

DATE April 20, 2009

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR LINCOLN AVENUE SANITARY SEWER - VICTORIA DRIVE TO 33RD STREET, THE
UNDERGROUND COMPANY, LTD.**

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 Lincoln Avenue Sanitary Sewer - Victoria Drive to 33rd Street, 07-2008-005, in accordance with the contract approved between The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047, under Roll Call No. 08-1616, of September 8, 2008, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

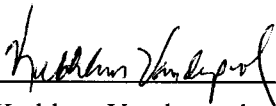
BE IT FURTHER RESOLVED: That \$120,431.05 is the total cost, of which \$113,007.68 has been paid the Contractor, and \$1,401.82 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$6,021.55 is to be paid at the end of thirty days, provided no claims 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.

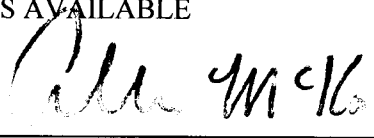
Moved by _____ to adopt.

FORM APPROVED:




Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE



Allen McKinley
Des Moines Finance Director

 Funding Source: 2009-2010 CIP, Page Sanitary-5, City-wide Sanitary Sewers, SAE054, Being: being \$33,169.37 from Special Assessments against benefited property owners and the remainder in Sanitary Sewer funds

★ Roll Call Number

Agenda Item Number

13B

DATE April 20, 2009

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

MOTION CARRIED

APPROVED

Mayor

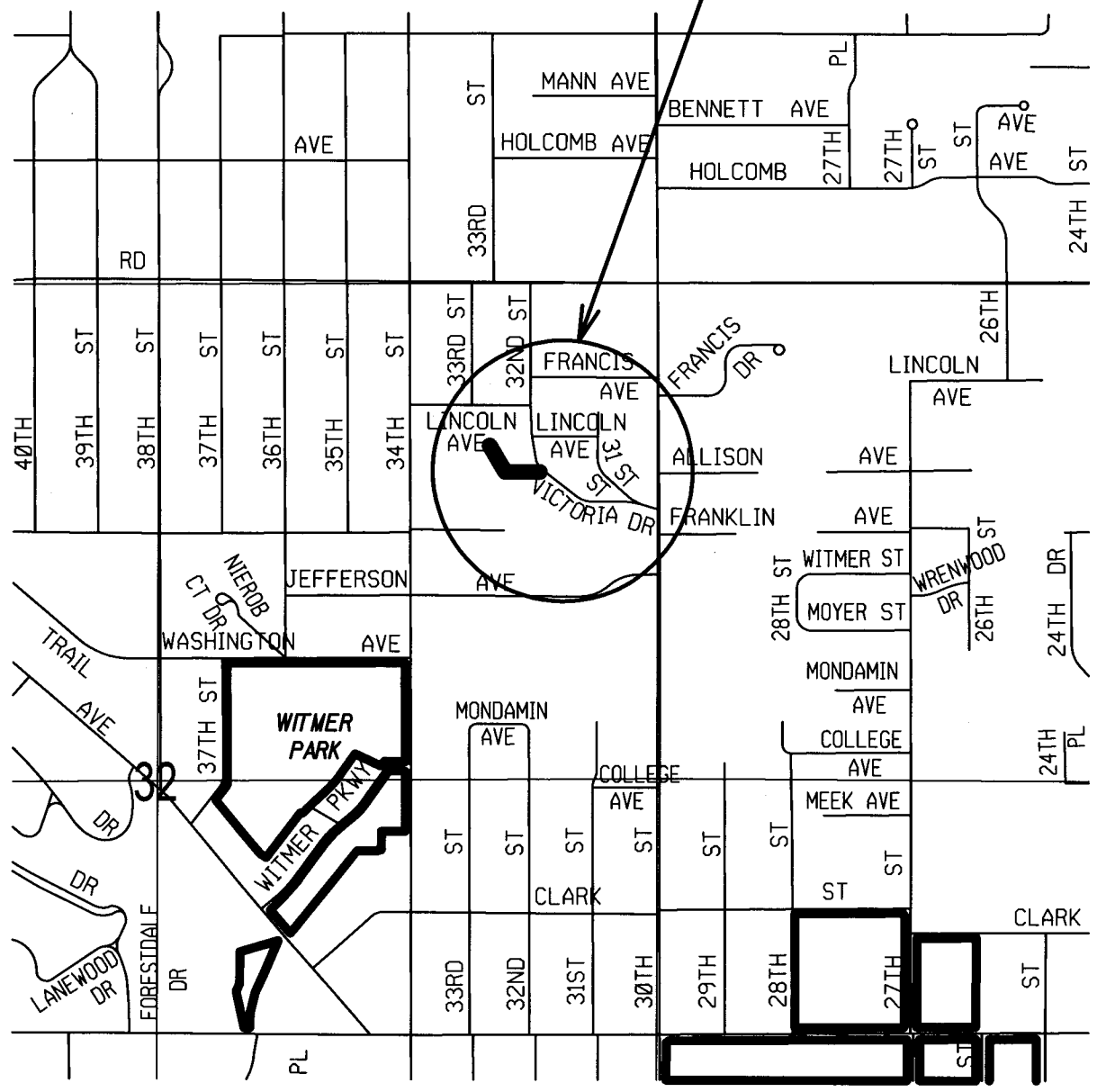
I, Diane Rauh, City Clerk of said City Council, hereby certify that at a meeting of the City Council, held on the above date, among other proceedings the above was adopted.

