

DATE April 6, 2009

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR ADA PHASE 1 INTERIOR REMODELING, AZCON 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 ADA Phase 1 Interior Remodeling, 10-2008-001, in accordance with the contract approved between Azcon Inc., Lawrence M. Wolinski, President, 11185 NW 52nd Avenue, Grimes, IA 50111, under Roll Call No. 07-2262, of November 19, 2007, 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 \$422,703.12 is the total cost, of which \$401,567.95 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 \$21,135.17 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.

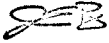
Moved by _____ to adopt.

FORM APPROVED:


Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE


Allen McKinley
Des Moines Finance Director



Funding Source: 2009-2010 CIP, Page Buildings-4, ADA Modifications for Municipal Buildings, BLD042, G. O. Bonds

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

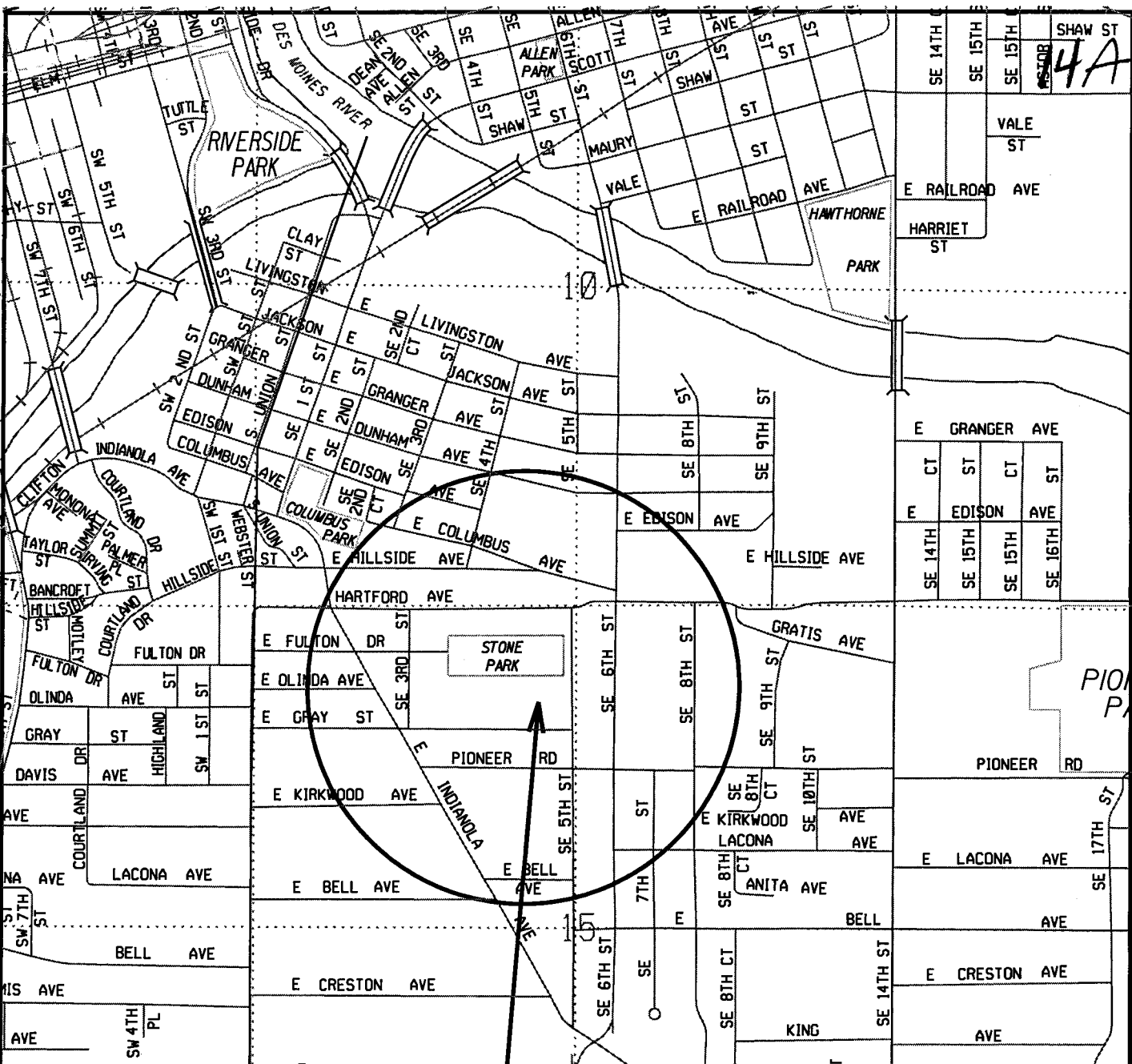
Mayor

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.

