



Roll Call Number

Agenda Item Number

12 C

DATE March 20, 2006

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR EASTER LAKE RETENTION BASINS WETLAND MITIGATION, SPRING LAKE CONSTRUCTION

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 Easter Lake Retention Basins Wetland Mitigation, 08-2004-011, in accordance with the contract approved between Spring Lake Construction, Dean Quirk, Owner, P. O. Box 117, Odebolt, IA 51458, under Roll Call No. 04-1961, of September 13, 2004, 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 \$268,362.50 is the total cost, of which \$245,957.37 has been paid the Contractor, and \$8,987.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$13,418.13 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 City Manager be and is hereby authorized and directed to certify the Pollution Prevention Plan Inspection Summary and the NPDES Stormwater General Permit Notice of Discontinuation for the above referenced project on behalf of the City of Des Moines and submit said documents to the Iowa Department of Natural Resources.

BE IT FURTHER RESOLVED: That the Assistant City Manager/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

Merrill R. Stanley
Assistant City Manager/Finance

Funding Source: 2006-2007 CIP, Page STE-10, Easter Lake Watershed Improvements, STE061, Storm Water Utility Funds



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DFB

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
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

120

PROJECT SUMMARY

Easter Lake Retention Basins Wetland Mit

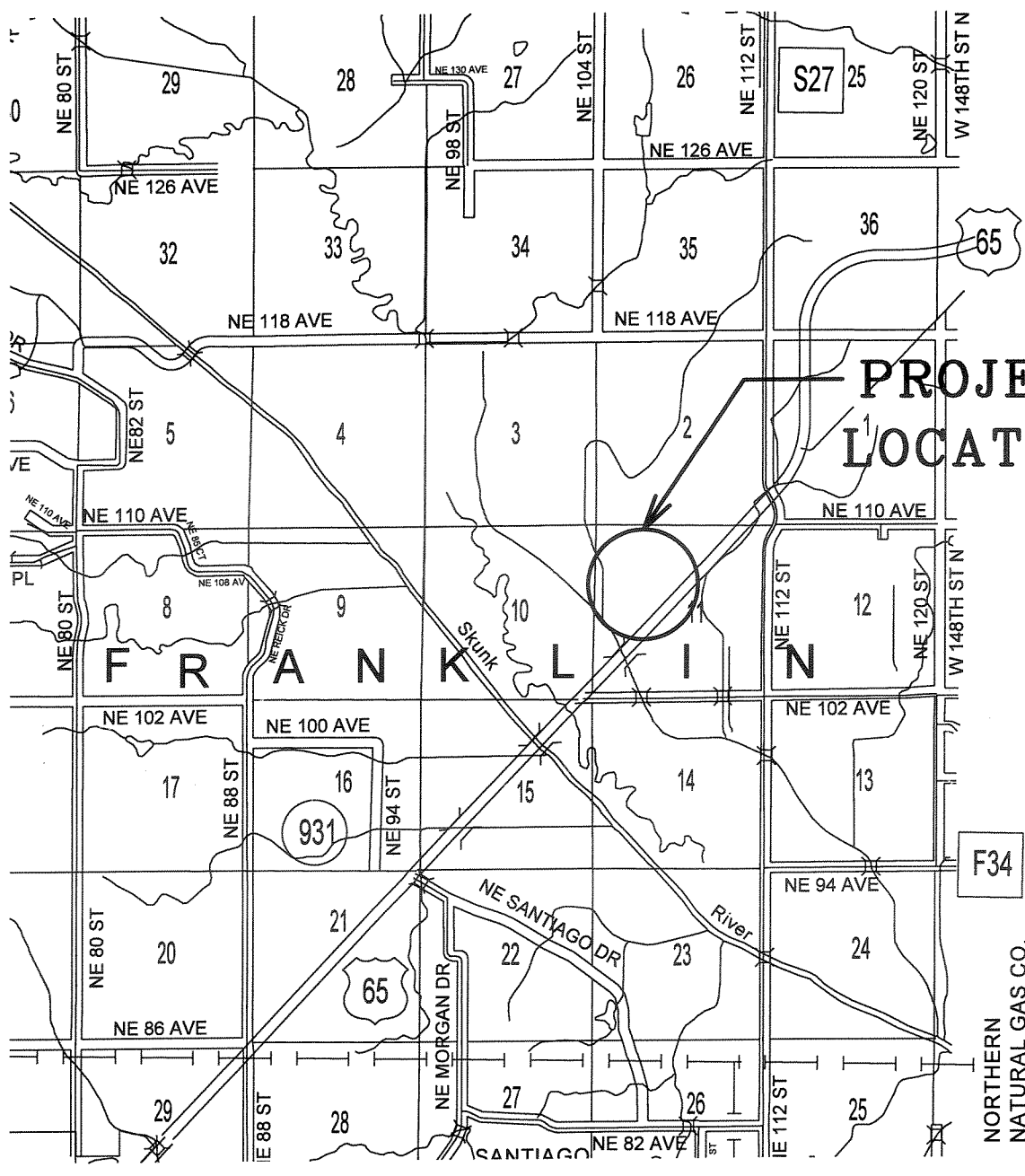
Activity ID 08-2004-011

On September 13, 2004, under Roll Call No. 04-1960, the City council awarded the contract for the above improvements to Spring Lake Construction in the amount of \$268,742.50. The project is for construction of wetland cells including all labor, material, and equipment necessary for clearing, grading, compaction, and miscellaneous associated work including site restoration, erosion protection, and wetland seeding; in accordance with the contract documents including Plan File No. 447-092/097.

