

DATE March 10, 2008

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT  
FOR 5TH & KEO PARKING GARAGE LIGHTING REPLACEMENT, BIERMANN'S UNIVERSITY  
ELECTRIC COMPANY, 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 5th & Keo Parking Garage Lighting Replacement, 04-2007-005, in accordance with the contract approved between Biermann's University Electric Company, Inc., Gary P. Cornelius, President, 512 Elm Street, Des Moines, IA 50309, under Roll Call No. 06-2223, of November 6, 2006, 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 \$245,690.00 is the total cost, of which \$233,405.50 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 \$12,284.50 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.

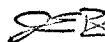
FORM APPROVED:

  
\_\_\_\_\_  
Kathleen Vanderpool  
Deputy City Attorney

FUNDS AVAILABLE

  
\_\_\_\_\_  
Allen McKinley  
Des Moines Finance Director

BB

 Funding Source: 2007-2008 CIP, Page Parking-6, Parking Facility Rehab/Repair Program, PKG016, Parking System Revenue

★ Roll Call Number

Agenda Item Number

12A

Date March 10, 2008

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.

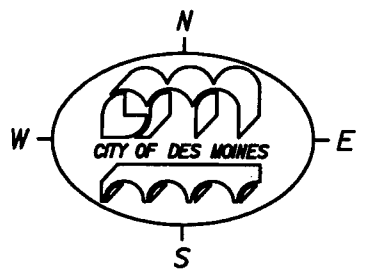
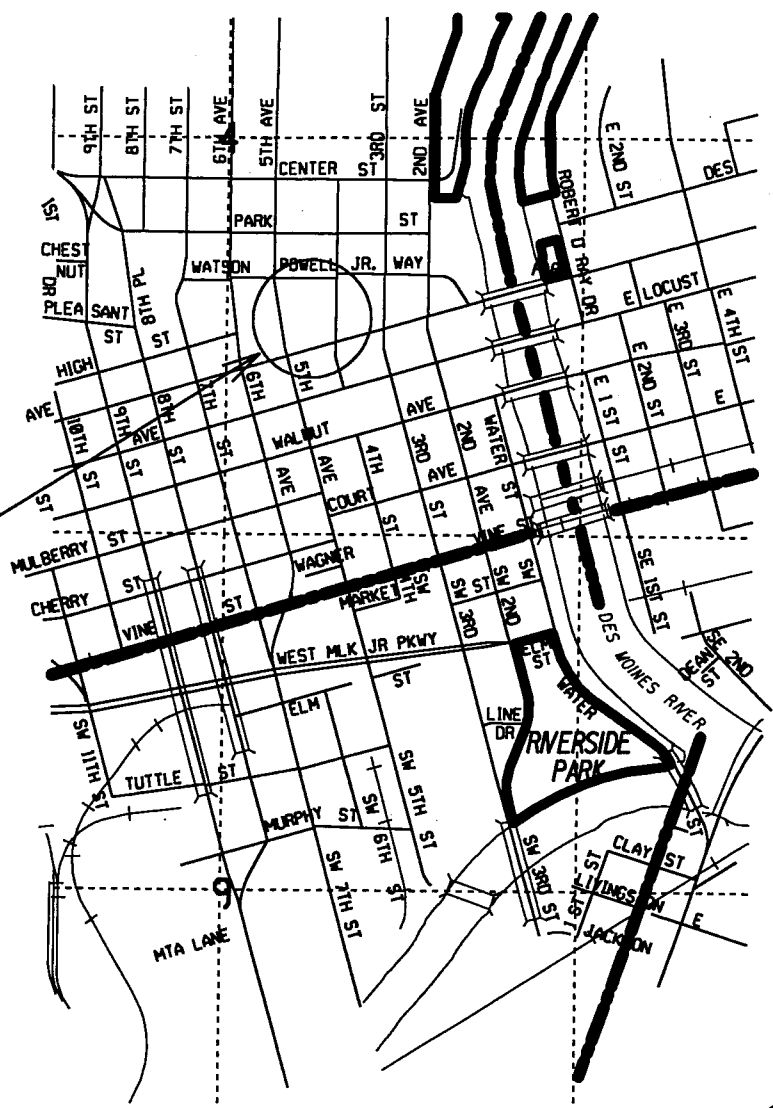
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

