

DATE March 12, 2007

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT  
FOR SKYWALK BRIDGES 8C-8D AND 8DA AT WELLS FARGO BUILDING, M. A. MORTENSON  
COMPANY**

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 Skywalk Bridges 8C-8D and 8Da at Wells Fargo Building, 12-2004-004, in accordance with the contract approved between M. A. Mortenson Company, Thomas F. Gunkel, President & COO, 700 Meadow Lane North, Minneapolis, MN 55422, under Roll Call No. 05-1328, of May 23, 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 \$1,192,903.00 is the total cost, of which \$1,133,257.85 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 \$59,645.15 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.

BE IT FURTHER RESOLVED: (1) That Skywalk Bridge 8C-8D over Walnut Street and Skywalk Bridge 8Da within the block bounded by 8th, 9th, Walnut and Locust Streets, together with the adjoining Skywalk Corridors identified as Skywalk Corridor Easements 1 and 2 in the Limited Skywalk Easements between Wells Fargo Financial, Inc., and the City of Des Moines dated May 2, 2005, are complete so as to be usable by the general public and are hereby dedicated to the Skywalk System of the City of Des Moines, Iowa; and, (2) that the Community Development Department is hereby directed to depict the said Skywalk Bridges and Corridors on the Official Skywalk Map and to file a copy thereof with the City Clerk.

★ **Roll Call Number**

**Agenda Item Number**

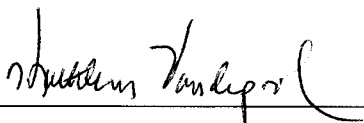
10A

DATE March 12, 2007

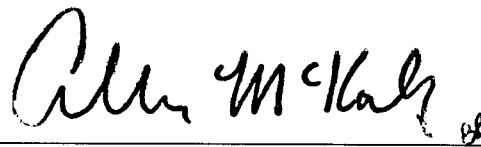
Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:


FUNDS AVAILABLE



Kathleen Vanderpool  
Deputy City Attorney



Allen McKinley  
Des Moines Finance Director

 Funding Source: For Skywalk Bridge 8C-8D, the City shall pay only the 66 feet of bridge over the Walnut Street right-of-way (\$555,579.28 based on as-built costs) and Wells Fargo has paid \$221,668.72 for the remainder of the cost for the 92 foot long skywalk bridge from the face of Wells Fargo's existing building to the face of its new building under construction. For Skywalk Bridge 8Da, the City shall pay the entire cost of the bridge over the alley (\$415,635.00 based on as-built costs).

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.

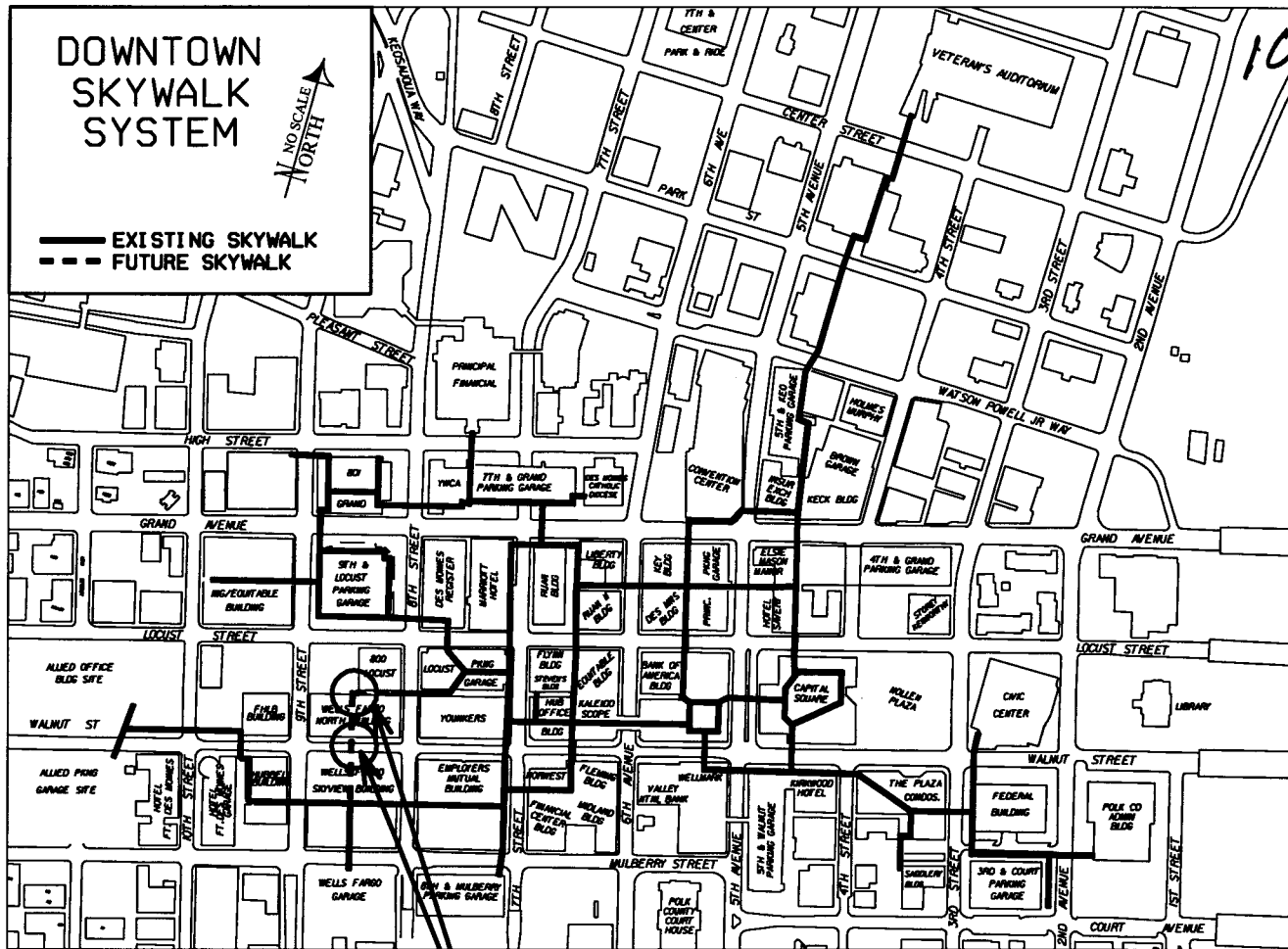
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