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

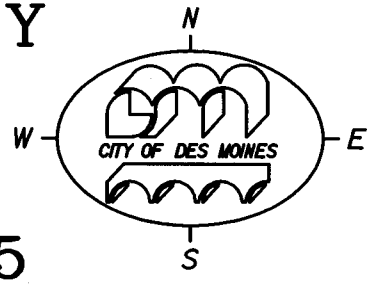
City Clerk

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PROJECT LOCATION



**LINCOLN AVENUE SANITARY
SEWER - VICTORIA DR
TO 33RD ST
ACTIVITY ID 07-2008-005**



PROJECT SUMMARY

Lincoln Ave Sanitary Sewer

Activity ID 07-2008-005

On September 8, 2008, by Roll Call No. 08-1615, the City Council awarded the contract for the above construction to The Underground Company, Ltd. The Lincoln Avenue Sanitary Sewer - Victoria Dr. to 33rd St., Activity ID 07-2008-005, described as: construction of a new sanitary sewer lateral main to service four properties on the 3200 and 3300 block of Lincoln Ave. This project will allow for the abandonment of deteriorated and obsolete septic systems that are located on these properties. This contract includes construction of the sanitary sewers, manholes, restoration of pavement & landscaping, and other incidental items; in accordance with the contract documents including Plan File Nos. 491-075/084.

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	12/19/2008 Bring the plumbing in 3300 Lincoln Ave and 3222 Lincoln Ave to current plumbing code as required by the City's Plumbing Inspection Department.	Regulator	\$3,151.50
2	1/7/2009 The property owner wanted his yard to be seeded rather than sodded.	Engineering	(\$1,778.40)
3	3/31/2009 Adjust all quantities to final agreed upon as-built quantities.	Engineering	(\$19,270.05)
Original Contract Amount			\$138,328.00
Total Change Orders			(\$17,896.95)
Percent of Change Orders to Original Contract			-12.94%
Final Contract Amount			\$120,431.05

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April 20, 2009

CERTIFICATION OF COMPLETION



AGENDA HEADING:

Accepting completed construction and approving final payment for the Lincoln Avenue Sanitary Sewer-Victoria Drive to 33rd Street, The Underground Company, Ltd..

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$120,431.05 As-Built Contract Cost

Funding Source: 2009-2010 CIP, Page Sanitary-5, City-wide Sanitary Sewers, SAE054, Being: being \$33,169.37 from Special Assessments against benefited property owners and the remainder in Sanitary Sewer funds

CERTIFICATION OF COMPLETION:

On September 8, 2008, under Roll Call No. 08-1616, the City Council awarded a contract to The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047 for the construction of the following improvement:

Lincoln Avenue Sanitary Sewer - Victoria Drive to 33rd Street, 07-2008-005

The improvement includes construction of a new sanitary sewer lateral main to service four properties in the 3200 and 3300 blocks of Lincoln Avenue, Des Moines, Iowa. This project will allow for the abandonment of deteriorated and obsolete septic systems that are located on these properties. This contract includes construction of the sanitary sewer, manholes, restoration of pavement & landscaping, and other incidental items; in accordance with the contract documents including Plan File Nos. 491-075/084

I hereby certify that the construction of said Lincoln Avenue Sanitary Sewer - Victoria Drive to 33rd Street, Activity ID 07-2008-005, 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 September 16, 2008, and was completed on April 6, 2009.



I further certify that \$120,431.05 is the total cost of said improvement, of which \$113,007.68 has been paid the Contractor and \$1,401.82 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$6,021.55 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

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LINE NO.	DESCRIPTION	UNIT	UNITS		UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED		
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$120,431.05			
	PARTIAL PAYMENT #1		\$92,067.78			
	PARTIAL PAYMENT #2		\$20,939.90			
	THIS PARTIAL PAYMENT		\$1,401.82			
	TOTAL PARTIAL PAYMENTS		\$114,409.50			
	BALANCE		\$6,021.55			
	TOTAL					\$120,431.05
	RETAINAGE					\$6,021.55
	TOTAL LESS RETAINAGE					\$114,409.50
	LESS PREVIOUS PAYMENT					\$113,007.68
	AMOUNT DUE					\$1,401.82

FINAL PAYMENT (Partial Payment No. 3)

PREPARED BY: Matthew J Beckel

CHECKED BY: Jack L. Earl

CONTRACTOR: The Underground Company