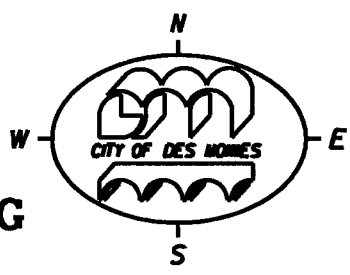
City Clerk

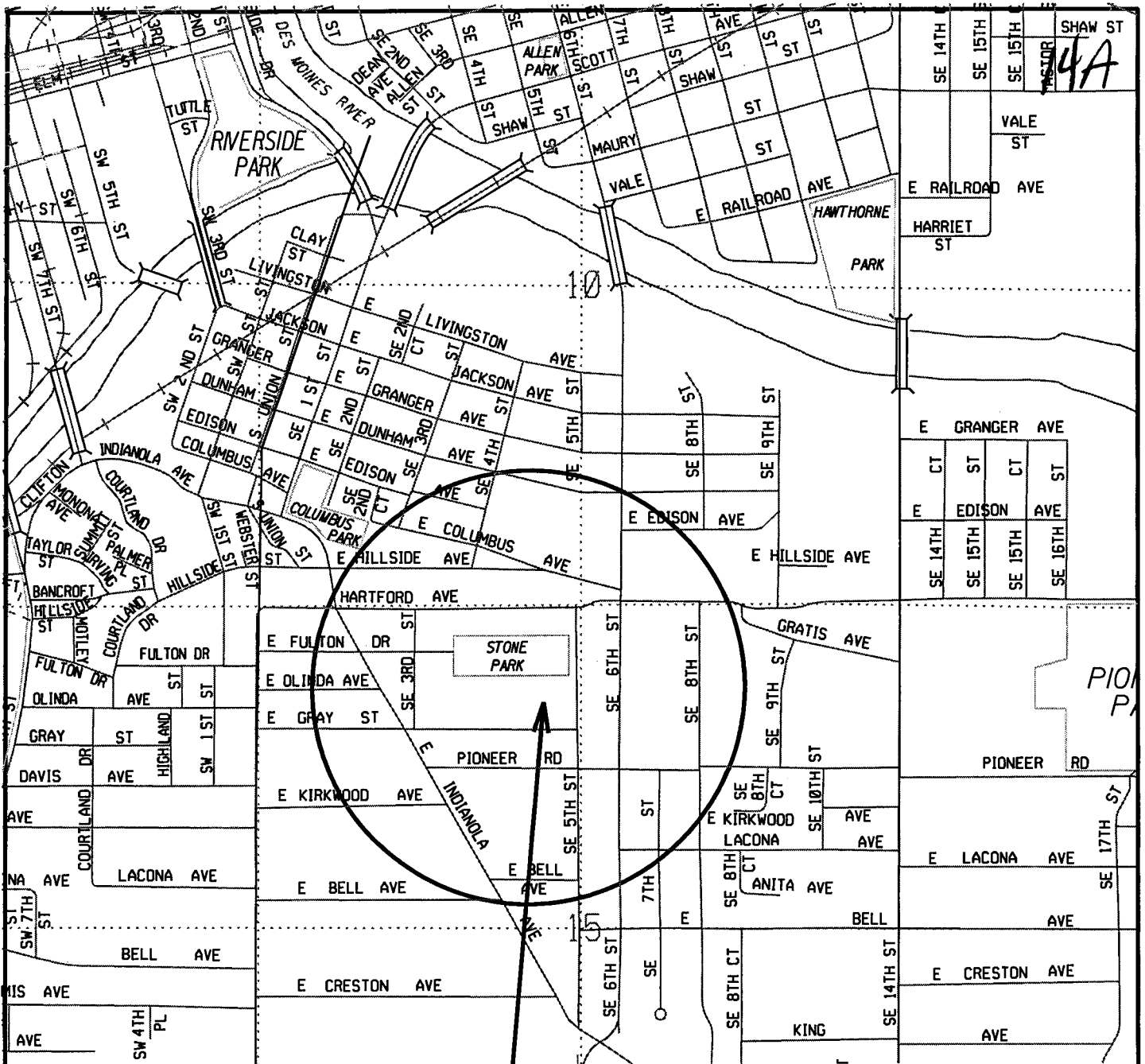


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**PROJECT
LOCATION**

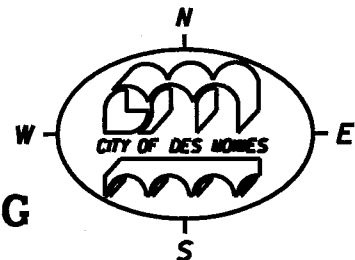
**ARCHIE BROOKS COMM. CENTER
2100 SE 5TH STREET
ADA PHASE 1 INTERIOR REMODELING
ACTIVITY I.D. 10-2008-001**



