

DATE June 4, 2007

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR FLEUR DRIVE RESURFACING - RAILROAD VIADUCT TO M. L. KING JR. PARKWAY, DES MOINES ASPHALT & PAVING CO.

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 Fleur Drive Resurfacing - Railroad Viaduct to M. L. King Jr. Parkway, 06-2005-003, in accordance with the contract approved between Des Moines Asphalt & Paving Co., James D. Gauger, President, P.O. Box 3365, 5550 NE 22nd Street, Suite 100, Des Moines, IA 50316, under Roll Call No. 06-1130, of June 5, 2006, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

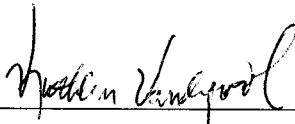
BE IT FURTHER RESOLVED: That \$444,474.39 is the total cost, of which \$422,250.67 has been paid the Contractor, and \$0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$22,223.72 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. Said remaining balance of \$22,223.72 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 \$22,223.72 before being released to the Contractor. 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.

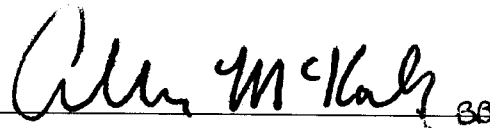
Moved by _____ to adopt.

FORM APPROVED:



Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE



Allen McKinley
Des Moines Finance Director

★ **Roll Call Number**

Agenda Item Number

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DATE June 4, 2007

Funding Source: 2007-2008 CIP, Page Street-19, Fleur Drive Resurfacing - Gray's Lake Park Entrance to Army Post Road, STR199, Various Funding, Being:
 \$355,579.51 in Federal Surface Transportation Program (STP) funds for 80% of eligible construction contract cost (\$360,000 Maximum) with the remaining \$88,894.88 in G. O. Bonds
 STP-U-1945(696)--70-77

