) Funds, 80% up to a maximum of \$285,000 for construction only

STP-U-1945(684)--70-77

*RB*

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

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

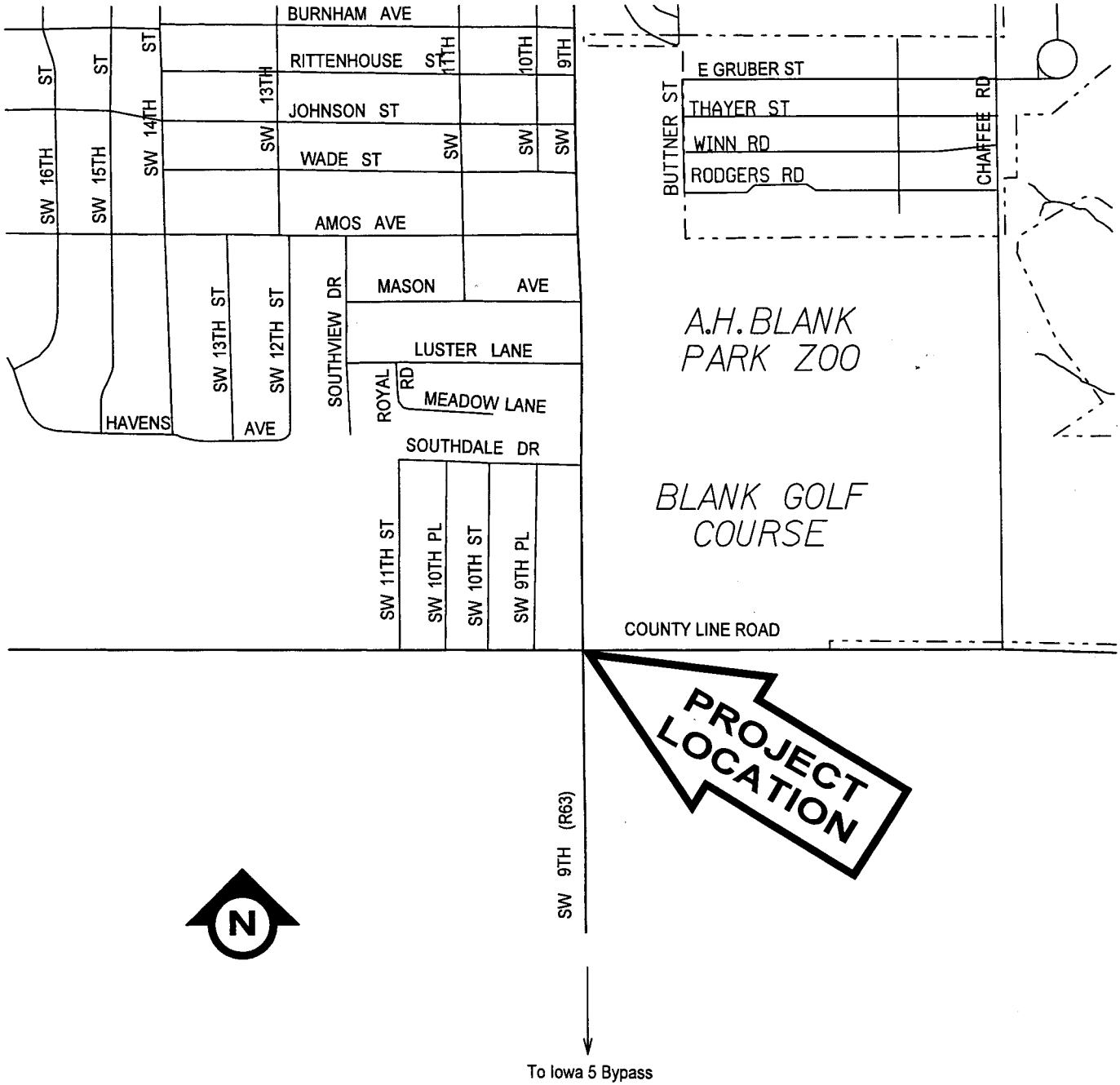
I, Diane Rauh, City Clerk of said City Council, hereby certify that at a meeting of the City Council, held on the above date, among other proceedings the above was adopted.

