

129

Date March 20, 2006

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT  
FOR THE EASTER LAKE RETENTION BASINS - PHASE 2,  
REILLY CONSTRUCTION CO., INC. & AFFILIATES

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 Easter Lake Retention Basins - Phase 2, Activity ID 08-2002-004, in accordance with the contract approved between Reilly Construction Co., Inc. & Affiliates, Robert R. Reilly, President, 110 Main Street, P.O. Box 99, Ossian, IA, 52161, under Roll Call No. 02-1748, of July 8, 2002, 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 \$826,065.05 is the total cost, of which \$765,239.53 has been paid the Contractor, and \$19,522.27 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$41,303.25 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 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 5%, 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.


Activity ID 08-2002-004

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

Funds Available:

FORM APPROVED:

  
Kathleen Vanderpool  
Deputy City Attorney

  
Merrill Stanley  
Finance Director

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



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

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

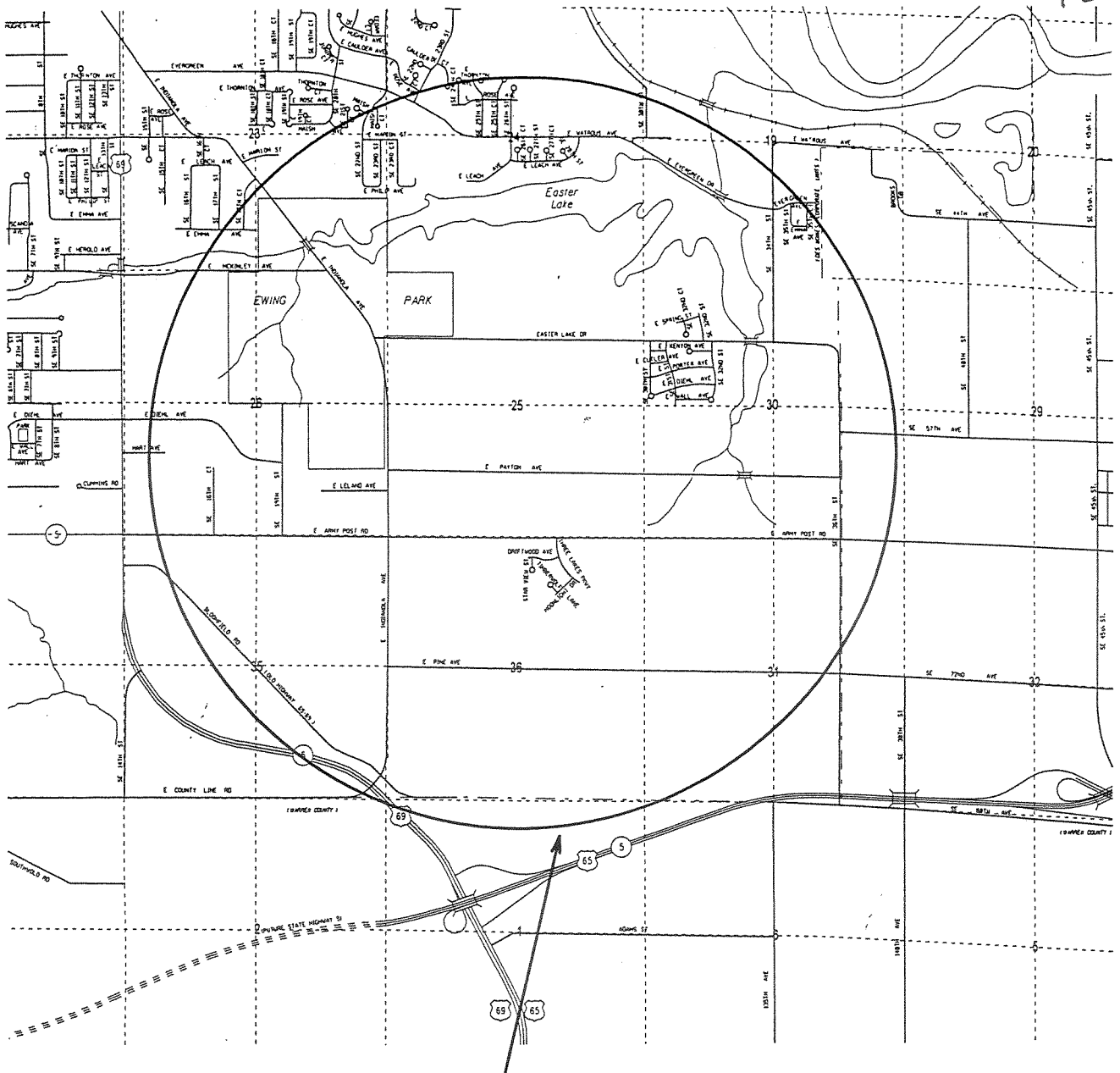
**CERTIFICATE**

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.

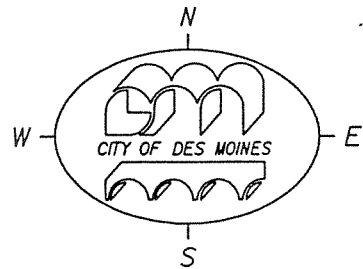
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

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

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PROJECT  
LOCATION



EASTER LAKE RETENTION  
BASIN PHASE 2  
ACT. I.D. #08-2002-004

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# PROJECT SUMMARY

## Easter Lake Retention Basins - Phase 2

### Activity ID 08-2002-004

On July 8, 2002, under Roll Call No. 02-1748, the City Council awarded the contract for the above improvement to Reilly Construction Co., Inc. & Affiliates, in the amount of \$797,119.55 to construct two retention basins with earthfill dams and a wetland mitigation site including all labor, material and equipment necessary for clearing and grubbing, excavation, grading, compaction, installation of outfall pipe, construction of drop inlets and drawdown structures, boring and jacking of 72" steel casing, construction of a cable concrete flume, installation of rip rap, along with miscellaneous associated work including erosion protection, wetland seeding and site restoration; all in accordance with the contract documents including Plan File Nos. 414 - 037/060; located East of Indianola Avenue in the 4000 - 7500 blocks.

