

DATE February 23, 2009

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
AND ALSO APPROVING SUPPLEMENTAL CONTRACT IN THE AMOUNT OF \$10,379
FOR POLICE STATION EMERGENCY GENERATOR, STROH CORPORATION**

WHEREAS, pursuant to §573.27, Code of Iowa, Stroh Corporation is requesting that the City Council of the City of Des Moines, Iowa, execute the attached supplemental contract for the uncompleted work on the project to which its surety has consented in the attached extension of the contract bond for time required to complete the supplemental contract.

NOW THEREFORE, 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 and that Stroh Corporation has satisfactorily completed more than 95% of the contract work on the Police Station Emergency Generator, 04-2007-015, in accordance with the contract approved between Stroh Corporation, Kelly Reames, Executive Vice President, 5000 Park Avenue, Des Moines, Iowa, 50321, under Roll Call No. 07-2420, of December 17, 2007, and the City of Des Moines, Iowa, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

BE IT FURTHER RESOLVED: That \$635,982.41 is the partial final construction cost (more than 95% of the contract work completed) of which \$604,183.24 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 \$31,799.17 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 Council 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 supplemental contract with consent of surety executed by Stroh Corporation, dated February 23, 2009, for the construction of the Police Station Emergency Generator, 04-2007-015, in the amount of \$10,379.00, the same to be performed in accordance with the plans and specifications which have been heretofore approved by the City Council, be and the same are hereby approved.

BE IT FURTHER RESOLVED: That the Mayor be and is hereby authorized and directed to sign said contract on behalf of the City of Des Moines, Iowa, and the City Clerk be and is hereby authorized and directed to attest to same.

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 Council will be required to release the retainage which it is now holding.

★ **Roll Call Number**

Agenda Item Number

18

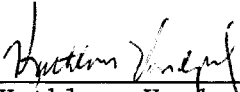
DATE February 23, 2008

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.

APPROVED AS TO FORM:

FUNDS AVAILABLE:



 Kathleen Vanderpool
 Deputy City Attorney



 Allen McKinley
 Des Moines Finance Director

Funding Source: 2008-2009 CIP, Page Building-18, Police Station Remodeling, BLD062, G. O. Bonds



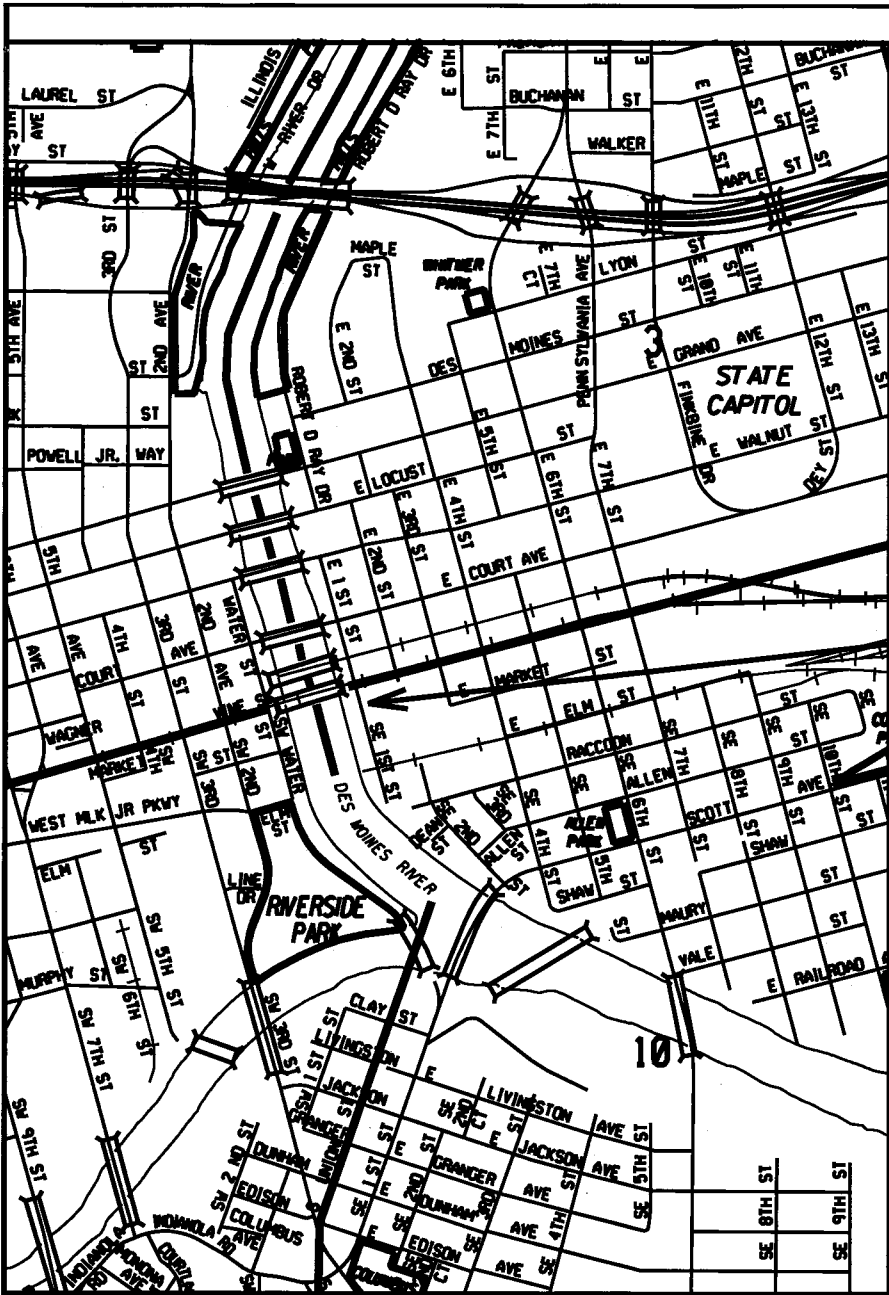
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED		APPROVED		
_____ Mayor				