JFB

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

MOTION CARRIED

APPROVED

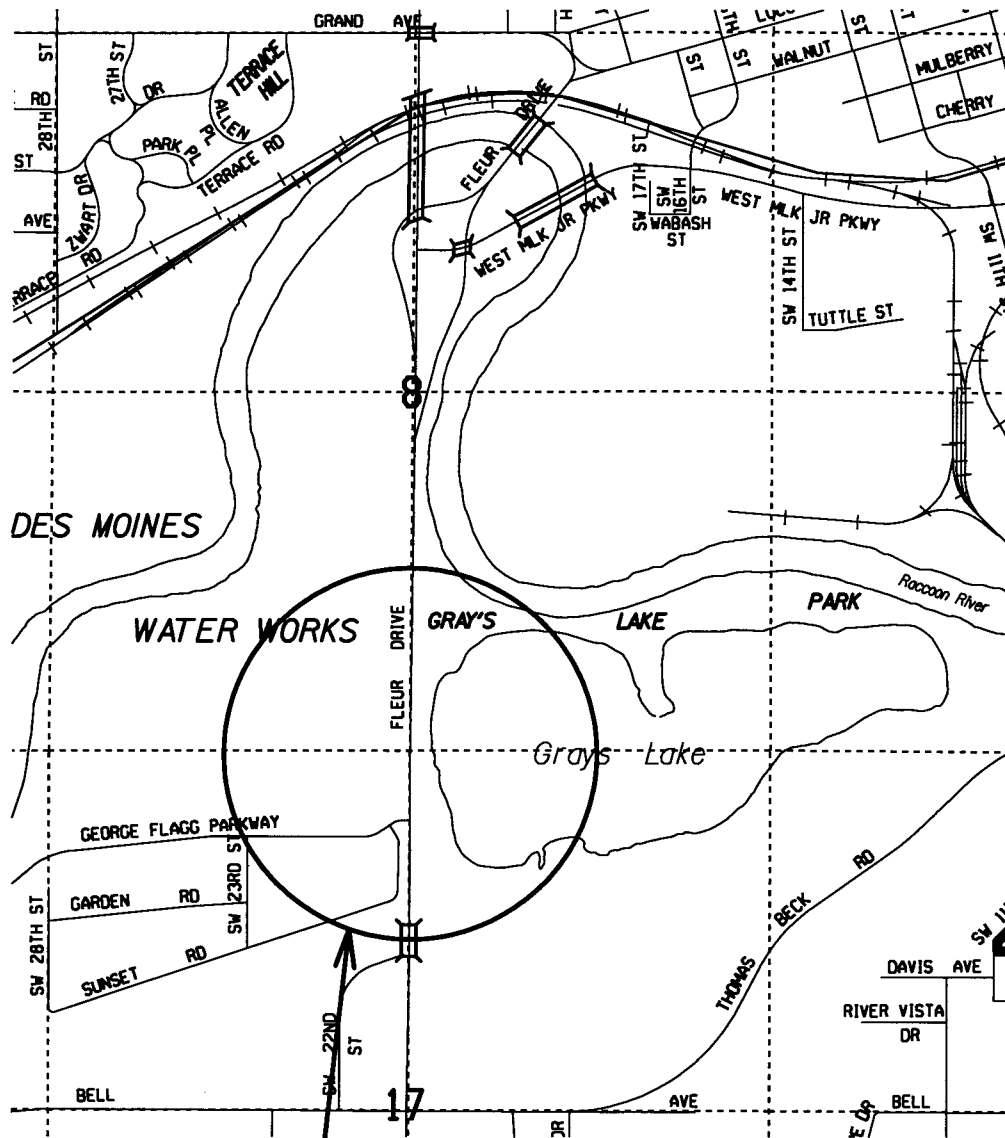
 Mayor

I, Jody Witmer, Chief Deputy 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.

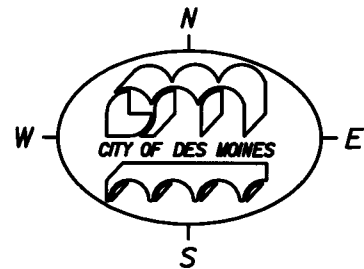
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 Chief Deputy City Clerk

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**PROJECT
LOCATION**



**FLEUR DRIVE RESURFACING
M. L. KING JR. PARKWAY TO RR VIADUCT
ACTIVITY I.D. 06-2005-003**

11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

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PROJECT SUMMARY

Fleur Drive Resurfacing Activity ID 06-2005-003

On June 16, 2006, under Roll Call No. 06-1129, the City Council awarded the contract for the Fleur Drive Resurfacing From the Railroad Viaduct North 0.5 Mile to M.L. King Parkway Paving to Des Moines Asphalt and Paving Company. The resurfacing project includes patching, intake reconstructions, localized milling, and a hot mix asphalt overlay.

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	11/9/2006 Contractor was requested to provide changeable message signs to inform motorists of the project. The Contractor was also requested to install two traffic signal detector loops. Adjust contract quantities to match as-built quantities.	Engineering	\$4,528.09
2	11/14/2006 Adjust contract quantities to match as-built quantities.	Engineering	(\$17,098.64)
Original Contract Amount			\$457,044.94
Total Change Orders			(\$12,570.55)
Percent of Change Orders to Original Contract			-2.75%
Final Contract Amount			\$444,474.39

ESTIMATE OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 08/15/06 TO 11/25/06
FINAL PAYMENT (PAYMENT NO. 3)

ACTIVITY ID 06-2005-003
PROJECT NO. STP-U-1945(696)--70-77
DATE: 05/24/07

PROJECT: FLEUR DRIVE RESURFACING FROM RAILROAD VIADUCT NORTH 0.5 MILE TO M.L. KING JR. PARKWAY
CONTRACTOR: Des Moines Asphalt and Paving Company

FINAL PAYMENT (PAYMENT NO. 3)

LINE NO.	DESCRIPTION	UNIT	UNITS			CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED				
0010	Cleaning and Preparation of Base	MILE	0.6	0.6		0.6	\$2,000.00	\$1,200.00
0020	Patches, Full-Depth Repair	SY	227.3	298.1		298.1	\$103.55	\$30,868.25
0030	Patches, Partial-Depth Repair	SY	60.0	112.4		112.4	\$73.50	\$8,261.40
0040	Patches By Count (Repair)	EACH	37.0	72.0		72.0	\$127.59	\$9,186.48
0050	Removal of Curb	STA	0.1	0.0		0.0	\$787.50	\$0.00
0060	Pavement Scarification	SY	615.0	653.1		653.1	\$10.00	\$6,531.00
0070	HMA (10M ESAL) Intermediate, 1/2"	TON	1800.0	1782.2		1782.2	\$47.00	\$83,763.40
0080	HMA (10M ESAL) Surf, 1/2", Fric L-3	TON	2400.0	2266.2		2266.2	\$48.00	\$108,777.60
0090	Asphalt Binder, PG 64-22	TON	108.0	94.5		94.5	\$330.00	\$31,185.00
0100	Asphalt Binder, PG 70-22	TON	144.0	120.1		120.1	\$410.00	\$49,241.00
0110	Hot Mix Asphalt Pavement Sample	LS	1.0	1.0		1.0	\$5,000.00	\$5,000.00
0120	Intake Type "M-A"	EACH	3.0	3.0		3.0	\$3,675.00	\$11,025.00
0130	Intake Type "M-C"	EACH	2.0	2.0		2.0	\$5,250.00	\$10,500.00
0140	Removal of Intake and Utility Access	EACH	5.0	5.0		5.0	\$1,050.00	\$5,250.00
0150	Sidewalk, PCC, 4"	SY	46.0	0.0		0.0	\$89.00	\$0.00
0160	Sidewalk, PCC, 6"	SY	18.0	0.0		0.0	\$98.00	\$0.00
0170	Detectable Warning - Curb Ramp	SF	32.0	0.0		0.0	\$26.25	\$0.00
0180	Curb, Doweled PCC, As Per Plan	LF	10.0	0.0		0.0	\$36.75	\$0.00