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	11/18/2002 Extension of the existing culvert under E Pine Avenue.	Consultant	\$19,051.00
2	12/19/2002 Abandonment of a well discovered during grading at Basin 10.	Consultant	\$1,320.00
3	12/26/2002 Removal of a buried headwall encounter while boring the storm sewer under Easter Lake Dr. including boring crew downtime.	Consultant	\$9,500.00
4	9/24/2003 Investigate and repair the seepage near Basin #1.	Consultant	\$1,100.00
5	1/27/2006 Add field tile & restoration. Adjust final quantities to asbuilt measurements.	Consultant	(\$2,025.50)
<b>Original Contract Amount</b>			\$797,119.55
<b>Total Change Orders</b>			\$28,945.50
<b>Percent of Change Orders to Original Contract</b>			3.63%
<b>Final Contract Amount</b>			\$826,065.05

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March 20, 2006

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the Easter Lake Retention Basins – Phase 2.

**SYNOPSIS:**

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

**FISCAL IMPACT:**

Amount: \$826,065.05 As-Built Contract Cost

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

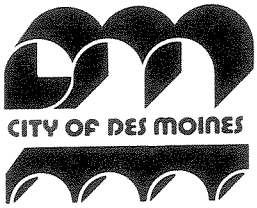
**CERTIFICATION OF COMPLETION:**

On July 8, 2002, under Roll Call No. 02-1748, the City Council awarded a contract to Reilly Co., Inc. & Affiliates, Robert R. Reilly, President, 110 Main Street, P.O. Box 99, Ossian, IA, 52161, for the construction of the following improvement:

Easter Lake Retention Basins – Phase 2, 08-2002-004

Construction of two retention basins with earthfill dams and a wetland mitigation site including all labor, material, and equipment necessary for clearing and grubbing, excavation, grading, compaction, installation of outfall pipe, construction of drop inlets and drawdown structures, boring and jacking of 72" steel casing, construction of a cable concrete flume, installation of rip rap, along with miscellaneous associated work including erosion protection, wetland seeding and site restoration; all in accordance with the contract documents including Plan File Nos. 414 – 037/060; located East of Indianola Avenue in the 4000 – 7500 blocks.

