

Agenda Item Number

12 R

DATE May 24, 2010

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR TRESTLE TO TRESTLE TRAIL REALIGNMENT, SMITH SEEDING, 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 Trestle to Trestle Trail Realignment, 11-2009-007, in accordance with the contract approved between Smith Seeding, Inc., John E. Smith, President, 219 N. 1st Street, Eldridge, IA 52748-2200, under Roll Call No. 09-588, of April 6, 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 \$245,032.39 is the total cost, of which \$224,219.97 has been paid the Contractor, and \$8,560.80 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$12,251.62 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 City Manager be and is hereby authorized and directed to certify the Pollution Prevention Plan Inspection Summary and the NPDES Stormwater General Permit Notice of Discontinuation for the above referenced project on behalf of the City of Des Moines and submit said documents to the Iowa Department of Natural Resources.

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

BLAM C/LA

Allen McKinley Des Moines Finance Director

Funding Source: 2010-2011 CIP, Page Parks-20, Recreation Trails, PKS045, Being: \$100,000 anticipated approximate FEMA reimbursement with the remainder in Des Moines G. O. Bonds



Agenda Item Number

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DATE May 24, 2010

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GREISS			1	<u> </u>
HENSLEY				
MAHAFFEY				
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MOTION CARRIED	I		L	APPROVED

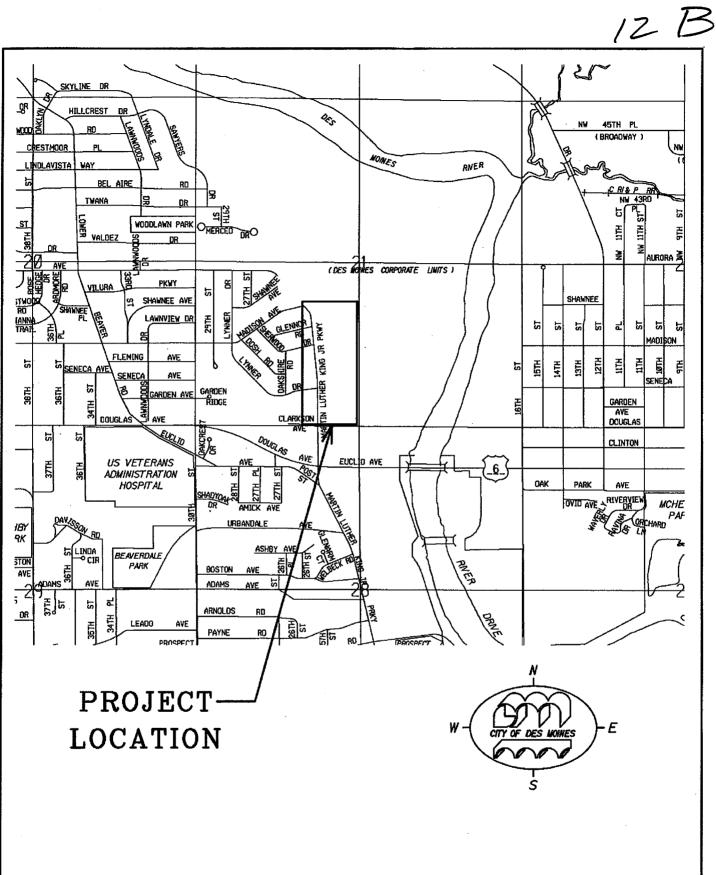
Mayor

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



TRESTLE TO TRESTLE TRAIL REALIGNMENT ACTIVITY I.D. 11-2009-007

Trestle to Trestle Trail Realignment Activity ID 11-2009-007

On April 6, 2009 under Roll Call No. 09-587 the City Council awarded the contract for the above improvement to Smith Seeding, Inc. in the amount of \$236,059.97 for construction of grading, HMA trail, storm sewer extensions, manhole, bollard & chain fencing, restoration & landscaping, and other incidental items.

Tabulated below is a history of project change orders.

Change		Initiated	
Order No.	Description	By	Amount
1	9/29/2009	Engineering	\$1,375.00
	Concrete collar connections for storm sewer extensions.		
2	10/1/2009	Engineering	\$3,207.68
	Install Rip Rap at Outlet and Remove Brick from Topsoil.		
3	10/8/2009	Engineering	\$4,778.40
	Chain link fence and chain link gate installation.		
4	1/27/2010	Engineering	\$7,404.38
	Additional grading for drainage and rock & brick removal		
5	2/26/2010	Engineering	(\$7,793.04)
	Adjustment of quantities to as-built measurements and liquidated damages.		
	Original Contract Amount		\$236,059.97
	Total Change Orders		\$8,972.42
	Percent of Change Orders to Original Contract		3.80%
	Final Contract Amount		\$245,032.39

1ZB

ENGINEERING DEPARTMENT CITY OF DES MOINES, IOWA

ESTIMATE OF CONSTRUCTION COMPLETED FOR WORK DONE FROM 01/23/10 TO 05/04/10 FINAL PAYMENT (PAYMENT NO. 6)



CITY OF DES MOINES

Activity ID: 11-2009-007 Date: 05/07/10

Page 1 of 2

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Page 2 of 2

12B

FINAL PAYMENT (PAYMENT NO. 6)

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May 24, 2010



CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Trestle to Trestle Trail Realignment, Smith Seeding, 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: \$245,032.39 As-Built Contract Cost

<u>Funding Source:</u> 2010-2011 CIP, Page Parks-20, Recreation Trails, PKS045, Being: \$100,000 anticipated approximate FEMA reimbursement with the remainder in Des Moines G. O. Bonds

CERTIFICATION OF COMPLETION:

On April 6, 2009, under Roll Call No. 09-588, the City Council awarded a contract to Smith Seeding, Inc., John E. Smith, President, 219 N. 1st Street, Eldridge, IA 52748-2200 for the construction of the following improvement:

Trestle to Trestle Trail Realignment, 11-2009-007

The improvement includes realignment of the bike trail as a result of the restoration of a levee from the Floods of 2008. Construction will include paving the trail, removal of fence, installation of bollards, extending storm sewer outlets, sidewalk ramps, access driveway, restoration and other incidental items; in accordance with the contract documents including Plan File Nos. 496-129/152, along the east side of M.L. King Jr. Parkway between Clarkson Avenue and Madison Avenue, Des Moines, Iowa

I hereby certify that the construction of said Trestle to Trestle Trail Realignment, Activity ID 11-2009-007, 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 May 13, 2009, and was completed on May 18, 2010.

12B

I further certify that \$245,032.39 is the total cost of said improvement, of which \$224,219.97 has been paid the Contractor and \$8,560.80 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$12,251.62 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.

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