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

# DOWNTOWN SKYWALK SYSTEM



— EXISTING SKYWALK  
- - - FUTURE SKYWALK



10A

## PROJECT LOCATION

# SKYWALK BRIDGES 8C-8D & 8Da

Activity ID No. 12-2004-004

# PROJECT SUMMARY

## Skywalk Bridges 8C-8D & 8Da

### Activity ID 12-2004-004

On May 23, 2005 under Roll Call 05-1328 the City Council awarded the contract for Skywalk Bridges 8C-8D & 8Da at Wells Fargo building to M. A. Mortenson Company in the amount of \$1,191,000 for:

Furnish all labor, equipment and materials necessary to construct a 66' Skywalk Bridge 8C-8D and 53' Skywalk Bridge 8Da including all structural, curtain walls, roofing, mechanical, electrical, finish work and all necessary appurtenances all in accordance with the contract documents, including Plan File Nos. 454-18/58;

8C-8D over Walnut Street, mid-block between 8th Street and 9th Street  
8Da over City Alley in the middle of the block bound by Walnut and Locust Streets from 8th Street to 9th Street  
Des Moines, Iowa.

Tabulated below is a history of project change orders.

<b>Change Order No.</b>	<b>Description</b>	<b>Initiated By</b>	<b>Amount</b>
1	2/10/2006 Remove roof drainage of Skywalk 7D-8D from the combined sewer system.	Engineering	\$7,920.00
2	2/17/2006 Increase main girder size, credit for change in precast, revise base rail detail, test borings, revise foundation.	Consultant	\$2,401.00
3	2/21/2007 Modify beam and duct, replace channel glass with curtain wall.	Consultant	(\$9,169.00)
4	2/8/2007 Provide carpet tile attic stock.	Consultant	\$751.00
<b>Original Contract Amount</b>			\$1,191,000.00
<b>Total Change Orders</b>			\$1,903.00
<b>Percent of Change Orders to Original Contract</b>			0.16%
<b>Final Contract Amount</b>			\$1,192,903.00

March 12, 2007

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the Skywalk Bridges 8C-8D and 8Da at Wells Fargo Building, M. A. Mortenson Company.

**SYNOPSIS:**

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

**FISCAL IMPACT:**

Amount: \$1,192,903.00 As-Built Contract Cost

Funding Source: 2007-2008 CIP, Page Sidewalk-6, Downtown Skywalk System, SID094, Various Funding, Being:

For Skywalk Bridge 8C-8D, the City shall pay only the 66 feet of bridge over the Walnut Street right-of-way (\$555,579.28 based on as-built costs) and Wells Fargo has paid \$221,668.72 for the remainder of the cost for the 92 foot long skywalk bridge from the face of Wells Fargo's existing building to the face of its new building under construction. For Skywalk Bridge 8Da, the City shall pay the entire cost of the bridge over the alley (\$415,635.00 based on as-built costs).

**CERTIFICATION OF COMPLETION:**

On May 23, 2005, under Roll Call No. 05-1328, the City Council awarded a contract to M. A. Mortenson Company, Thomas F. Gunkel, President & COO, 700 Meadow Lane North, Minneapolis, MN 55422 for the construction of the following improvement:

Skywalk Bridges 8C-8D and 8Da at Wells Fargo Building, 12-2004-004

Furnish all labor, equipment and materials necessary to construct the 92' long Skywalk Bridge 8C-8D and the 53' long Skywalk Bridge 8Da including all structural, curtain walls, roofing, mechanical, electrical, finish work and all necessary appurtenances all in accordance with the contract documents, including Plan File Nos. 454-018/058; Skywalk Bridge 8C-8D over Walnut Street, mid-block between 8th Street and 9th Street, and Skywalk Bridge 8Da over the City Alley in the middle of the block bounded by Walnut and Locust Streets from 8th Street to 9th Street, Des Moines, Iowa

I hereby certify that the construction of said Skywalk Bridges 8C-8D and 8Da at Wells Fargo Building, Activity ID 12-2004-004, 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 May 24, 2005, and was completed on February 28, 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 \$1,192,903.00 is the total cost of said improvement, of which \$1,133,257.85 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 \$59,645.15 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 written in a cursive, flowing style.

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