I hereby certify that the construction of said Easter Lake Retention Basins – Phase 2, Activity ID 08-2002-004, 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 August 19, 2002, and was completed on March 09, 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 \$826,065.05 is the total cost of said improvement, of which \$765,239.53 has been paid the Contractor and \$19,522.27 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$41,303.25 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" with a small mark at the end.

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

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APPLICATION FOR PARTIAL PAYMENT NO. FINAL

PROJECT: EASTER LAKE RETENTION BASINS - PHASE 2  
OWNER: CITY OF DES MOINES  
CONTRACTOR: REILLY CONSTRUCTION CO., INC.  
ADDRESS: 5240 N.E. 22ND STREET, DES MOINES, IA 50313  
DATE: April 1, 2005

S&A PROJECT NO.: 101.0594  
ACTIVITY ID 08-2002-004

PAYMENT PERIOD: March 31, 2004 through November 1, 2004

1. CONTRACT SUMMARY:

Original Contract Amount: \$797,119.55  
Net Change by Change Order: \$28,945.50  
Contract Amount to Date: \$826,065.05

CONTRACT PERIOD: WORKING DAYS  
Original Contract Date: July 8, ~~2004~~ 2002  
Original Contract Time: 65

2. WORK SUMMARY:

Total Work Performed to Date: \$826,065.05  
Retainage: 5% \$41,303.25  
Total Earned Less Retainage: \$784,761.80  
Less Previous Applications for Payment: \$765,239.53  
AMOUNT DUE THIS APPLICATION: \$19,522.27

Added by Change Order: 0 (CO # \_\_\_\_\_)  
Contract Time to Date: 65  
Time Used to Date: 65  
Contract Time Remaining: 0

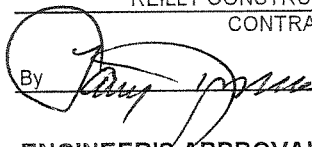
Expected Date of Completion: Fall 2004

3. CONTRACTOR'S CERTIFICATION:

The undersigned CONTRACTOR certifies that:

- (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with the Work covered by prior Applications for Payment; and
- (2) title to all materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment are free and clear of all liens, claims, security interests, and encumbrances.

REILLY CONSTRUCTION CO., INC.  
CONTRACTOR

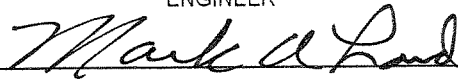
By 

DATE: 9/6/05

4. ENGINEER'S APPROVAL:

Payment of the above AMOUNT DUE THIS APPLICATION is recommended:

SNYDER & ASSOCIATES, INC.  
ENGINEER

By 

DATE: 4-1-05

5. OWNER'S APPROVAL:

CITY OF DES MOINES  
OWNER

By 

DATE: 2-23-06

6. DETAILED ESTIMATE OF WORK COMPLETED:

ITEM NO.	DESCRIPTION	CONTRACT ITEMS				COMPLETED WORK		
		QUANTITY	UNIT	UNIT COST	TOTAL COST	QUANTITY	CO #	COST
1	MOBILIZATION	1.0	LS	\$20,500.00	\$20,500.00	1.0		\$20,500.00
2	TRAFFIC CONTROL	1.0	LS	\$2,500.00	\$2,500.00	1.0		\$2,500.00
3	CLEARING AND GRUBBING	1.0	LS	\$14,000.00	\$14,000.00	1.0		\$14,000.00
4	SILT FENCE	6,340	LF	\$1.75	\$11,095.00	5,598	(5)	\$9,796.50
5	TEMPORARY SEDIMENT BASIN	1.0	LS	\$5,500.00	\$5,500.00	1.0		\$5,500.00
6	EXCAVATION, CLASS 13, CHANNEL	2,040	CY	\$3.05	\$6,222.00	2,040		\$6,222.00
7	EXCAVATION, CLASS 13, CUTOFF TRENCH	625	CY	\$3.05	\$1,906.25	625		\$1,906.25
8	EXCAVATION, CLASS 13, POND	49,680	CY	\$3.05	\$151,524.00	49,500	(1)	\$150,975.00
9	CORE OUT EXCAVATION	2,000	CY	\$3.05	\$6,100.00	600	(5)	\$1,830.00
10	SELECT COHESIVE BACKFILL	2,000	CY	\$3.51	\$7,020.00	1,100	(5)	\$3,861.00
11	EMBANKMENT-IN-PLACE	7,510	CY	\$3.51	\$26,360.10	7,510		\$26,360.10
12	DRAINFILL, FINE GRADATION	112	CY	\$31.50	\$3,528.00	112		\$3,528.00
13	DRAINFILL, COARSE GRADATION	148	CY	\$31.50	\$4,662.00	148		\$4,662.00
14	STRUCTURAL CONCRETE	39.2	CY	\$400.00	\$15,680.00	39.2		\$15,680.00
15	STEEL REINFORCEMENT, EPOXY COATED	8,142	LB	\$0.60	\$4,885.20	8,142		\$4,885.20
16	REMOVAL OF EXISTING CULVERT	63	LF	\$80.00	\$5,040.00	37	(5)	\$2,960.00
17	CULVERT ABANDONMENT	52	LF	\$100.00	\$5,200.00	78	(5)	\$7,800.00
18	FLOWABLE MORTAR	40	CY	\$80.00	\$3,200.00	-	(5)	\$0.00
19	LOW HEAD PRESSURE PIPE, CLASS C25, 36"	120	LF	\$380.00	\$45,600.00	120		\$45,600.00
20	LOW HEAD PRESSURE PIPE, CLASS C25, 48"	164	LF	\$500.00	\$82,000.00	164		\$82,000.00
21	TUNNELING (BORING, JACKING, AND AUGERING) 72" STEEL CASING	124	LF	\$1,000.00	\$124,000.00	124		\$124,000.00
22	STORM SEWER, 2000D, 12"	79	LF	\$100.00	\$7,900.00	79		\$7,900.00
23	CULVERT, CMP, 15"	28	LF	\$45.00	\$1,260.00	28		\$1,260.00