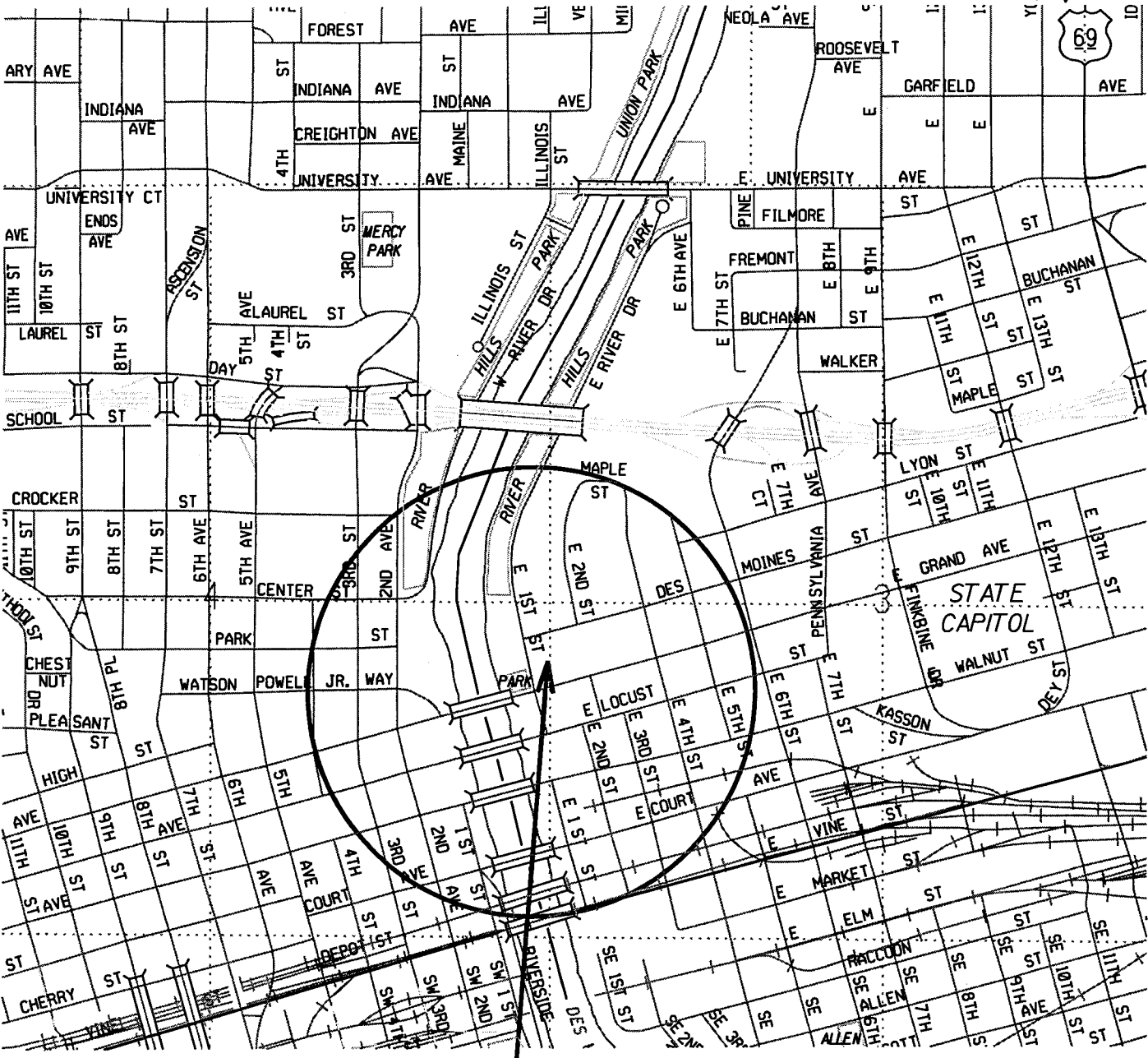


**PROJECT
LOCATION**

**STONE PARK
2100 SE 5TH STREET
ADA PHASE 1 INTERIOR REMODELING
ACTIVITY I.D. 10-2008-001**

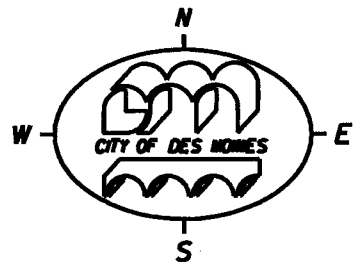


