

★ **Roll Call Number**

Agenda Item Number

11 A

February 26, 2007

Date ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR THE AMERICAN DISCOVERY TRAIL - RIVERPOINT SEGMENT, GRIMES ASPHALT & PAVING CORP.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached report of the Chief Civil Engineer, showing the cost of construction of the American Discovery Trail - Riverpoint Segment, Activity ID 11-2002-009, Project No. STP-ES-1945(679)--81-77, in accordance with the contract approved between Grimes Asphalt & Paving Corp., J.M. Yonker, President, P. O. Box 139, Grimes, IA, 50111, under Roll Call No. 04-1496, of July 12, 2004, 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 \$916,820.15 is the total cost, of which \$886,011.44 has been paid the Contractor, and \$3,304.11 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$27,504.60 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract, and provided that a release of this payment has been approved by the Iowa Department of Transportation through the Department of Engineering for the City of Des Moines, Iowa. 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 \$27,504.60 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 shall continue to retain from said unpaid funds, a sum not less than double the total amount of all claims on file, 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 will be required to release the retainage which it is now holding.

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

Moved by _____ to adopt. Funds Available: _____
 FORM APPROVED: Kathleen Vanderpool Deputy City Attorney Allen McKinley Finance Director

Funding: 2006-2007 CIP, Page Parks-21, Recreation Trails, PKS045, Various funding including: Iowa DOT Agreement No. 03-STPES-116 which includes \$345,000 Federal Surface Transportation Program (STP) Transportation Enhancement (TE) funds, \$150,000 Des Moines MPO TE funds, and \$150,000 Des Moines MPO TE funds for bridge only; and \$300,000 Iowa DNR Reap funds

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

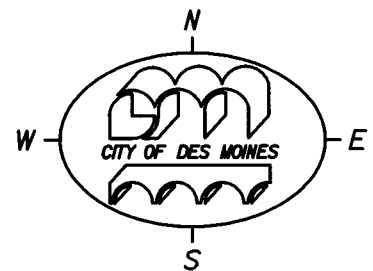
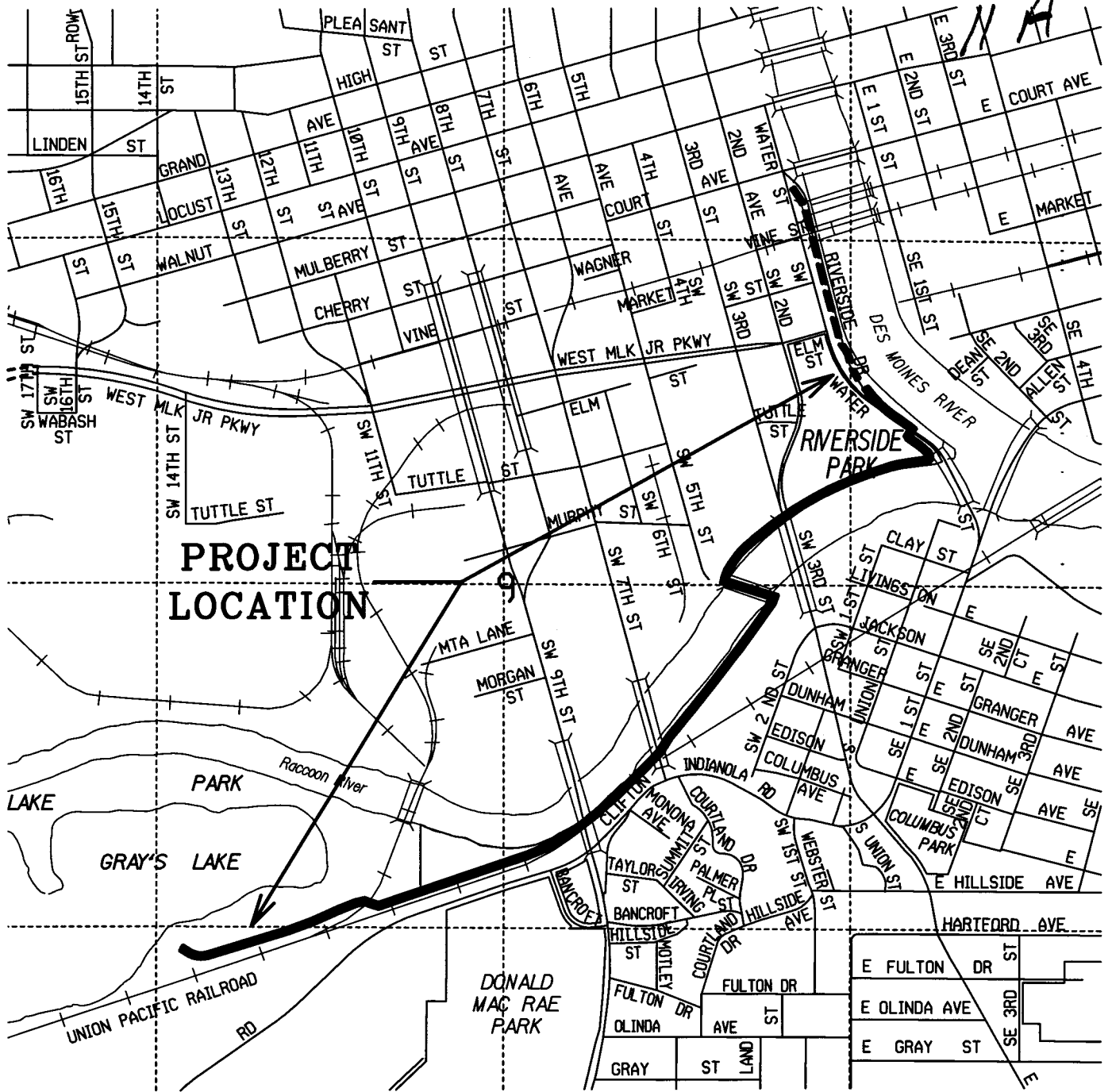
CERTIFICATE