\_\_\_\_\_  
Mayor

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

PROJECT LOCATION



5th and KEO PARKING  
 GARAGE LIGHTING REPLACEMENT  
 ACTIVITY I.D. 04-2007-005

1. THE CITY OF DES MOINES IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

12A

## PROJECT SUMMARY

### 5<sup>th</sup> and Keo Parking Garage Relighting Activity ID 04-2007-005

On November 06, 2006, under Roll Call No. 06-2223, the City Council awarded the contract for the above improvement to Biermann University Electric Co., Inc. in the amount of \$245,690.00, for the relighting of the 5<sup>th</sup> and Keo Parking Garage.

Tabulated below is a history of project change orders.

<u>CHANGE ORDER NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
NONE		\$0.00
	Original Contract Amount	\$245,690.00
	Total Change Orders	0.00
	Percent of Change Orders to Original Contract	0.00%
	Final Contract Amount	\$245,690.00

12A

March 10, 2008

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the 5th & Keo Parking Garage Lighting Replacement, Biermann's University Electric Company, 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: \$245,690.00 As-Built Contract Cost

Funding Source: 2007-2008 CIP, Page Parking-6, Parking Facility Rehab/Repair Program, PKG016, Parking System Revenue

**CERTIFICATION OF COMPLETION:**

On November 6, 2006, under Roll Call No. 06-2223, the City Council awarded a contract to Biermann's University Electric Company, Inc., Gary P. Cornelius, President, 512 Elm Street, Des Moines, IA 50309 for the construction of the following improvement:

5th & Keo Parking Garage Lighting Replacement, 04-2007-005

The improvement includes the removal of the existing lighting and associated systems, supply and install lighting fixtures and associated systems, traffic control and mobilization all in accordance with the contract documents, including Plan Files 467-084/093 in the 5th and Keo Parking Garage, 525 5th Avenue, Des Moines, IA.

I hereby certify that the construction of said 5th & Keo Parking Garage Lighting Replacement, Activity ID 04-2007-005, 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 December 11, 2006, and was completed on March 4, 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

12A

I further certify that \$245,690.00 is the total cost of said improvement, of which \$233,405.50 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 \$12,284.50 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



**ESTIMATE OF CONSTRUCTION COMPLETED**  
FOR WORK DONE FROM 12/14/07 to 02/18/08  
**PARTIAL PAYMENT NO. 6 - FINAL**

IDOT Proj No: NA  
Activity ID: 04-2007-005  
Date: 02/18/08

**PROJECT: 5th and KEO PARKING GARAGE LIGHTING REPLACEMENT**

LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
#REF!	5th and Keo Parking Garage Lighting Replacement including all labor, equipment and materials to remove existing lighting and associated systems, install replacement lighting and associated systems, traffic control and mobilization per contract documents.	LS	1.000	1.000	1.000	\$245,690.00	\$245,690.00
	TOTAL CONTRACT AMOUNT		\$245,690.00				
	PARTIAL PAYMENT NO. 1		\$80,217.05				
	PARTIAL PAYMENT NO. 2		\$50,585.60				
	PARTIAL PAYMENT NO. 3		\$71,585.35				
	PARTIAL PAYMENT NO. 4		\$30,713.50				
	PARTIAL PAYMENT NO. 5		\$304.00				
	THIS PARTIAL PAYMENT		\$0.00				
	TOTAL PARTIAL PAYMENTS		\$233,405.50				
	BALANCE		\$12,284.50				
TOTAL							\$245,690.00
RETAINAGE							\$12,284.50
TOTAL LESS RETAINAGE							\$233,405.50
LESS PREVIOUS PAYMENT							\$233,405.50
AMOUNT DUE							\$0.00

PREPARED BY:   
CHECKED BY:

PARTIAL PAYMENT NO. 6 - FINAL

12A