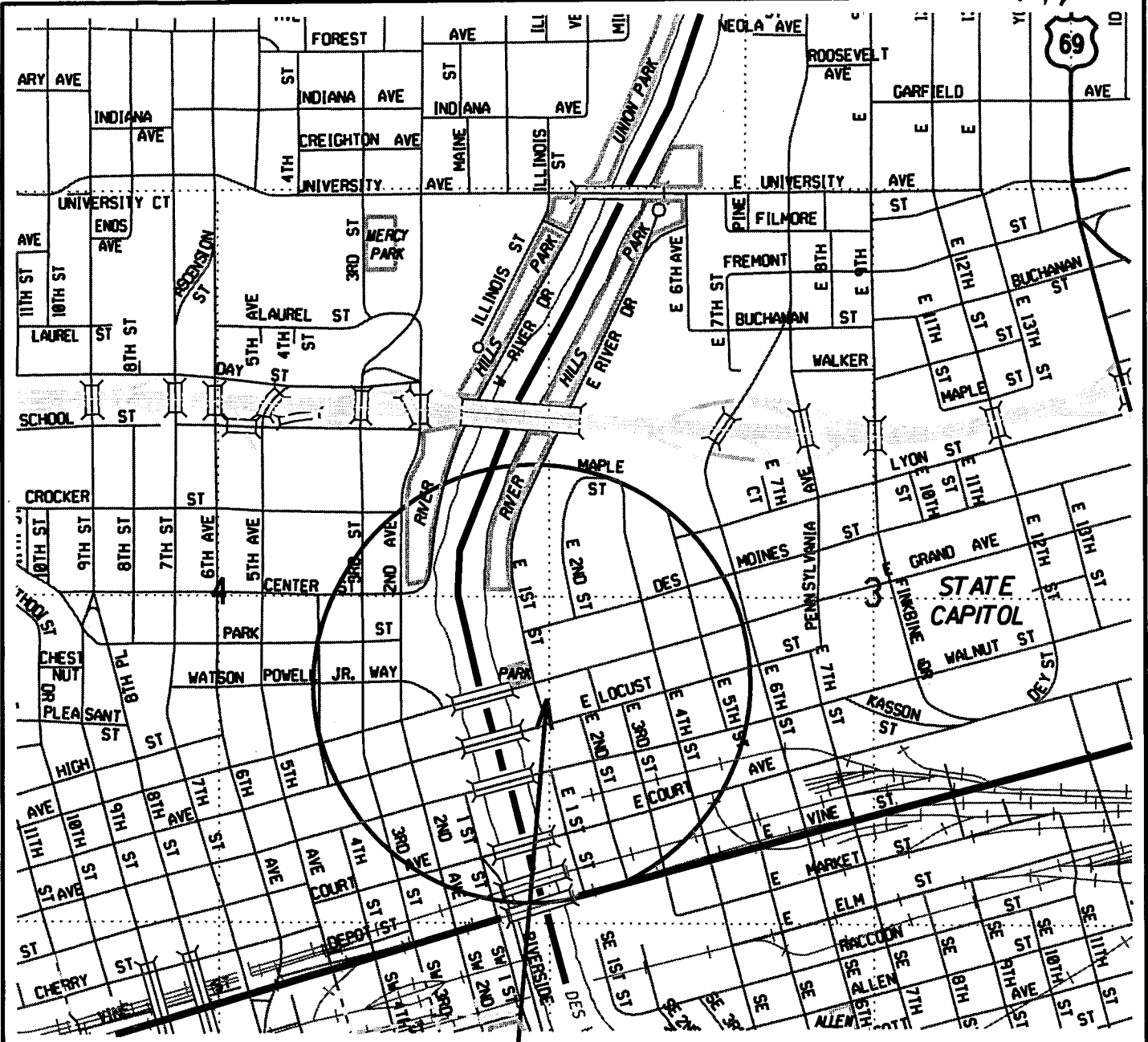
14A



**PROJECT
LOCATION**

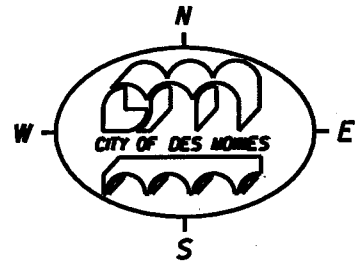
**ARGONNE ARMORY
602 ROBERT D. RAY DRIVE
ADA PHASE 1
INTERIOR REMODELING
ACTIVITY I.D. 10-2008-001**