CERTIFICATE

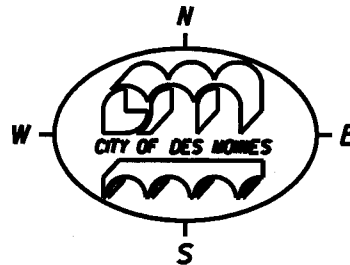
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

_____ City Clerk



**PROJECT
LOCATION**



**POLICE STATION
EMERGENCY GENERATOR
ACTIVITY I.D. 04-2007-015**

PROJECT SUMMARY

Police Station Emergency Generator Repla

Activity ID 04-2007-015

On December 17, 2007 under Roll Call No. 07-2420, the City Council awarded the contract for the above improvement to Stroh Corporation, Inc., in the amount of \$441,000.00 for the replacement of the emergency generator and main switchgear at the Police Station.

Tabulated below is a history of project change orders.

Change Order No.	Description	Initiated By	Amount
1	7/28/2008 Move generator farther east to reduce noise into the dispatch room.	User	\$68,740.00
2	7/28/2008 replace existing transformer pad per MidAmerican Energy requirements.	Regulator	\$31,759.00
3	11/18/2008 Replace stone at top landing with concrete coated with overlay system.	User	\$20,536.60
4	11/24/2008 Add drip pans over switch gear. Wider door into electrical room. Remove & replace existing subgrade under transformer. Two annunciators added.	User	\$24,796.00
5	12/5/2008 Waterproofing needed under concrete at west landing. Stone landing & steps at NE corner of building replaced with concrete & overlay system.	User	\$23,691.62
6	12/15/2008 Prep asphalt for Public Works. Provide fuel heater for generator day tank. Door closers added to access panels. Additional curb & gutter around transformer.	User	\$23,396.24
7	12/17/2008 Weather protection & heat needed for coating installation.	Contractor	\$2,062.95

February 23, 2009

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment and also approving supplemental contract in the amount of \$10,379 for the Police Station Emergency Generator, Stroh Corporation.

SYNOPSIS:

Approve the Jurisdictional Engineer's Certification of Completion, accept construction of said improvement, authorize final payment to the contractor, and authorize the Mayor to sign a supplemental contract for the remaining uncompleted work in the amount of \$10,379.

Amount: \$635,982.41 As-Built Contract Cost

Funding Source: 2008-2009 CIP, Page Building-18, Police Station Remodeling, BLD062, G. O. Bonds

CERTIFICATION OF COMPLETION:

On December 17, 2007, under Roll Call No. 07-2421, the City Council awarded a contract to Stroh Corporation, Patrick J. Miller, President/CEO, 5000 Park Avenue, Des Moines, IA 50321 for the construction of the following improvement:

Police Station Emergency Generator, 04-2007-015

The improvement includes replacement of the existing emergency generator and main electrical distribution panel in the Police Station at 25 East First Street, Des Moines, Iowa

I hereby certify that the construction of said Police Station Emergency Generator, Activity ID 04-2007-015, has been completed in excess of 95% of the contract work in substantial compliance with the terms of said contract, and I hereby recommend that the work be accepted. The work commenced on August 4, 2008, and was completed on February 17, 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

As provided in Section 573.27 of the Iowa Code, Stroh Corporation is requesting that the City Council of the City of Des Moines, Iowa, authorize the Mayor to execute a supplemental contract in the amount of \$10,379 for the uncompleted work shown in the attached supplemental contract.

The Contractor's surety has consented to the extension of the contract. I hereby recommend that the supplemental contract be approved. I further certify that the amount of completed work is \$635,982.41 and does not include the \$10,379 supplemental contract.

I further certify that \$635,982.41 is the total cost of said improvement, of which \$604,183.24 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 \$31,799.17 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.



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