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.

MOTION CARRIED APPROVED
 _____ Mayor

 City Clerk



AMERICAN DISCOVERY TRAIL RIVERPOINT SEGMENT ACTIVITY ID 11-2002-009

PROJECT SUMMARY

American Discovery Trail-Riverpoint Seg.

Activity ID 11-2002-009

On July 12, 2004, under Roll Call No. 04-1496, the City Council awarded the contract for the above improvement to Grimes Asphalt and Paving Corp., in the amount of \$886,814.50 to construct a 12-foot wide recreational trail to include HMA pavement, drainage facilities, bridge rehabilitation, emergency telephones and other related items.

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	9/7/2004 Add four miscellaneous work items being: Grind Curb, Lower Metal Storm Drainage Structure, Remove Concrete Foundati, Clean-out and Adjust Storm Access.	Engineering	\$1,875.00
2	9/7/2004 Add Flood Protection Plan as required by U.S. Army Corp. of Engineers	Regulator	\$2,250.00
3	9/13/2004 Add erosion control rock revetment (riprap) at culverts and add a small retaining wall to accommodate an unforeseen slope issue near the Jackson Avenue Bridge	Engineering	\$8,000.00
4	10/12/2004 Realign trail and switch from hot mix asphalt to portland cement concrete near Principal Park to accommodate planned improvements to the stadium.	User	\$9,895.50
5	11/18/2004 Modify the amount of structural wood members to be replaced on the Jackson Ave Bridge. Add miscellaneous erosion control measures.	Engineering	(\$10,997.20)
6	5/3/2005 Change color of ornamental metal fence from standard black to bronze to better fit with the historic nature of the Jackson Avenue Bridge. The City of Des Moines has decided to add chain link fence along the trail at the back side of Principal Park.	User	\$9,461.75

<u>Change Order No.</u>	<u>Description</u>	<u>Initiated By</u>	<u>Amount</u>
7	5/9/2005 Modify contract quantities to match changed field conditions.	Engineering	\$9,055.03
8	5/18/2005 Add connection between the trail and the pathway along SW 3rd Street at request of Parks Department.	User	\$2,575.00
9	5/25/2005 Reconfigure the trail at the Water St crossing to conform to the conversion of Water St from a vehicular roadway to a pedestrian way.	User	\$8,551.00
10	1/5/2007 Modifications to the the fence near Principal Park. Additional erosion control measures near Principal Park. Modifications to the emergency telephone system as requested by the City of Des Moines Parks Dept.	Engineering	\$5,040.00
11	Adjust contract quantities to match as-built project quantites for project final-out.	Engineering	(\$15,700.43)
Original Contract Amount			\$886,814.50
Total Change Orders			\$30,005.65
Percent of Change Orders to Original Contract			3.38%
Final Contract Amount			\$916,820.15