Tabulated below is a history of project change orders.

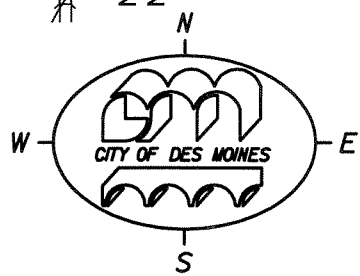
<u>Change Order No.</u>	<u>Description</u>	<u>Initiated By</u>	<u>Amount</u>
1	1/11/2006 This is the final change order to balance the contract based on as built quantities.	Engineering	(\$380.00)
Original Contract Amount			\$268,742.50
Total Change Orders			(\$380.00)
Percent of Change Orders to Original Contract			-0.14%
Final Contract Amount			\$268,362.50

12C



**PROJECT
LOCATION**

F R A N K L I N



**EASTER LAKE RETENTION BASINS
WETLAND MITIGATION
ACTIVITY I.D. 08-2004-011**

120

March 20, 2006

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Easter Lake Retention Basins Wetland Mitigation, Spring Lake Construction.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$268,362.50 As-Built Contract Cost

Funding Source: 2006-2007 CIP, Page STE-10, Easter Lake Watershed Improvements, STE061, Storm Water Utility Funds

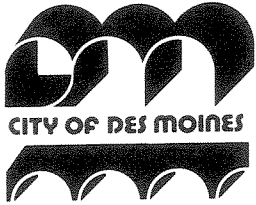
CERTIFICATION OF COMPLETION:

On September 13, 2004, under Roll Call No. 04-1961, the City Council awarded a contract to Spring Lake Construction, Dean Quirk, Owner, P. O. Box 117, Odebolt, IA 51458 for the construction of the following improvement:

Easter Lake Retention Basins Wetland Mitigation, 08-2004-011

Construction of wetland cells including all labor, material, and equipment necessary for clearing, grading, compaction, and miscellaneous associated work including site restoration, erosion protection, and wetland seeding; in accordance with the contract documents including Plan File Nos. 447-092/097, at Chichauqua Bottoms Greenbelt property in NE Polk County on U.S. 65 near the South Skunk River, Section 11, Township 80N, Range 22W

I hereby certify that the construction of said Easter Lake Retention Basins Wetland Mitigation, Activity ID 08-2004-011, 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 September 14, 2004, and was completed on March 10, 2006.



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 \$268,362.50 is the total cost of said improvement, of which \$245,957.37 has been paid the Contractor and \$8,987.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$13,418.13 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 horizontal line at the end.

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

ESTIMATE OF CONSTRUCTION COMPLETED

ACTIVITY ID 08-2004-011
PROJECT NO. NA
DATE: 11/10/05

12C

FINAL PAYMENT (Payment NO. 3)

PROJECT: Easter Lake Retention Basins wetland Mitigation
CONTRACTOR: Spring Lake Construction

FINAL PAYMENT (Payment NO. 3)

LINE NO.	DESCRIPTION	UNIT	UNITS			CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED				
0001	MOBILIZATION	LS	1,000	1,000		1,000	\$14,000.00	\$14,000.00
0002	CLEARING AND GRUBBING	LS	1,000	1,000		1,000	\$7,000.00	\$7,000.00
0003	SILT FENCE	LF	4,000,000	3,500,000		3,500,000	\$1.20	\$4,200.00
0004	TOPSOIL STRIPPING, STOCKPILING, AND RESPREADING	CY	29,000,000	29,000,000		29,000,000	\$2.00	\$58,000.00
0005	EXCAVATION, CLASS 13, POND	CY	44,100,000	44,100,000		44,100,000	\$2.70	\$119,070.00
0006	IDOT NATIVE GRASS SEEDING	AC	2,500	2,500		2,500	\$975.00	\$2,437.50
0007	MARSH SITE MIX SEEDING	AC	16,200	16,200		16,200	\$1,600.00	\$25,920.00
0008	EMERGENT CONTAINER PLANTINGS	AC	12,000	12,000		12,000	\$950.00	\$11,400.00
0009	FORESTED WETLAND SEEDING	AC	4,200	4,300		4,300	\$2,200.00	\$9,460.00
0010	SEEDING AND FERTILIZING	AC	8,200	8,200		8,200	\$750.00	\$6,150.00
0011	MULCHING	AC	26,900	26,900		26,900	\$250.00	\$6,725.00
0012	CONSTRUCTION SURVEY	LS	1,000	1,000		1,000	\$4,000.00	\$4,000.00
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$268,362.50					
	PARTIAL PAYMENT #1		\$195,576.50					
	PARTIAL PAYMENT #2		\$50,380.87					
	THIS PARTIAL PAYMENT		\$8,987.00					
	TOTAL PARTIAL PAYMENTS		\$254,944.37					
	BALANCE		\$13,418.13					
	TOTAL							\$268,362.50
	RETAINAGE							\$13,418.13
	TOTAL LESS RETAINAGE							\$254,944.37
	LESS PREVIOUS PAYMENT							\$245,957.37
	AMOUNT DUE							\$8,987.00

FINAL PAYMENT (Payment NO. 3)

PREPARED BY: Big Man 11/28/05

CONTRACTOR: Dean Smith 12-15-05

CHECKED BY: Matthew Bechler 01-17-06