24	CULVERT, CMP, 24"	35	LF	\$50.00	\$1,750.00	35		\$1,750.00
25	SCHEDULE 40 PERFORATED PVC PIPE, 4"	70	LF	\$50.00	\$3,500.00	100	(5)	\$5,000.00
26	ADJUST SANITARY MANHOLE	1	EA	\$600.00	\$600.00	1		\$600.00
27	SANITARY SEWER, DUCTILE IRON, 8"	399	LF	\$100.00	\$39,900.00	394	(5)	\$39,400.00
28	TYPE "A" SANITARY MANHOLE	2	EA	\$2,000.00	\$4,000.00	2		\$4,000.00
29	SANITARY SEWER DROP CONNECTION	1	EA	\$6,000.00	\$6,000.00	1		\$6,000.00
30	FILL STONE	235	TN	\$35.00	\$8,225.00	253	(5)	\$8,855.00
31	RIP RAP, CLASS B	121	SY	\$82.00	\$9,922.00	106	(1)	\$8,692.00
32	RIP RAP, CLASS E	575	TN	\$35.00	\$20,125.00	515	(1)(5)	\$18,025.00
33	GROUTED RIP RAP	31	CY	\$150.00	\$4,650.00	31		\$4,650.00
34	CABLE CONCRETE ROCK CHUTE	4,050	SF	\$6.00	\$24,300.00	3,484	(5)	\$20,904.00
35	BENTONITE	7.4	TN	\$450.00	\$3,330.00	7.4		\$3,330.00
36	GRANULAR BEDDING	109	TN	\$21.00	\$2,289.00	114	(5)	\$2,394.00
37	EROSION MATTING	1,045	SY	\$1.80	\$1,881.00	1,425	(5)	\$2,565.00
38	GRANULAR SURFACING, CLASS A CRUSHED STONE	95	TN	\$21.00	\$1,995.00	32	(5)	\$672.00
39	6" ACC PAVEMENT	300	SY	\$32.00	\$9,600.00	310	(5)	\$9,920.00
40	SEEDING AND FERTILIZING	7.8	AC	\$1,500.00	\$11,700.00	9.5	(5)	\$14,250.00
41	PRAIRIE GRASS SEEDING	0.3	AC	\$6,500.00	\$1,950.00	0.3		\$1,950.00
42	EMERGENT WETLAND SEEDING	0.4	AC	\$6,500.00	\$2,600.00	0.8	(5)	\$5,200.00
43	WET MEADOW WETLAND SEEDING	0.5	AC	\$6,500.00	\$3,250.00	0.5		\$3,250.00
44	MULCHING	8.2	AC	\$650.00	\$5,330.00	9.8	(5)	\$6,370.00
45	TEMPORARY SEEDING	7.8	AC	\$1,100.00	\$8,580.00	-	(5)	\$0.00
46	CONCRETE PIPE SUPPORTS	6	EA	\$3,000.00	\$18,000.00	6		\$18,000.00
47	12" SLUICE GATE	2	EA	\$4,000.00	\$8,000.00	2		\$8,000.00
48	TYPE M-C MANHOLE	2	EA	\$7,000.00	\$14,000.00	2		\$14,000.00
49	TRASH RACK ASSEMBLY	2	EA	\$6,000.00	\$12,000.00	2		\$12,000.00
50	6' CHAIN LINK FENCE	8	STA	\$1,420.00	\$11,360.00	8		\$11,360.00
51	16' FARM GATE	2	EA	\$500.00	\$1,000.00	2		\$1,000.00
52	PROJECT SIGN	2	EA	\$800.00	\$1,600.00	2		\$1,600.00
				TOTAL ORIGINAL CONTRACT	\$797,119.55			\$777,463.05