11 A

February 26, 2007

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the American Discovery Trail – Riverpoint Segment, Grimes Asphalt & Paving Corp.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$916,820.15 As-Built Contract Cost

Funding Source: 2006-2007 CIP, Page Parks-21, Recreational Trails, PKS045, Various funding including: Iowa DOT Agreement No. 03-STPES-116 which includes \$345,000 Federal Surface Transportation Program (STP) Transportation Enhancement (TE) funds, \$150,000 Des Moines MPO TE funds, and \$150,000 Des Moines MPO TE funds for bridge only; and \$300,000 Iowa DNR Reap funds

CERTIFICATION OF COMPLETION:

On July 12, 2004, under Roll Call No. 04-1496, the City Council awarded a contract to Grimes Asphalt & Paving Corp., J M Yonker, President, 12021 NW 54th Avenue, Grimes, IA 50111 for the construction of the following improvement:

American Discovery Trail – Riverpoint Segment, 11-2002-009

The improvements includes construction of a 12-foot wide recreational trail for use by pedestrians, bicyclists, rollerskaters and other non-motorized uses to include HMA pavement, bridge rehabilitation and modification, drainage facilities, fencing and other related items, all in accordance with the contract documents including Plan File Nos. 439-029/088. The trail will be constructed near and along the Raccoon River and the Des Moines River from Gray's Lake Park to Riverside Drive.

I hereby certify that the construction of said, American Discovery Trail – Riverpoint Segment, Activity ID 11-2002-009, 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 July 4, 2004, and was completed on February 20, 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 \$916,820.15 is the total cost of said improvement, of which \$886,011.44 has been paid the Contractor and \$3,304.11 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$27,504.60 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, appearing to read "Jeb E. Brewer". The signature is fluid and cursive, with a small mark at the end.

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

ESTIMATE OF CONSTRUCTION COMPLETED

FOR WORK DONE FROM 11/15/05 TO 11/08/06
PARTIAL PAYMENT NO. 9 & FINAL



DEPARTMENT OF ENGINEERING
CITY OF DES MOINES, IA.

ACTIVITY ID 11-2002-009
PROJECT NO. STP-ES-1945(679)--81-77

PROJECT: American Discovery Trail-Riverpoint Segment

PARTIAL PAYMENT NO. 9 & FINAL

CONTRACTOR: Grimes Asphalt & Paving Corp.