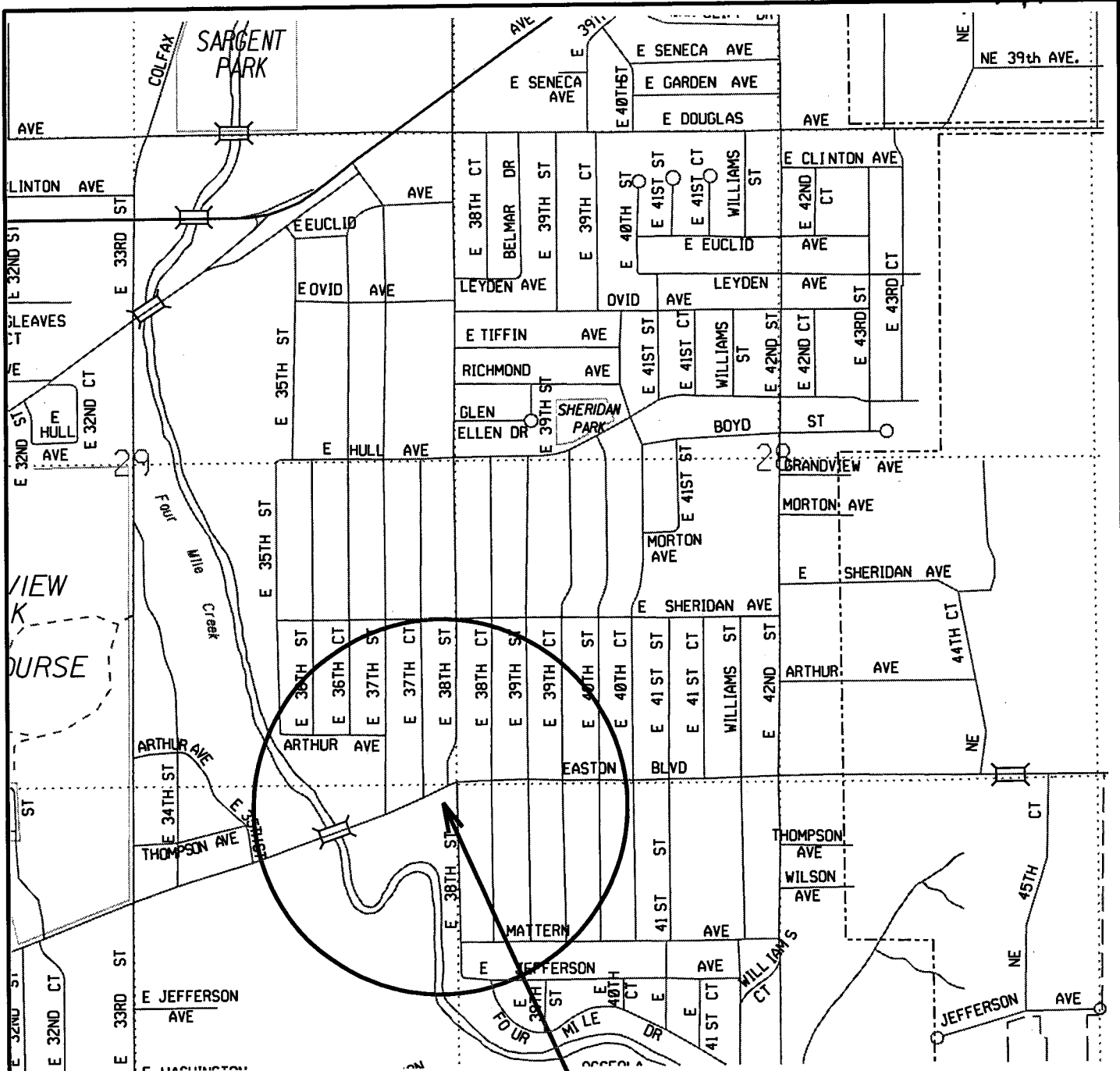




**PROJECT
LOCATION**

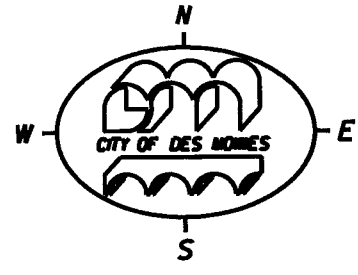
**CITY HALL
400 ROBERT D. RAY DRIVE
ADA PHASE 1
INTERIOR REMODELING
ACTIVITY I.D. 10-2008-001**