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6. DETAILED ESTIMATE OF WORK COMPLETED:

ITEM NO.	DESCRIPTION	CONTRACT ITEMS				COMPLETED WORK		
		QUANTITY	UNIT	UNIT COST	TOTAL COST	QUANTITY	CO #	COST
CHANGE ORDER SUMMARY:								
Change Order No. 1								
A.	Decrease Item 8 - Excavation, Class 13, Pond	(180.0)	CY	\$3.05	(\$549.00)			
B.	Decrease Item 31 - Rip Rap, Class B	(15.0)	SY	\$82.00	(\$1,230.00)			
C.	Decrease Item 32 - Rip Rap, Class E	(70.0)	TN	\$35.00	(\$2,450.00)			
D.	Add Item 1.01 - Culvert, CMP, 42"	140	LF	\$111.50	\$15,610.00	140		\$15,610.00
E.	Add Item 1.02 - Storm Sewer, 2000D, 12"	34	LF	\$35.00	\$1,190.00	34		\$1,190.00
F.	Add Item 1.03 - CMP Elbows	4	EA	\$600.00	\$2,400.00	4		\$2,400.00
G.	Add Item 1.04 - Type C-2 Connection	1.0	LS	\$1,000.00	\$1,000.00	1		\$1,000.00
H.	Add Item 1.05 - F.E.S., 42" CMP	1	EA	\$800.00	\$800.00	1		\$800.00
I.	Add Item 1.06 - Class A Compaction	1,520	CY	\$1.50	\$2,280.00	1,520		\$2,280.00
SUBTOTAL CHANGE ORDER NO. 1					\$19,051.00			\$23,280.00
Change Order No. 2								
A.	Add Item 2.01 - Well Abandonment	1	LS	\$1,320.00	\$1,320.00	1		\$1,320.00
SUBTOTAL CHANGE ORDER NO. 2					\$1,320.00			\$1,320.00
Change Order No. 3								
A.	Add Item 3.01 - Horizontal Boring-Down Time	1	LS	\$4,500.00	\$4,500.00	1		\$4,500.00
B.	Add Item 3.02 - Removal of Headwall	1	LS	\$5,000.00	\$5,000.00	1		\$5,000.00
SUBTOTAL CHANGE ORDER NO. 3					\$9,500.00			\$9,500.00
Change Order No. 4								
A.	Add Item 4.01 - Tile Exploration	1	LS	\$100.00	\$100.00	1		\$100.00
B.	Add Item 4.02 - Furnish and Install 4" Field Tile	50	LF	\$10.00	\$500.00	50		\$500.00
C.	Add Item 4.03 - 6' Outlet Tube with Rodent Guard	1	EA	\$250.00	\$250.00	1		\$250.00
D.	Add Item 4.04 - Mobilization	1	LS	\$250.00	\$250.00	1		\$250.00
SUBTOTAL CHANGE ORDER NO. 4					\$1,100.00			\$1,100.00
Change Order No. 5								
A.	Decrease Item 4 - Silt Fence	(742)	LF	\$1.75	(\$1,298.50)			\$0.00
B.	Decrease Item 9 - Core Out Excavation	(1,400)	CY	\$3.05	(\$4,270.00)			\$0.00
C.	Decrease Item 10 - Select Cohesive Backfill	(900)	CY	\$3.51	(\$3,159.00)			\$0.00
D.	Decrease Item 16 - Removal of Existing Culvert	(26)	LF	\$80.00	(\$2,080.00)			\$0.00
E.	Increase Item 17 - Culvert Abandonment	26	LF	\$100.00	\$2,600.00			\$0.00
F.	Decrease Item 18 - Flowable Mortar	(40)	CY	\$80.00	(\$3,200.00)			\$0.00
G.	Increase Item 25 - Schedule 40 Perforated PVC Pipe, 4"	30	LF	\$50.00	\$1,500.00			\$0.00
H.	Decrease Item 27 - Sanitary Sewer, Ductile Iron, 8"	(5)	LF	\$100.00	(\$500.00)			\$0.00
I.	Increase Item 30 - Fill Stone	18	TN	\$35.00	\$630.00			\$0.00
J.	Increase Item 32 - Rip Rap, Class E	10	TN	\$35.00	\$350.00			\$0.00
K.	Decrease Item 34 - Cable Concrete Rock Chute	(566)	SF	\$6.00	(\$3,396.00)			\$0.00
L.	Increase Item 36 - Granular Bedding	5	TN	\$21.00	\$105.00			\$0.00
M.	Increase Item 37 - Erosion Matting	380	SY	\$1.80	\$684.00			\$0.00
N.	Decrease Item 38 - Granular Surfacing, Class A Crushed Stone	(63)	TN	\$21.00	(\$1,323.00)			\$0.00
O.	Increase Item 39 - 6" ACC Pavement	10	SY	\$32.00	\$320.00			\$0.00
P.	Increase Item 40 - Seeding and Fertilizing	1.7	AC	\$1,500.00	\$2,550.00			\$0.00
Q.	Increase Item 42 - Emergent Wetland Seeding	0.4	AC	\$6,500.00	\$2,600.00			\$0.00
R.	Increase Item 44 - Mulching	1.6	AC	\$650.00	\$1,040.00			\$0.00
S.	Decrease Item 45 - Temporary Seeding	(7.8)	AC	\$1,100.00	(\$8,580.00)			\$0.00
T.	Add Item 5.01 - Furnish and Install 4" Field Tile and Porous Backfill	194	LF	\$14.00	\$2,716.00	194		\$2,716.00
U.	Add Item 5.02 - 6' Outlet Tube with Rodent Guard	5	EA	\$250.00	\$1,250.00	5		\$1,250.00
V.	Add Item 5.03 - Mobilization	1	LS	\$2,000.00	\$2,000.00	1		\$2,000.00
W.	Add Item 5.04 - Furnish and Install Wood Excelsior Mat	856	SY	\$2.25	\$1,926.00	856		\$1,926.00
X.	Add Item 5.05 - Furnish and Install 4" Field Tile	515	LF	\$10.00	\$5,150.00	515		\$5,150.00
Y.	Add Item 5.06 - Furnish and Place 3" Clean Stone	12	TN	\$30.00	\$360.00	12		\$360.00
SUBTOTAL CHANGE ORDER NO. 5					(\$2,025.50)			\$13,402.00
TOTAL CHANGE ORDERS					\$28,945.50			\$48,602.00
TOTAL CONTRACT & CHANGE ORDERS					\$826,065.05			\$826,065.05