



**Roll Call Number**

**Agenda Item Number**

14 B

DATE May 10, 2010

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT  
FOR POLICE ACADEMY HVAC UPGRADE, BROCKWAY MECHANICAL & ROOFING COMPANY, INC.**

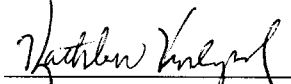
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached report of the Jurisdictional Engineer, showing the cost of the construction of the Police Academy HVAC Upgrade, 10-2009-006, in accordance with the contract approved between Brockway Mechanical & Roofing Company, Inc., Mark J. Brockway, President & CEO, 1025 Osborn Street, P.O. Box 1190, Burlington, IA 52601, under Roll Call No. 09-2064, of November 9, 2009, 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 \$108,456.00 is the total cost, of which \$103,033.20 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 \$5,422.80 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code Chapter 573.


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: 2010-2011 CIP, Page Building-9, HVAC, Electrical, and Plumbing Improvements, BLD074, G. O. Bonds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GREISS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

MOTION CARRIED APPROVED

\_\_\_\_\_  
Mayor

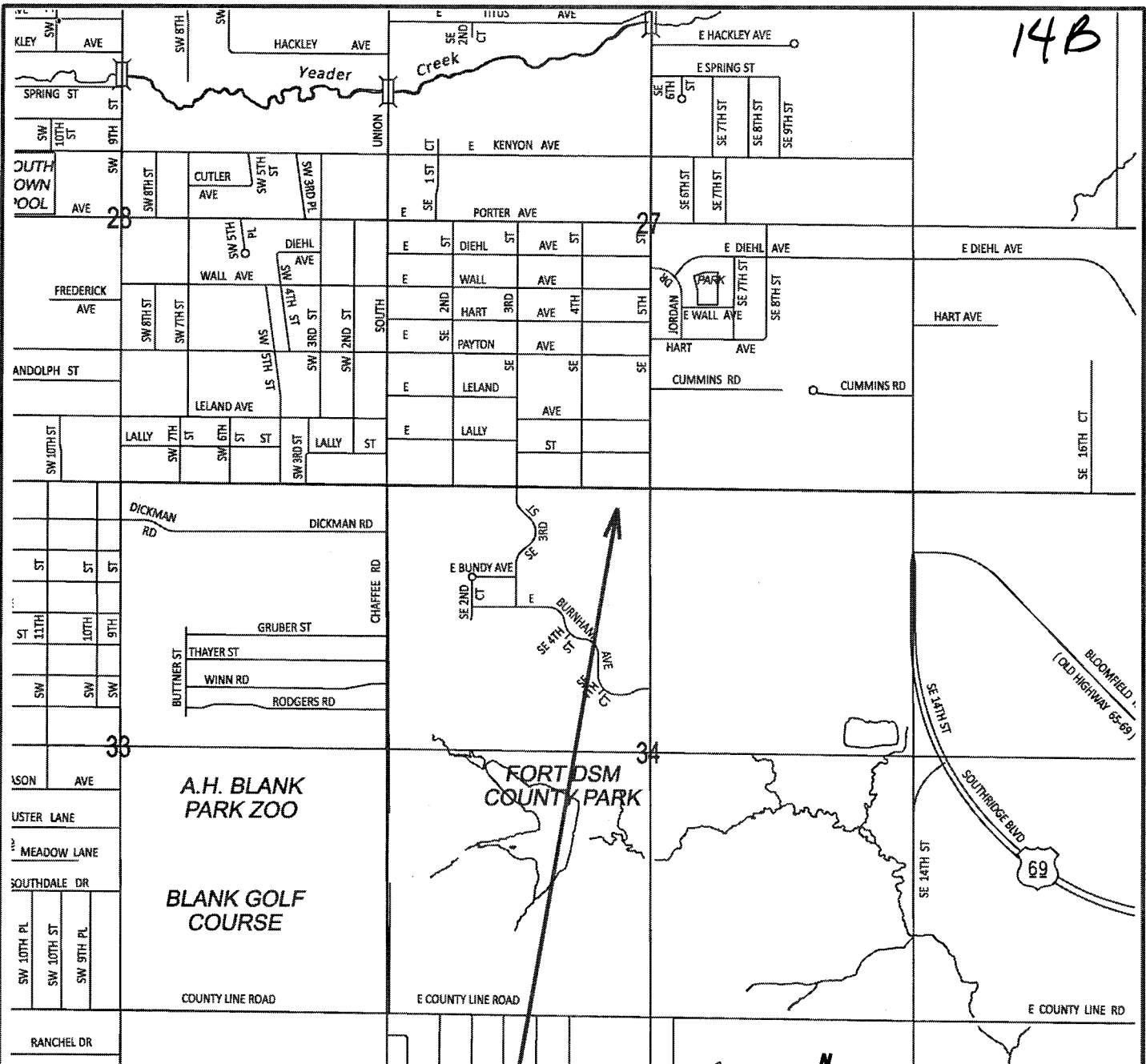
**CERTIFICATE**

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.