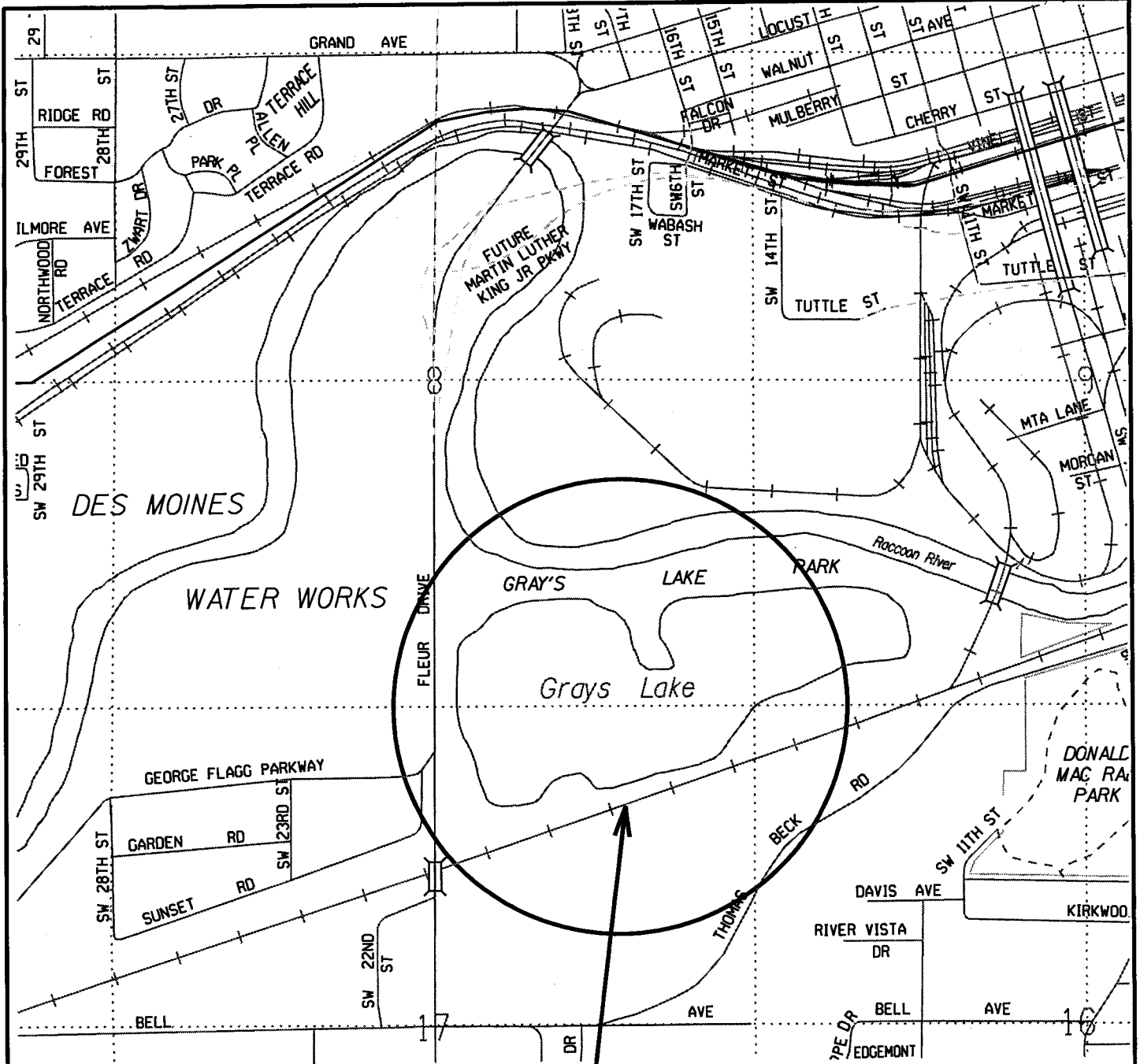




**PROJECT
LOCATION**

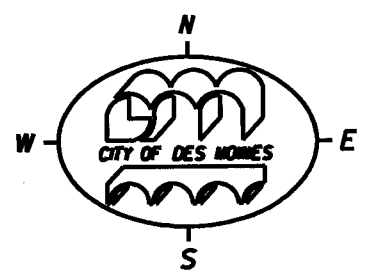
**FOUR MILE COMMUNITY CENTER
3711 EASTON BOULEVARD
ADA PHASE 1
INTERIOR REMODELING
ACTIVITY I.D. 10-2008-001**

