

DATE February 26, 2007

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR EMERGENCY OPERATIONS CENTERS STANDBY POWER, ABC - ELECTRICAL CONTRACTORS, LLC**

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 Emergency Operations Centers Standby Power, 10-2004-010, in accordance with the contract approved between ABC - Electrical Contractors, LLC, W. Dave Ward, President/CEO, 10520 Hickman Road, Suite ABC, Des Moines, IA 50325, under Roll Call No. 05-2846, of November 21, 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 \$248,827.58 is the total cost, of which \$232,594.20 has been paid the Contractor, and \$3,792.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$12,441.38 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.

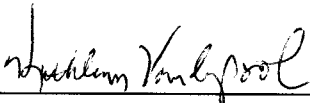
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such 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:

FUNDS AVAILABLE



Kathleen Vanderpool  
Deputy City Attorney

Allen McKinley  
Des Moines Finance Director

Funding Source: 07 Operating Budget, Page 310, Metropolitan Medical Response System - 02 - Park Fair EOC Standby Power, OPR163, Being: Federal Homeland Security Funds.

★ **Roll Call Number**

**Agenda Item Number**

11 E

**Date** February 26, 2007

*DEB*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
<b>TOTAL</b>				
<b>MOTION CARRIED</b>		<b>APPROVED</b>		

**CERTIFICATE**

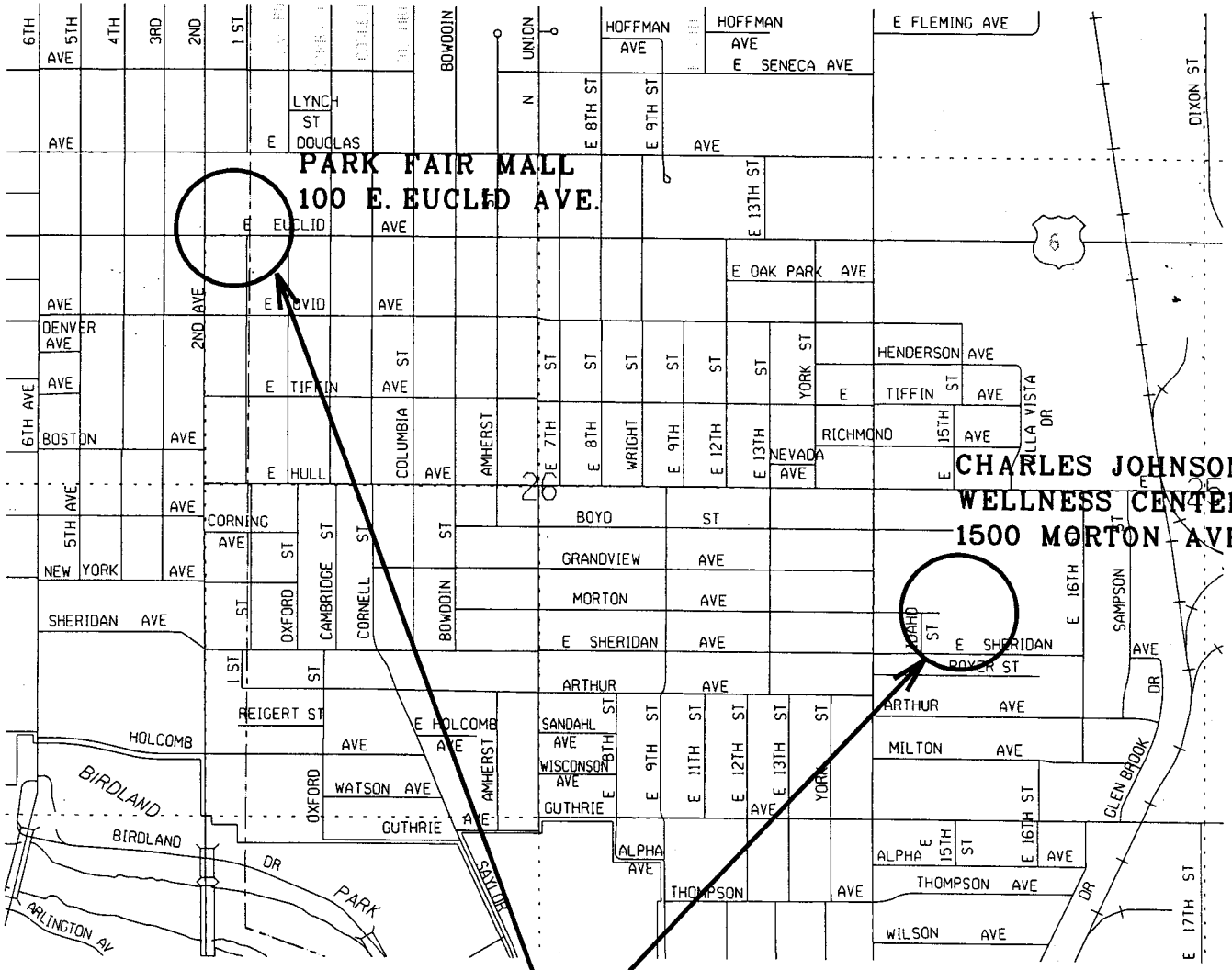
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