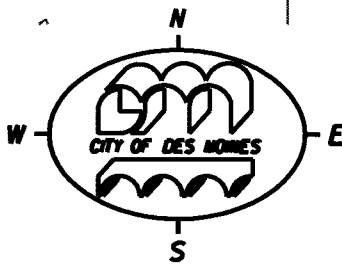
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

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

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**PROPERTY  
LOCATION**



**POLICE ACADEMY  
HVAC UPGRADE  
10-2009-006**

# PROJECT SUMMARY

## Police Academy HVAC Upgrade

### Activity ID 10-2009-006

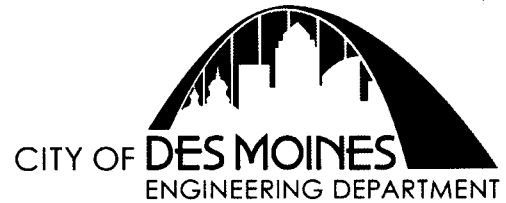
On November 9, 2009, under Roll Call No. 09-2064, the City Council awarded the contract for the above improvements to Brockway mechanical and Roofing Company, Inc., in the amount of \$92,470.00 to replace two roof top units with six new units and ceiling grid and tile in main corridor and storage room.

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	2/17/2010 Add for changes required by code	Regulator	\$15,986.00
<b>Original Contract Amount</b>			\$92,470.00
<b>Total Change Orders</b>			\$15,986.00
<b>Percent of Change Orders to Original Contract</b>			17.29%
<b>Final Contract Amount</b>			\$108,456.00

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May 10, 2010



**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the Police Academy HVAC Upgrade, Brockway Mechanical & Roofing Company, 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: \$108,456.00 As-Built Contract Cost

Funding Source: 2010-2011 CIP, Page Building-9, HVAC, Electrical, and Plumbing Improvements, BLD074, G. O. Bonds

**CERTIFICATION OF COMPLETION:**

On November 9, 2009, under Roll Call No. 09-2064, the City Council awarded a contract to Brockway Mechanical & Roofing Company, Inc., Mark J. Brockway, President & CEO, 1025 Osborn Street, P.O. Box 1190, Burlington, IA 52601 for the construction of the following improvement:

Police Academy HVAC Upgrade, 10-2009-006

The improvement includes the replacement of two existing roof top units (RTU) with six new units. The installation of the new units necessitates the replacement of the acoustical lay-in ceiling in the main hallway. The work will be performed at the Des Moines Police Academy at 433 E. Army Post Road, Des Moines, Iowa

I hereby certify that the construction of said Police Academy HVAC Upgrade, Activity ID 10-2009-006, 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 November 16, 2009, and was completed on May 4, 2010.

I further certify that \$108,456.00 is the total cost of said improvement, of which \$103,033.20 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 \$5,422.80 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code chapter 573. The amount of completed work is shown on the attached Estimate of Construction Completed.

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

# APPLICATION AND CERTIFICATE FOR PAYMENT

TO: City of Des Moines  
 400 Robert D. Ray Drive  
 Des Moines, IA 50309-1891

PROJECT: DM Police Academy HVAC Upgrade  
 Des Moines, Iowa

APPLICATION NO: Retention  
 3/31/2010

Distribution to:  
 OWNER  
 ARCHITECT  
 CONTRACTOR

FROM (CONTRACTOR): Brockway Mechanical & Roofing Co., Inc.  
 VIA (ARCHITECT): Brewer Engineering

CONTRACT NO: 14498

CONTRACT DATE: 11/9/2009

## CONTRACTOR'S APPLICATION FOR PAYMENT

CHANGE ORDER SUMMARY		
Change Orders approved in previous months by Owner	ADDITIONS	DEDUCTIONS
Approved this Month		
Number	Date Approved	
1	2/4/2010	
TOTALS	\$ 15,986.00	\$ -
Net change by Change Orders	\$ 15,986.00	\$ -

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Brockway Mechanical & Roofing Co, Inc.  
 By: Mark J. Brockway Date: 7/15/10

## ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

ARCHITECT: [Signature] Date: 3/23/2010

By: [Signature] Date: 3/23/2010

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

Application is made for Payment, as shown below, in connection with the Contract Continuation Sheet, AIA Document G703, is attached.