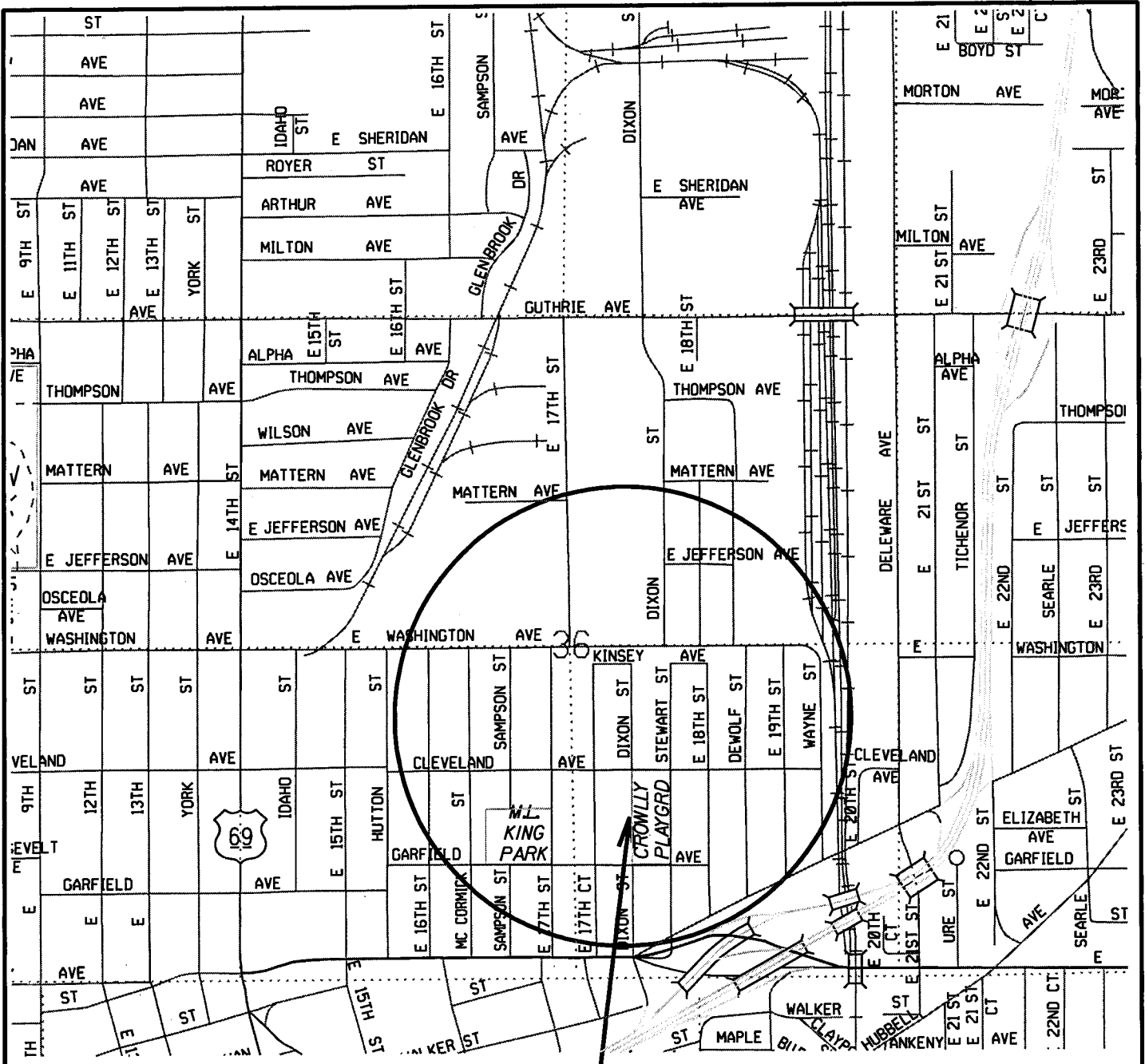




**PROJECT
LOCATION**

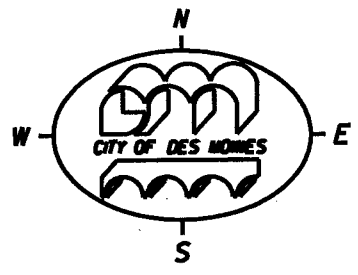
**GRAY'S LAKE
FLEUR DRIVE
ADA PHASE 1
INTERIOR REMODELING
ACTIVITY I.D. 10-2008-001**