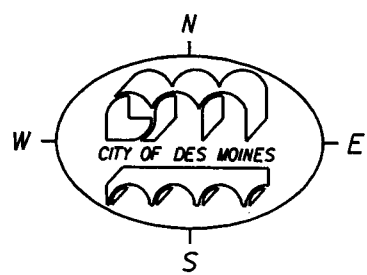
\_\_\_\_\_  
Mayor

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

11 E



**PROJECT  
LOCATION**



**EMERGENCY OPERATIONS CENTERS  
STANDBY POWER  
ACTIVITY I.D. 10-2004-010**

11 E

# PROJECT SUMMARY

EOC Standby Power  
Activity ID 10-2004-010

On November 21, 2005, under Roll Call No. 05-2846, the City Council awarded the contract for the above improvement to ABC-Electrical Contractors, LLC, in the amount of \$233,315.00 for Installation of emergency generators at Park Fair Mall and Grandview College.

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	4/11/2006 Bore in conduit for telephone service.	User	\$7,206.00
2	4/24/2006 Provide and install communication cable.	User	\$4,315.00
3	12/6/2006 Provide for Sunday work as required by Grandview college. Relocate remote annunciator at Park Fair.	User	\$3,991.58
<b>Original Contract Amount</b>			\$233,315.00
<b>Total Change Orders</b>			\$15,512.58
<b>Percent of Change Orders to Original Contract</b>			6.65%
<b>Final Contract Amount</b>			\$248,827.58

11 E

February 26, 2007

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the Emergency Operations Centers Standby Power, ABC - Electrical Contractors, LLC.

**SYNOPSIS:**

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

**FISCAL IMPACT:**

Amount: \$248,827.58 As-Built Contract Cost

Funding Source: 07 Operating Budget, Page 310, Metropolitan Medical Response System - 02 - Park Fair EOC Standby Power, OPR163, Being: Federal Homeland Security Funds.

**CERTIFICATION OF COMPLETION:**

On November 21, 2005, under Roll Call No. 05-2846, the City Council awarded a contract to ABC - Electrical Contractors, LLC, W. Dave Ward, President/CEO, 10520 Hickman Road, Suite ABC, Des Moines, IA 50325 for the construction of the following improvement:

Emergency Operations Centers Standby Power, 10-2004-010

Installation of emergency generator systems at two separate locations; in accordance with the contract documents, including Plan File Nos. 445-84/88 at Park Fair Mall, 100 E. Euclid Avenue, Des Moines, Iowa, and Grandview College, Charles Johnson Wellness Center, 1500 Morton Avenue, Des Moines, Iowa

I hereby certify that the construction of said Emergency Operations Centers Standby Power, Activity ID 10-2004-010, 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 March 2, 2006, 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 \$248,827.58 is the total cost of said improvement, of which \$232,594.20 has been paid the Contractor and \$3,792.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$12,441.38 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.

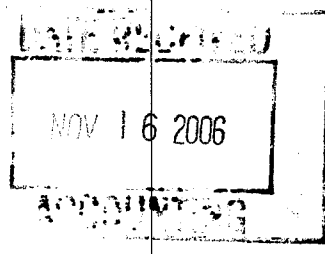
A handwritten signature in black ink, reading "Jeb E. Brewer". The signature is written in a cursive style with a large initial "J".

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

ABC-Electrical Contractors, LLC  
 10520 Hickman Road, Suite ABC  
 Des Moines, IA 50325  
 515-270-6400 515-270-9559 fax

To: City of Des Moines  
 400 ROBERT D. RAY DRIVE  
 CITY HALL  
 Des Moines, IA 50309

Invoice #: 67846  
 Date: 11/14/2006  
 Application #: ~~X~~ 3 (FINAL)

Contract : JB1770 Standby Generators Contract Item	Contract Amount	% Complete	Total To Date
<del>-Billing for Change Order #3-</del>	244,836.00	100%	244,836.00
Change Order #3	3,991.58	100.00%	3,991.58
<b>TOTAL CONTRACT AMOUNT</b>	<b>248,827.58</b>		<b>248,827.58</b>
<p>- ORIG CONTRACT AMOUNT = 233,315.                      - CHANGE ORDER #1 = 4,315.                      - CHANGE ORDER #2 = 7,206  <u>244,836</u></p>			
<p>- LESS RETAINAGE (5%) — 12,441.38                      - AMOUNT DUE CONTR TO DATE — 236,386.20                      - LESS AMOUNT PD. BY CITY — 232,594.20</p>			
<p>PAYMT DUE CONTR</p>			
		3,792.00	
<p>OK <i>[Signature]</i> 12-4-06</p>			
			
			<p>Total To Date: 248,827.58                      Plus Sales Tax: 0.00                      Less Retainage: 0.00                      Less Previous Applications: 244,836.00                      Total Due This Invoice: <del>3,991.58</del></p>

see