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Date May 4, 2009

RESOLUTION ACCEPTING WORK AND ORDERING PREPARATION OF PLAT AND
SCHEDULE OF ASSESSMENTS FOR
LINCOLN AVENUE SANITARY SEWER - VICTORIA DR. TO 33RD ST.,
ACTIVITY ID 07-2008-005, SCHEDULE NUMBER 2008-05

WHEREAS, on May 5, 2008, by Roll Call No. 08-778, the City Council adopted the Preliminary Resolution for the Lincoln Avenue Sanitary Sewer - Victoria Dr. to 33rd St., Activity ID 07-2008-005, Schedule Number 2008-05, which stated under Subdivision E that:

Subdivision E. That said improvement or portion thereof shall be designated as follows:

Lincoln Avenue Sanitary Sewer - Victoria Dr. to 33rd St., Activity ID 07-2008-005, Schedule Number 2008-05

and such name shall be sufficient designation to refer to said improvement in all subsequent proceedings.

WHEREAS, on June 9, 2008, by Roll Call No. 08-1037, the City Council adopted the Resolution of Necessity for the Lincoln Avenue Sanitary Sewer - Victoria Dr. to 33rd St., Activity ID 07-2008-005, Schedule Number 2008-05, described as:

Construction of a new sanitary sewer to service four properties in the 3200 and 3300 block of Lincoln Avenue including construction of the sanitary sewer, manholes, restoration of pavement & landscaping, and other incidental items which will allow for the abandonment of deteriorated and obsolete septic systems that are located on the properties.

WHEREAS, on September 8, 2008, under Roll Call No. 08-1616, the City Council approved a construction contract with The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA, 50047, for the following improvements:

Lincoln Avenue Sanitary Sewer - Victoria Dr. to 33rd St., Activity ID 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

WHEREAS, said contractor has fully completed the construction of said improvements, known as the Lincoln Avenue Sanitary Sewer – Victoria Drive to 33rd Street, Activity ID 07-2008-005, which included said Lincoln Avenue Sanitary Sewer - Victoria Dr. to 33rd St., Activity ID 07-2008-005, Schedule Number 2008-05, in accordance with the terms and conditions of said contract and plans and

Date May 4, 2009

specifications, as shown by the certificate of the Engineer filed with the Clerk on April 20, 2009, under Roll Call No. 09-616, and

WHEREAS, your Chief Civil Engineer now recommends that the City Council accept the construction of the improvements known as the Lincoln Avenue Sanitary Sewer - Victoria Dr. to 33rd St., Activity ID 07-2008-005, Schedule Number 2008-05, and levy the final assessments for the work against the benefited properties on the street.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DES MOINES, IOWA, REGARDING SAID LINCOLN AVENUE SANITARY SEWER - VICTORIA DR. TO 33RD ST., ACTIVITY ID 07-2008-005, SCHEDULE NUMBER 2008-05:

Section 1. That the attached April 20, 2009 report of the Engineer be and the same is hereby approved and adopted and said improvements are hereby accepted as having been fully completed in accordance with the said plans, specifications and contract. The total as-built cost of the improvements payable under said contract is hereby determined to be \$120,431.05.

Section 2. That the total project cost shall include all construction, engineering, legal, right-of-way and administrative costs that has been determined to be \$175,666.96 and the total project cost of said improvements shall be assessed against the benefited properties, but not in excess of the amounts so assessed in the preliminary plat and schedule for the improvement, and filed in the office of the Clerk.

Section 3. That the Engineer is hereby instructed to prepare a final plat and schedule showing the separate lots or parcels of ground subject to assessment for the cost together with the names of the owners thereof, so far as practicable, and the amount assessable by law against each lot or parcel of ground so assessable, and against any railway or street railway legally assessable therefore, and \$33,169.37 of the whole amount of the cost of said improvements shall be assessed against the benefited properties, but not in excess of the amounts so assessed in the preliminary plat and schedule for the improvement, and filed in the office of the Clerk.

Moved by _____ to adopt.

FORM APPROVED: Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

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

★ **Roll Call Number**

Agenda Item Number

14

Date May 4, 2009

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

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



ESTIMATE OF CONSTRUCTION COMPLETED

FOR WORK DONE FROM 01/10/09 TO 03/20/09

FINAL PAYMENT (Partial Payment No. 3)

Proj No: N/A
Activity ID: 07-2008-005
Date: 03/23/09

PROJECT: Lincoln Ave Sanitary Sewer- Victoria Dr to 33rd St
CONTRACTOR: The Underground Company

