

11 C

DATE April 21, 2008

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR M.L.K. RAW WATER LINE RELOCATION, VAN HAUEN & ASSOCIATES, 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 M.L.K. Raw Water Line Relocation, 04-2003-009, in accordance with the contract approved between Van Hauen & Associates, Inc., Mark Van Hauen, CEO/Vice President, 13185 Pineview Drive, Clive, IA 50325, under Roll Call No. 03-682, of March 24, 2003, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

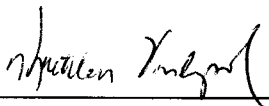
BE IT FURTHER RESOLVED: That \$1,218,493.65 is the total cost, of which \$1,157,568.97 has been paid the Contractor, and \$0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$60,924.68 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. Said remaining balance of \$60,924.68 is to be paid at the end of thirty days, also provided that a release of this payment has been approved by the Iowa Department of Transportation through the Des Moines Engineering Department. Said Engineering Department shall not release this payment until all projects audits have been completed, and any monetary penalties resulting from audit deficiencies shall be deducted from said balance of \$60,924.68 before being released to the Contractor. The Mayor be and is hereby authorized and directed to sign the Iowa Department of Transportation Certificate of Completion and Final Acceptance of Agreement Work. 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.

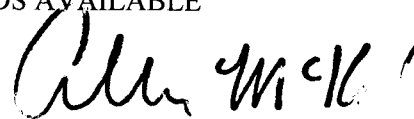
Moved by _____ to adopt.

FORM APPROVED:



Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE



368

Allen McKinley
Des Moines Finance Director

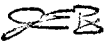
★ **Roll Call Number**

Agenda Item Number

11 C

DATE April 21, 2008

Funding Source: 2008-2009 CIP, Page Street-23, Martin Luther King Jr. Parkway - East/West Segment, STR039, Being:

 50% (\$609,246.82) from Iowa DOT Revitalize Iowa's Sound Economy (RISE) Program and 50% City Funds (\$609,246.83) in Tax Increment Funds

RM-1945(508)--9D-77

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

MOTION CARRIED

APPROVED

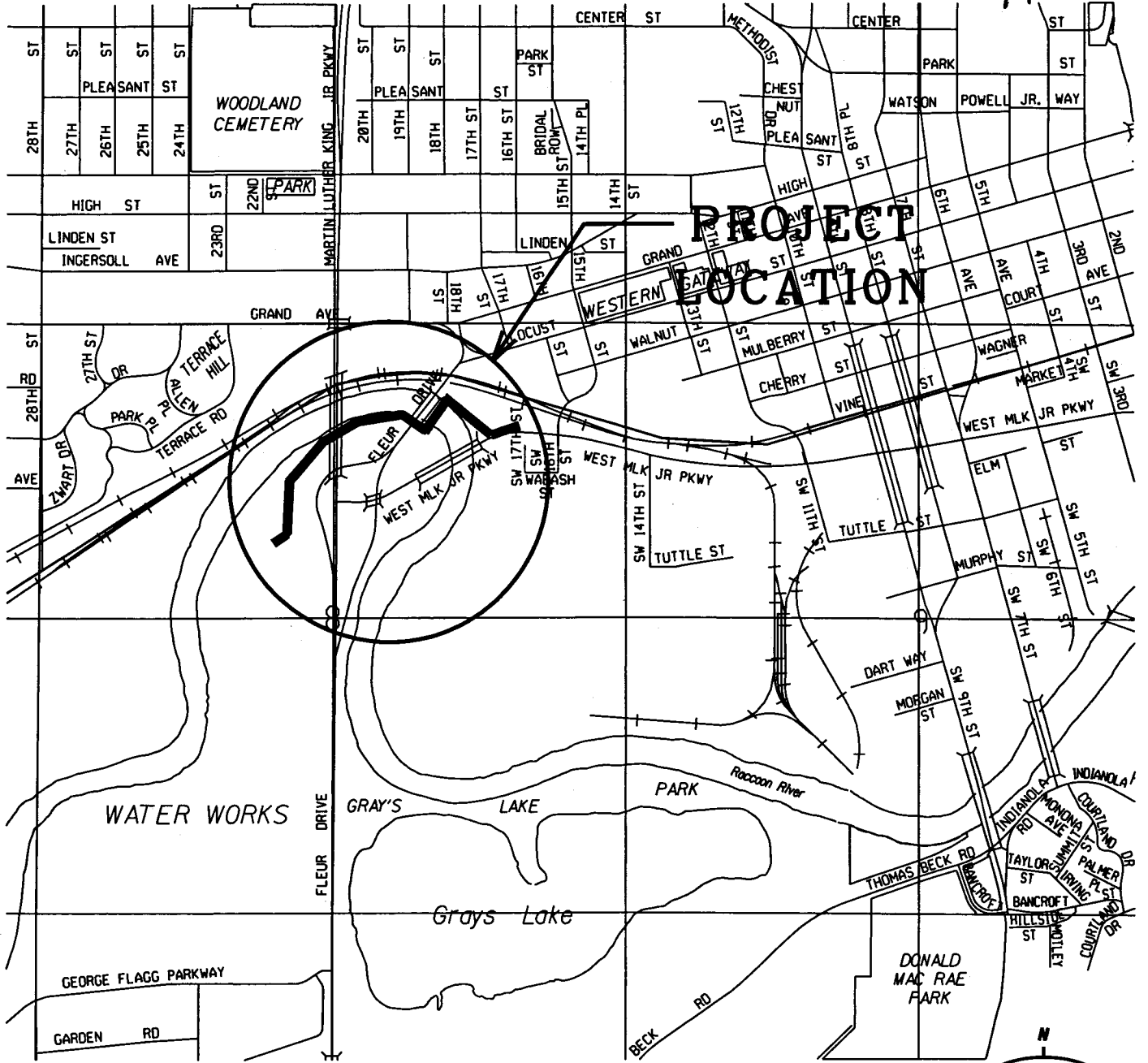
Mayor

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

11 C



PROJECT LOCATION MAP
M.L. KING JR PARKWAY
RAW WATER LINE RELOCATION
IDOT PROJECT NO. RM-1945(508)--9D-77
ACTIVITY ID 04-2003-009