DATE: January 31, 2007

LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
0010	Clearing and Grubbing	ACRE	0.100	0.100	0.100	\$18,000.00	\$1,800.000
0020	Excavation, Class 10, Roadway and Borrow	CY	3,850.000	3,985.000	3,985.000	\$11.00	\$43,835.000
0030	Topsoil, Furnish and Spread	CY	2,370.000	2,500.000	2,500.000	\$25.00	\$62,500.000
0040	HMA Commercial Mix (Including Binder)	TON	70.000	116.800	116.800	\$51.00	\$5,956.800
0050	Adjustment of Fixture	EACH	1.000	2.000	2.000	\$240.00	\$480.000
0060	HMA Pavement Sample	LS	1.000	0.000	0.000	\$1,000.00	\$0.000
0070	Removal of Intake	EACH	3.000	4.000	4.000	\$210.00	\$840.000
0080	Removals, As Per Plan	LS	1.000	0.89534	0.89534	\$53,985.00	\$48,335.000
0090	Removal of Concrete	SY	2,082.000	2,828.940	2,828.940	\$2.25	\$6,365.115
0100	Structural Steel	LB	7,300.000	7,300.000	7,300.000	\$4.65	\$33,945.000
0110	Galvanized Hardware	LB	800.000	800.000	800.000	\$6.20	\$4,960.000
0120	Treated Lumber	MFBM	15.400	5.760	5.760	\$2,266.00	\$13,052.160
0130	Plank Floor Lumber	MFBM	28.600	29.300	29.300	\$2,266.00	\$66,393.800
0140	Apron, Metal, 15"	EACH	8.000	5.000	5.000	\$105.00	\$525.000
0150	Corrugated Pipe Culvert, 12"	LF	30.000	30.000	30.000	\$28.00	\$840.000
0160	Corrugated Pipe Culvert, 15"	LF	160.000	130.000	130.000	\$22.00	\$2,860.000
0170	Gate, Outlet Control, Flap, 12"	EACH	2.000	1.000	1.000	\$600.00	\$600.000
0180	Gate, Outlet Control, Flap, 15"	EACH	1.000	1.000	1.000	\$750.00	\$750.000
0190	Sewer Pipe, 1500D, Storm, 15 in. Dia.	LF	166.000	165.000	165.000	\$42.00	\$6,930.000
0200	Recreational Trail, HMA, 4"	SY	10,310.000	9,601.500	9,601.500	\$12.00	\$115,218.000
0210	Special Compaction of Subgrade/ Rec. Trail	STA	51.000	34.700	34.700	\$175.00	\$6,072.500
0220	Sidewalk, PCC, 6"	SY	18.000	268.110	268.110	\$45.00	\$12,064.950
0230	Curb+Gutter, PCC, 2.5'	LF	33.000	162.800	162.800	\$20.00	\$3,256.000
0240	Curb, Special	LF	910.000	893.000	893.000	\$15.50	\$13,841.500
0250	Fence, Chain Link, Vinyl Coated, 48"	STA	3.800	0.000	0.000	\$1,330.00	\$0.000
0260	Fence, Chain Link, Vinyl Coated, 96"	STA	3.300	0.000	0.000	\$2,400.00	\$0.000
0270	Fence, Safety	STA	1.000	1.000	1.000	\$412.00	\$412.000
0280	Wood Post-Type A/B Sign, 4"x4"	LF	420.000	362.000	362.000	\$4.95	\$1,791.900
0290	Type A Sign, Sheet Aluminum	SF	143.500	143.500	143.500	\$27.00	\$3,874.500
0300	Painted Pavement Marking, Waterborne/Sol.	STA	6.000	6.810	6.810	\$137.00	\$932.970
0310	Painted Symbols and Legends, Waterborne/Sol.	EACH	2.000	0.000	0.000	\$52.00	\$0.000
0320	Traffic Control	LS	1.000	1.000	1.000	\$1,650.00	\$1,650.000

LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
0330	Mobilization	LS	1.000	1.000	1.000	\$62,650.00	\$62,650.000
0340	Removal of Railroad Ballast	CY	2,450.000	1,340.000	1,340.000	\$9.00	\$12,060.000
0350	Gatewell, As Per Plan	EACH	1.000	1.000	1.000	\$20,100.00	\$20,100.000
0360	Intake, Type "M-A"	EACH	2.000	1.000	1.000	\$2,150.00	\$2,150.000
0370	Intake, Type "M-H"	EACH	1.000	3.000	3.000	\$2,100.00	\$6,300.000
0380	Manhole, Type "M-A"	EACH	1.000	1.000	1.000	\$2,300.00	\$2,300.000
0390	Pier Bearing Repair	EACH	8.000	8.000	8.000	\$3,700.00	\$29,600.000
0400	Floodwall, As Per Plan	LF	96.000	96.000	96.000	\$205.00	\$19,680.000
0410	Ornamental Metal Fence	LF	876.000	914.000	914.000	\$35.00	\$31,990.000
0420	Removal of Chain Link Fence	LF	990.000	993.000	993.000	\$4.00	\$3,972.000
0430	Removal of Guard Post and Cable	LF	200.000	185.000	185.000	\$7.25	\$1,341.250
0440	Emergency Telephone System	LS	1.000	1.000	1.000	\$63,800.00	\$63,800.000
0450	Security Lighting System	LS	1.000	1.000	1.000	\$36,600.00	\$36,600.000
0460	Truss Vibration Dampers	LS	1.000	1.000	1.000	\$6,400.00	\$6,400.000
0470	Asphalt Millings	TON	2,450.000	2,242.510	2,242.510	\$28.00	\$62,790.280
0480	Mulch	ACRE	5.500	3.300	3.300	\$350.00	\$1,155.000
0490	Seed and Fertilize, Urban	ACRE	5.500	3.300	3.300	\$619.00	\$2,042.700
0500	Sod	SQ	300.000	157.660	157.660	\$40.25	\$6,345.815
0510	Silt Fence	LF	2,000.000	1,747.000	1,747.000	\$1.95	\$3,406.650
0520	Removal of Silt Fence	LF	2,000.000	1,747.000	1,747.000	\$0.26	\$454.220
0530	Clean-out of Silt Fence	LF	700.000	400.000	400.000	\$0.52	\$208.000
Change Orders							
8001	Grind Curb	LS		200.000	200.000	\$1.00	\$200.000
8002	Lower Metal Storm Drain	LS		525.000	525.000	\$1.00	\$525.000
8003	Remove Concrete Foundation	LS		300.000	300.000	\$1.00	\$300.000
8004	Clean out & Adjust Sewer Access	LS		850.000	850.000	\$1.00	\$850.000
8005	Flood Protection Plan	LS		750.000	750.000	\$1.00	\$750.000
8006	Flood Protection Levee, Temporary	LS		0.000	0.000	\$1.00	\$0.000
8007	Revetment, Class D	TON		113.300	113.300	\$60.00	\$6,798.000
8008	Engineering Fabric	SY		160.000	160.000	\$5.00	\$800.000
8009	Floodwall Modification	LS		-600.000	-600.000	\$1.00	(\$600.000)
8010	Modular Block Retaining Wall	SF		94.200	94.200	\$24.00	\$2,260.800
8011	Recreational Trail, PCC, 8"	SY		409.630	409.630	\$33.00	\$13,517.790
8012	Recreational Trail, PCC, 8", Decorative	SY		427.320	427.320	\$40.00	\$17,092.800
8013	Modified Subbase, 7"	CY		190.000	190.000	\$38.00	\$7,220.000
8014	Special Ditch Control, Wood Excelsior Mat	SQ		6.000	6.000	\$108.50	\$651.000