LINE NO.	DESCRIPTION	UNIT	UNITS				TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	UNIT PRICE	
1	Clear and Grub	ACRE	0.510	0.510	0.510	\$9,803.93	\$5,000.00
2	Sanitary/Septic System Investigation	LS	1.000	1.000	1.000	\$2,800.00	\$2,800.00
3	Driveway Removal	SY	483.000	238.170	238.170	\$10.00	\$2,381.70
4	Full Depth Portland Cement Concrete Patch	SY	70.000	72.000	72.000	\$100.00	\$7,200.00
5	Driveway, HMA (300K ESAL) Surface, 1/2", 6" Thickness	SY	483.000	238.170	238.170	\$40.00	\$9,526.80
6	Fence Remove and replace	LF	80.000	71.000	71.000	\$28.00	\$1,988.00
7	Pump Septic tank	EACH	3.000	3.000	3.000	\$400.00	\$1,200.00
8	Abandon Septic Tank	EACH	3.000	3.000	3.000	\$400.00	\$1,200.00
9	Temporary Driveway Surfacing, HMA Millings	TON	50.000	0.000	0.000	\$2.00	\$0.00
10	Sewer, 8" Sanitary	LF	530.000	520.000	520.000	\$87.00	\$45,240.00
11	Type "A" Manhole (Sanitary Sewer)	EACH	4.000	4.000	4.000	\$3,148.00	\$12,592.00
12	Sanitary Sewer Service Pipe	LF	190.000	0.000	0.000	\$86.00	\$0.00
13	Sanitary Sewer Service Pipe, Ductile Iron	LF	20.000	142.300	142.300	\$102.00	\$14,514.60
14	Sanitary Sewer Service Connection	EACH	4.000	4.000	4.000	\$110.00	\$440.00
15	Engineering Fabric, Geogrid Stabilization	SY	32.000	49.770	49.770	\$5.00	\$248.85
16	Foundation Rock	TON	30.000	0.000	0.000	\$20.00	\$0.00
17	Sod	SQ	242.000	135.350	135.350	\$40.00	\$5,414.00
18	Mobilization	LS	1.000	1.000	1.000	\$4,990.00	\$4,990.00
19	Project Sign, Small	EACH	1.000	0.000	0.000	\$100.00	\$0.00
20	Traffic Control	LS	1.000	1.000	1.000	\$1,586.00	\$1,586.00
1.01	Plumbing Repairs	LS		1.000	1.000	\$3,151.50	\$3,151.50
2.01	Hydro Seeding	SF		6,840.000	6,840.000	\$0.14	\$957.60

LINE NO.	DESCRIPTION	UNIT	UNITS		CONSTRUCTED TO DATE	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

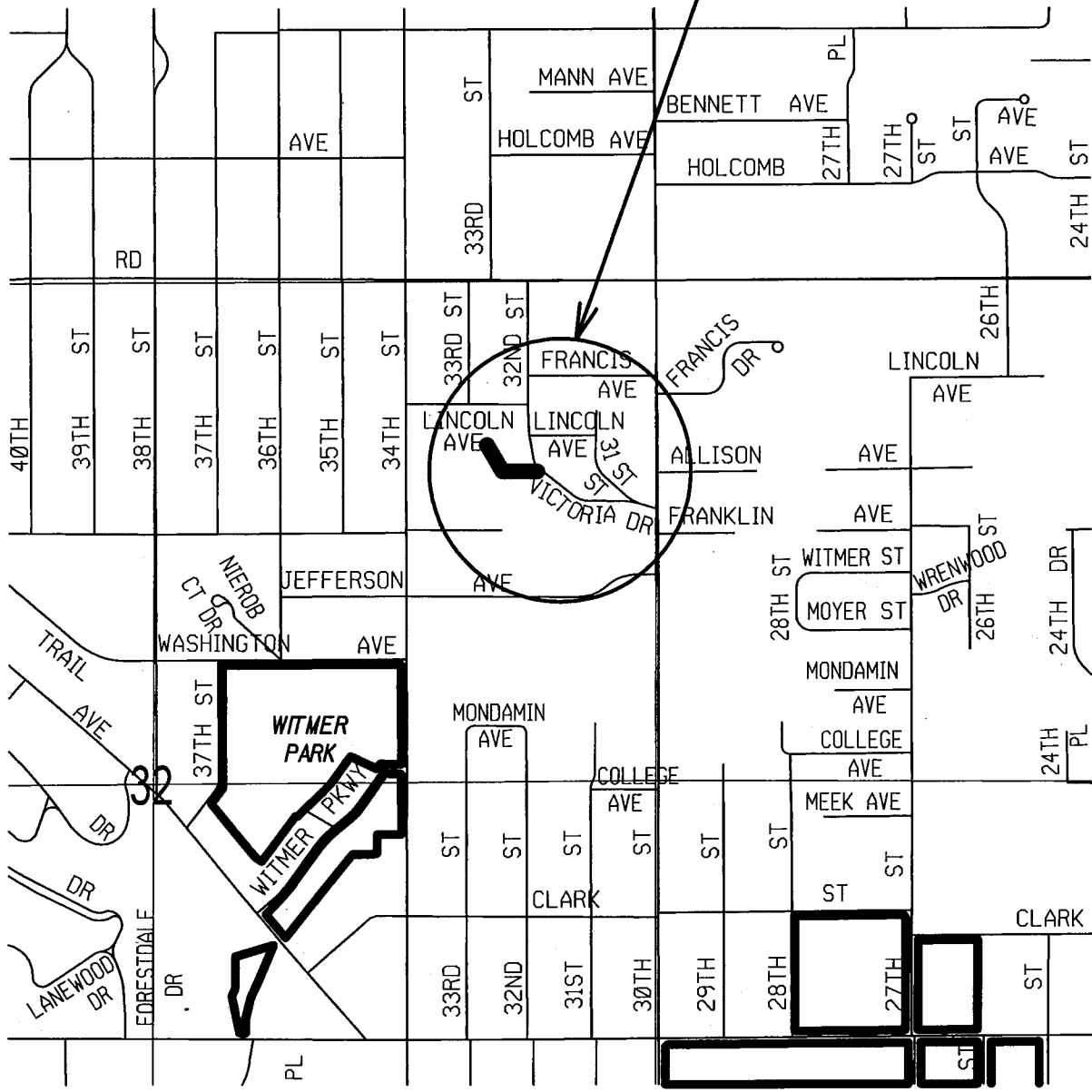
FINAL PAYMENT (Partial Payment No. 3)

PREPARED BY: Matthew J Beckel

CHECKED BY: Josh R. Eard

CONTRACTOR: The Underground Company

PROJECT LOCATION



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