efile-dates

11 C

PROJECT SUMMARY

M.L.K. Raw Water Line Relocation

Activity ID 04-2003-009

M. L. King Jr. Parkway Raw Water Line Relocation, City Activity ID 04-2003-009, IDOT Project No. RM-1945(308)--9D-77

On March 24, 2003, under Roll Call No. 03-682, the City Council awarded the contract for the above improvement to Van Hauen & Associates, Inc., in the amount of \$1,082,728.00 to complete the relocation of a section of the Des Moines Water Works 48-inch raw water line due to a conflict between the existing raw water main location and the future alignment of the east/west Martin Luther King Jr. Parkway.

This raw water line relocation project includes all labor, material and equipment necessary to replace approximately 2,194 LF of 48-inch diameter raw water line, 72-inch diameter steel encasement, 48-inch concrete encased river crossing, abandonment of an air release manhole, removal and replacement of a 16-inch diameter ductile iron storm sewer line and intake, construction of a new air release manhole, two connections to the existing raw water main, PCC pavement patches, ACC/PCC pavement patches along with miscellaneous associated work including levee reconstruction, riprap restoration, seeding and site restoration; all in accordance with the contract documents including Plan Nos. 419-007/014;

Located east of Fleur Drive at the Des Moines Water Works plant to the intersection of S.W. 17th Street and Market Street.

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	11/17/2003 Change the alignment of the 48-inch Raw Water Line around the outside edge of the M L King Jr. Parkway & Fleur Drive intersection rather than under the intersection.	Consultant	\$157,512.00
2	3/31/2004 This change order includes: 1) Deletion of some of the 72-inch dia Open Cut Steel Encasement pipe no longer needed due to a project redesign. 2) The addition of a loop in the 48-inch dia Water Main pipe due to conflicts with an existing storm sewer.	Engineering	\$8,245.00

<u>Change Order No.</u>	<u>Description</u>	<u>Initiated By</u>	<u>Amount</u>
3	8/10/2007	Engineering	(\$29,991.35)

This change order includes: 1) The deletion of 60.0 LF of 72" Open Cut Steel Encasement Pipe. 2) The addition of 30.0 LF of 72" Steel Encasement, Pipe Only, Not Delivered. 3) The addition of 30.0 LF of 72" Steel Encasement, Purchase/Sell Difference. 4) The adjustment of the plan quantities of Bid Items 4, 5, 6, 12, & 13 to match actual field measurements.

Original Contract Amount	\$1,082,728.00
Total Change Orders	\$135,765.65
Percent of Change Orders to Original Contract	12.54%
Final Contract Amount	\$1,218,493.65

11 c

April 21, 2008

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the M.L.K. Raw Water Line Relocation, Van Hauen & Associates, Inc..

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$1,218,493.65 As-Built Contract Cost

Funding Source: 2008-2009 CIP, Page Street-23, Martin Luther King Jr. Parkway - East/West Segment, STR039, Being: 50% (\$609,246.82) from Iowa DOT Revitalize Iowa's Sound Economy (RISE) Program and 50% City Funds (\$609,246.83) in Tax Increment Funds

CERTIFICATION OF COMPLETION:

On March 24, 2003, under Roll Call No. 03-682, the City Council awarded a contract to Van Hauen & Associates, Inc., Mark Van Hauen, CEO/Vice President, 13185 Pineview Drive, Clive, IA 50325 for the construction of the following improvement:

M.L.K. Raw Water Line Relocation, 04-2003-009

The relocation of a section of the Des Moines Water Works 48-inch raw water line due to a conflict between the existing raw water main location and the future alignment of the east/west Martin Luther King Jr. Parkway.

This raw water line relocation project includes all labor, material and equipment necessary to replace approximately 2,194 LF of 48-inch diameter raw water line, 72-inch diameter steel encasement, 48-inch concrete encased river crossing, abandonment of an air release manhole, removal and replacement of a 16-inch diameter ductile iron storm sewer line and intake, construction of a new air release manhole, two connections to the existing raw water main, PCC pavement patches, ACC/PCC pavement patches along with miscellaneous associated work including levee reconstruction, riprap restoration, seeding, and site restoration; all in accordance with the contract documents including Plan File Nos. 419-007/014;

Located east of Fleur Drive at the Des Moines Water Works plant to the intersection of S.W. 17th Street and Market Street



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, 1978, 1981
2003

I hereby certify that the construction of said M.L.K. Raw Water Line Relocation, Activity ID 04-2003-009, 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 December 2, 2003, and was completed on April 7, 2008.

I further certify that \$1,218,493.65 is the total cost of said improvement, of which \$1,157,568.97 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 \$60,924.68 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. Said remaining balance of \$60,924.68 is to be paid at the end of thirty days, also provided that a release of this payment has been approved by the Iowa Department of Transportation through the Des Moines Engineering Department. Said Engineering Department shall not release this payment until all projects audits have been completed, and any monetary penalties resulting from audit deficiencies shall be deducted from said balance of \$60,924.68 before being released to the Contractor. The Mayor be and is hereby authorized and directed to sign the Iowa Department of Transportation Certificate of Completion and Final Acceptance of Agreement Work. 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