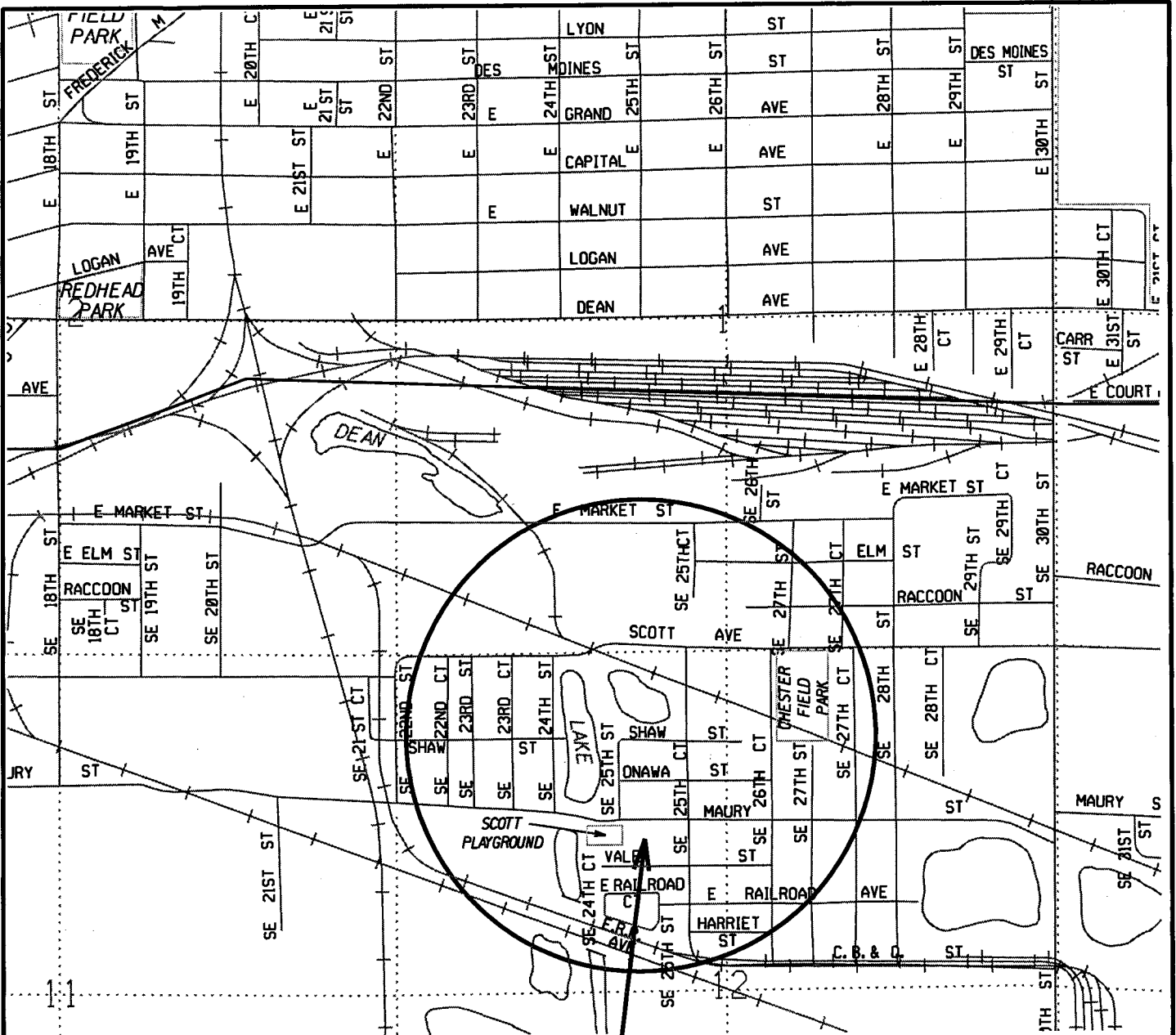




**PROJECT
LOCATION**

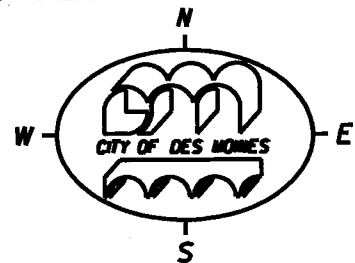
**LOGAN COMMUNITY CENTER
1700 GARFIELD
ADA PHASE 1
INTERIOR REMODELING
ACTIVITY I.D. 10-2008-001**





**PROJECT
LOCATION**

**SE/CHESTERFIELD COMMUNITY CENTER
2501 SE MAURY
ADA PHASE 1
INTERIOR REMODELING
ACTIVITY I.D. 10-2008-001**



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PROJECT SUMMARY

ADA Phase 1 Interior Remodeling

Activity ID 10-2008-001

On November 11, 2007 under Roll Call No. 07-2261, the City Council awarded the contract for the above improvement to Azcon Corporation, Inc., in the amount of \$317,465.00 for ADA compliance improvements at eight locations through out the City.

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	4/3/2008 Add automatic door operator needed at Armory. Brooks Community Center items: add new door & frame for men's locker room; add vinyl tile in unisex restroom; cover exposed piping in women's locker room handicapped stall; add waste line for unisex restroom; reroute existing vent line around new door; deduct rough-in for future restroom.	Consultant	\$19,262.20
2	6/3/2008 Vertical grab bars added per ADA requirements. Stone Park restroom doors and frames need replacing. Water damage in Stone Park restrooms.	User	\$10,007.84
3	7/16/2008 Toilets at Logan need to be relocated to meet required side wall clearance per ADA. Secure surface for air curtain attachment needed at the Armory. Replace floor covering in first floor men's restroom at Logan.	Contractor	\$13,840.29
4	8/12/2008 Ceiling tile replaced & grid reworked to fit new layout of second floor restrooms. Water line rerouted to eliminate conflict with new grab bar installation. Walls received new gypsum board to cover old plaster. Damaged galvanized piping discovered and replaced with copper.	Consultant	\$13,275.56

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April 6, 2009

CERTIFICATION OF COMPLETION



AGENDA HEADING:

Accepting completed construction and approving final payment for the ADA Phase 1 Interior Remodeling, Azcon Inc.

SYNOPSIS:

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

FISCAL IMPACT:

Funding Source: 2009-2010 CIP, Page Buildings-4, ADA Modifications for Municipal Buildings, BLD042, G. O. Bonds

Amount: \$422,703.12 As-Built Contract Cost

CERTIFICATION OF COMPLETION:

On November 19, 2007, under Roll Call No. 07-2262, the City Council awarded a contract to Azcon Inc., Lawrence M. Wolinski, President, 11185 NW 52nd Avenue, Grimes, IA 50111 for the construction of the following improvement:

ADA Phase 1 Interior Remodeling, 10-2008-001

The improvement includes building improvements to resolve non-ADA compliant items listed in the ADA Transition Plan as approved by the Access Advisory Board; all work in accordance with the contract documents including Plan File Nos.474-086/108 at multiple locations, Archie Brooks Community Center, Stone Park, Argonne Armory Building, City Hall, Four Mile Community Center, Gray's Lake, Logan Community Center, and SE/Chesterfield Community Center in Des Moines, Iowa.

I hereby certify that the construction of said ADA Phase 1 Interior Remodeling, Activity ID 10-2008-001, 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 February 18, 2008, and was completed on March 20, 2009.

I further certify that \$422,703.12 is the total cost of said improvement, of which \$401,567.95 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 \$21,135.17 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