11 A

PROJECT: American Discovery Trail-Riverpoint Segment

PARTIAL PAYMENT NO. 9 & FINAL

CONTRACTOR: Grimes Asphalt & Paving Corp.

DATE: January 31, 2007

LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
8015	Granular Surface on Road, CI A Cr Stone	TON		49.830	49.830	\$30.00	\$1,494.900
8016	Special Grading Requirements	LS		1.000	1.000	\$4,300.00	\$4,300.000
8017	Ornamental Metal Fence, Custom Color	LS		1.000	1.000	\$2,332.00	\$2,332.000
8018	Fence, Chain Link, Special	STA		2.850	2.850	\$2,035.00	\$5,799.750
8019	Recreational Trail, HMA, 6"	SY		302.500	302.500	\$24.00	\$7,260.000
8020	Remobilization A	LS		1.000	1.000	\$1,000.00	\$1,000.000
8021	Remobilization B	LS		1.000	1.000	\$2,000.00	\$2,000.000
8022	Remove and Replace PCC Curb & Gutter	LF		60.000	60.000	\$30.00	\$1,800.000
8023	Repair Concrete at Steel Fence Posts	LS		1.000	1.000	\$2,950.00	\$2,950.000
8024	10' x 4' Chain Link Gate	LS		1.000	1.000	\$600.00	\$600.000
8025	Special Slope Seeding	LS		1.000	1.000	\$2,250.00	\$2,250.000
8026	Watering of Special Seeding	EACH		6.000	6.000	\$115.00	\$690.000
8027	Modifications to Telephone System	LS		1.000	1.000	(\$3,200.00)	(\$3,200.000)
8028	Erosion Control, Special	LS		1.000	1.000	\$1,750.00	\$1,750.000

ORIGINAL CONTRACT AMOUNT	\$886,814.50			
TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS	\$916,820.15			
PARTIAL PAYMENT No.1	\$91,999.75			
PARTIAL PAYMENT No.2	\$308,550.11			
PARTIAL PAYMENT No.3	\$136,828.79			
PARTIAL PAYMENT No.4	\$122,697.32			
PARTIAL PAYMENT No.5	\$85,159.42			
PARTIAL PAYMENT No.6	\$103,984.00			
PARTIAL PAYMENT No.7	\$20,280.50			
PARTIAL PAYMENT No.8	\$16,511.55			
THIS PARTIAL PAYMENT	\$3,304.11			
TOTAL PARTIAL PAYMENTS	\$889,315.55			
BALANCE	\$27,504.60			
Percent Complete 100%				

PREPARED BY: Charles A. Gysak

CHECKED BY: J.P. Hansen

ACCEPTED BY: _____

TOTAL	\$916,820.15
RETAINAGE	\$27,504.60
TOTAL LESS RETAINAGE	\$889,315.55
LESS PREVIOUS PAYMENT	\$886,011.44
AMOUNT DUE	\$3,304.11

PARTIAL PAYMENT NO. 9 & FINAL