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

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

PROJECT LOCATION MAP

DEPARTMENT OF ENGINEERING  
CITY OF DES MOINES, IOWA



PROJECT NAME

SW 9TH ST. &  
COUNTY LINE ROAD INTERSECTION

ACTIVITY ID

06-2003-011

# PROJECT SUMMARY

## SW 9th Street and County Line Road Inter Activity ID 06-2003-011

On June 6, 2005, under Roll Call 05-1443, the City Council awarded the contract for the above improvement to Sheets Excavating, Ltd., in the amount of \$427,270.90, for the construction of left turn lanes and traffic signals at SW 9th St and County Line Road.

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	8/19/2005 Irrigation system replacement	Engineering	\$3,300.00
2	1/23/2007 Adjust final quantities to asbuilt measurements.	Engineering	(\$9,061.25)
<b>Original Contract Amount</b>			\$427,270.90
<b>Total Change Orders</b>			(\$5,761.25)
<b>Percent of Change Orders to Original Contract</b>			-1.35%
<b>Final Contract Amount</b>			\$421,509.65

February 12, 2007

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the SW 9th Street and County Line Road Intersection, Sheets Excavating, Ltd..

**SYNOPSIS:**

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

**FISCAL IMPACT:**

Amount: \$421,509.65 As-Built Contract Cost

Funding Source: 2006-2007 CIP, Page Street-41, SW 9th Street and County Line Road Intersection, STR206, Various Funding, Being:  
\$136,509.65 in G. O. Bonds and \$285,000 in FHWA Surface Transportation Program (STP) Funds, 80% up to a maximum of \$285,000 for construction only

**CERTIFICATION OF COMPLETION:**

On June 6, 2005, under Roll Call No. 05-1443, the City Council awarded a contract to Sheets Excavating, Ltd., Charles Sheets, President, 122 Hillcrest Ridge, Montezuma, IA 50171-3760 for the construction of the following improvement:

SW 9th Street and County Line Road Intersection, 06-2003-011

Widening and reconstructing SW 9th Street with 2-inch thick hot mix asphalt surfacing over 10-inch thick portland cement concrete; widening County Line Road with 10-inch thick portland cement concrete; together with pavement removal, storm drainage, subdrain, aggregate subbase, traffic signals, driveways, sidewalks, and other incidental items; in accordance with the contract documents, including Plan File Nos. 450-044/114, on SW 9th Street from 400 feet south of County Line Road to 300 feet north of County Line Road, and on County Line Road from SW 9th Street to 300 feet east

I hereby certify that the construction of said SW 9th Street and County Line Road Intersection, Activity ID 06-2003-011, 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 9, 2005, and was completed on February 1, 2007.



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 \$421,509.65 is the total cost of said improvement, of which \$400,434.17 has been paid the Contractor and \$8,430.19 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$12,645.29 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 \$12,645.29 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 \$12,645.29 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. 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 6/05/06 TO 12/21/06  
**PARTIAL PAYMENT NO. 11 (Final)**

**PROJECT: SW 9th Street and County Line Road Intersection**  
**CONTRACTOR: Sheets Excavating, Ltd.**

PARTIAL PAYMENT NO. 11 (Final)

LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
0010	CLEAR+GRUBB	ACRE	0.200	0.200	0.200	\$2,000.00
0020	EXCAVATION, CL 13, RDWY+BORROW	CY	1,150.000	1,150.000	1,150.000	\$10,925.00
0030	TOPSOIL, STRIP, SALVAGE+SPREAD	CY	400.000	400.000	400.000	\$4,000.00
0040	MODIFIED SUBBASE	CY	800.000	826.880	826.880	\$25,385.22
0050	GRANULAR SHLD, TYPE A	TON	160.000	219.390	219.390	\$3,729.63
0060	PAVED SHLD, PCC, 7"	SY	45.000	44.400	44.400	\$2,237.76
0070	SHLD FINISH, EARTH	STA	17.400	17.200	17.200	\$1,720.00
0080	BASE, STD/S-F PCC, 10"	SY	576.000	608.100	608.100	\$34,509.68
0090	CLEAN+PREPARATION OF BASE	MILE	0.100	0.100	0.100	\$1,000.00
0100	RMVL OF CURB	STA	7.870	7.870	7.870	\$2,951.25
0110	RELOCATION OF MAIL BOX	EACH	4.000	4.000	4.000	\$400.00
0120	PAV'T, SCARIFICATION	SY	240.000	240.000	240.000	\$3,024.00
0130	STD/S-F PCC PAV'T, CL C CL 3, 10"	SY	385.000	346.300	346.300	\$20,016.14
0140	PCC PAV'T WIDEN, 10"	SY	444.000	444.000	444.000	\$27,084.00
0150	HMA COMMERCIAL MIX (INCL ASPH BINDER)	TON	240.000	170.630	170.630	\$12,899.63
0160	HMA WEDGE/LEVEL/STRENGTH	TON	50.000	63.970	63.970	\$5,373.48
0170	HMA (3M ESAL) SURF, 1/2", FRIC L-4	TON	220.000	292.230	292.230	\$23,319.95
0180	ASPH BINDER, PG 64-22	TON	16.000	16.050	16.050	\$3,539.03
0190	SURF, DRIVEWAY, CL A CR STONE	TON	30.000	41.480	41.480	\$705.16
0200	SUBDRAIN, LONGITUDINAL, (SHLD) 4"	LF	1,540.000	1,476.000	1,476.000	\$15,498.00
0210	SUBDRAIN OUTLET (RF-19C)	EACH	4.000	5.000	5.000	\$1,000.00
0220	INTAKE, TYPE M-A	EACH	2.000	2.000	2.000	\$3,800.00
0230	RMV STORM SEWER PIPE LE 36"	LF	83.000	31.000	31.000	\$310.00
0240	SWR, 2000D STORM, 15"	LF	73.000	72.000	72.000	\$3,600.00
0250	SWR, 2000D STORM, 18"	LF	15.000	15.000	15.000	\$1,125.00
0260	RMVL OF PAVT	SY	750.000	759.610	759.610	\$7,368.22
0270	RMVL OF INTAKE+UTILITY ACCESS	EACH	3.000	3.000	3.000	\$1,275.00
0280	RMVL OF SIDEWALK	SY	36.000	19.060	19.060	\$133.42
0290	SIDEWALK, PCC, 4"	SY	80.000	89.700	89.700	\$3,579.03
0300	SIDEWALK, PCC, 8"	SY	40.000	29.800	29.800	\$1,564.50
0310	DETECTABLE WARNING-CURB RAMP	SF	48.000	48.000	48.000	\$1,512.00
0320	CURB+GUTTER, PCC, 2.5'	LF	117.000	118.000	118.000	\$3,776.00

15A





15A

PROJECT: SW 9th Street and County Line Road Intersection  
 CONTRACTOR: Sheets Excavating, Ltd.

LINE NO.	DESCRIPTION	UNIT	UNITS		ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED					
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS				\$421,509.65				
	PARTIAL PAYMENT NO. 1				\$16,571.14				
	PARTIAL PAYMENT NO. 2				\$25,510.80				
	PARTIAL PAYMENT NO. 3				\$56,864.98				
	PARTIAL PAYMENT NO. 4				\$88,972.06				
	PARTIAL PAYMENT NO. 5				\$35,834.15				
	PARTIAL PAYMENT NO. 6				\$56,264.01				
	PARTIAL PAYMENT NO. 7				\$72,884.52				
	PARTIAL PAYMENT NO. 8				\$17,313.32				
	PARTIAL PAYMENT NO. 9				\$25,873.86				
	PARTIAL PAYMENT NO. 10				\$4,345.33				
	THIS PARTIAL PAYMENT				\$8,430.19				
	TOTAL PARTIAL PAYMENTS				\$408,864.36				
	BALANCE				\$12,645.29				
	Percent Complete				100%				
TOTAL									\$421,509.65
RETAINAGE (\$30,000 max)									\$12,645.29
TOTAL LESS RETAINAGE									\$408,864.36
LESS PREVIOUS PAYMENT									\$400,434.17
AMOUNT DUE									\$8,430.19

PARTIAL PAYMENT NO. 11 (Final)

PREPARED BY: *Open Learning*  
 CHECKED BY: *D. S. Smith*