- ORIGINAL CONTRACT SUM ..... \$ 92,470.00
- Net change by Change Orders ..... \$ 15,986.00
- CONTRACT SUM TO DATE (Line 1+2) ..... \$ 108,456.00
- TOTAL COMPLETED & STORED TO DATE ..... \$ 108,456.00  
 (Column G on G703)
- RETAINAGE: 3  
 a. 0% of Completed Work \$ 5422.80  
 (Column D + E on G703)  
 b. - of Stored Material \$ -  
 (Column F on G703)
- TOTAL EARNED LESS RETAINAGE ..... \$ 108,456.00  
 Total Retainage (line 5a + 5b or Total in Column I of G703) ..... \$ -
- LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) ..... \$ 103,033.20
- CURRENT PAYMENT DUE ..... \$ 5,422.80
- BALANCE TO FINISH, PLUS RETAINAGE ..... \$ -  
 (Line 3 less Line 6)

State of: Iowa County of: Worth  
 Subscribed and sworn to before me this 18 day of March, 2010  
 Notary Public: Margaret Schwind  
 My Commission expires: 9-21-2010

MARGARET SCHWIND  
 Notary Public - IOWA  
 COMMISSION NO. 730605  
 MY COMMISSION EXPIRES 9-21-10

AMOUNT CERTIFIED \$ 5,422.80  
 (Attach explanation if amount certified differs from the amount applied for.)

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# CONTINUATION SHEET

AIA DOCUMENT G703

PAGE ██████ of ██████ PAGES

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing

Contractor's signed Certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

DM Police Academy HVAC L Job No. 1761H  
Des Moines, Iowa

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D O R E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C - G)	I RETAINAGE (calculated at 0% percent)
			FROM PREVIOUS APPLICATION (D+E)	% (G/C)					
	General Conditions	9,300.00	9,300.00				9,300.00	\$	0.00
	Demolition	12,000.00	12,000.00				12,000.00	-	0.00
	Ductwork	11,500.00	11,500.00				11,500.00	-	0.00
	Rooftop Units	38,470.00	38,470.00				38,470.00	-	0.00
	Gas Piping	2,800.00	2,800.00				2,800.00	-	0.00
	Grilles/Diffusers	2,700.00	2,700.00				2,700.00	-	0.00
	Electrical	7,500.00	7,500.00				7,500.00	-	0.00
	Ceiling Grid	6,000.00	6,000.00				6,000.00	-	0.00
	Balancing	2,200.00	2,200.00				2,200.00	-	0.00
	CO#1-Add dampers, duct, reroute supply air, add roof curb, etc	15,986.00	15,986.00				15,986.00	-	0.00
	<b>TOTALS</b>	<b>108,456.00</b>	<b>108,456.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>108,456.00</b>	<b>\$</b>	<b>0.00</b>

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# INVOICE

Invoice No. 1761H-Ret

P. O. Box 1190  
Burlington, Iowa 52601  
Phone: (319) 753-2753, Fax (319) 753-1662

email: jetenney@dmgov.org & gkooker@brewer-enr

**Customer**  
City of Des Moines  
Attn: Engineering Dept  
400 Robert D. Ray Drive  
Des Moines, IA 50309

Date: 3/18/2010  
Des Moines Police Academy  
HVAC Upgrades  
Des Moines, Iowa  
Customer No. DESMOI

Qty	Description	Unit Price	TOTAL
	<b>Retention</b>		
	To invoice you for unpaid/retainage amounts on the following billings:		
	Billing No. 1 12/17/09	\$ 484.25	
	Billing No. 2 1/19/10	\$ 2,413.50	
	Billing No. 3 2/18/10	\$ 2,017.55	
	Billing No. 4 3/18/10	\$ 507.50	
1	AMOUNT REQUESTED THIS BILLING	\$ 5,422.80	\$5,422.80

Terms: Net 30 Days

Come visit our website at:  
[www.brockwaymechanical.com](http://www.brockwaymechanical.com)

SubTotal  
6% State Tax  
1% County Tax

**TOTAL \$5,422.80**

THANK YOU FOR YOUR BUSINESS !