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PROJECT: FLEUR DRIVE RESURFACING FROM RAILROAD VIADUCT NORTH 0.5 MILE TO M.L. KING JR. PARKWAY
 CONTRACTOR: Des Moines Asphalt and Paving Company

FINAL PAYMENT (PAYMENT NO. 3)

LINE NO.	DESCRIPTION	UNIT	UNITS			CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED				
0190	Handhole and Junction Box	EACH	1.0	1.0	1.0	\$5,775.00	\$5,775.00	
0200	Painted Pavement Marking, Waterborne/Solvent	STA	56.8	68.1	68.1	\$15.59	\$1,061.68	
0210	Permanent Tape Marking, Profiled Pavement Marking Tape	STA	71.3	72.0	72.0	\$249.90	\$17,992.80	
0220	Permanent Tape Marking, Intersection Marking Tape	STA	31.6	19.7	19.7	\$288.75	\$5,688.38	
0230	Pre-Cut Symbol and Legend	EACH	10.0	10.0	10.0	\$236.25	\$2,362.50	
0240	Grooves Cut for Pavement Marking	STA	106.5	91.7	91.7	\$22.47	\$2,060.50	
0250	Groove Cut for Symbol and Legend	EACH	10.0	10.0	10.0	\$57.75	\$577.50	
0260	Traffic Control	LS	1.0	1.0	1.0	\$6,342.00	\$6,342.00	
0240	Flaggers	DAY	10.0	10.0	10.0	\$255.00	\$2,550.00	
0250	Mobilization	LS	1.0	1.0	1.0	\$29,500.00	\$29,500.00	
0260	Longitudinal Joint Repair	LF	2000.0	1846.0	1846.0	\$3.15	\$5,814.90	
1.01	Changeable Message Centers	LS	0.0	1.0	1.0	\$1,815.00	\$1,815.00	
1.02	Traffic Signal Loops	EACH	0.0	2.0	2.0	\$990.00	\$1,980.00	
1.03	Gray's Lake Access Signs	EACH	0.0	2.0	2.0	\$82.50	\$165.00	
TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS			\$444,474.39					
PARTIAL PAYMENT NO. 1			\$372,868.31					
PARTIAL PAYMENT NO. 2			\$49,382.36					
THIS PARTIAL PAYMENT			\$0.00					
TOTAL PARTIAL PAYMENTS			\$422,250.67					
TOTAL							\$444,474.39	
RETAINAGE							\$22,223.72	
TOTAL LESS RETAINAGE							\$422,250.67	
LESS PREVIOUS PAYMENT							\$422,250.67	
AMOUNT DUE							\$0.00	

FINAL PAYMENT (PAYMENT NO. 3)

PREPARED BY: 
 CHECKED BY: 

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June 4, 2007

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Fleur Drive Resurfacing - Railroad Viaduct to M. L. King Jr. Parkway, Des Moines Asphalt & Paving Co..

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$444,474.39 As-Built Contract Cost

Funding Source: 2007-2008 CIP, Page Street-19, Fleur Drive Resurfacing - Gray's Lake Park Entrance to Army Post Road, STR199, Various Funding, Being: \$355,579.51 in Federal Surface Transportation Program (STP) funds for 80% of eligible construction contract cost (\$360,000 Maximum) with the remaining \$88,894.88 in G. O. Bonds

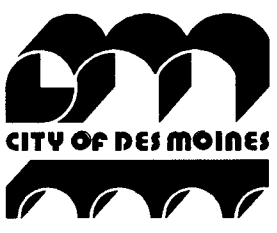
CERTIFICATION OF COMPLETION:

On June 5, 2006, under Roll Call No. 06-1130, the City Council awarded a contract to Des Moines Asphalt & Paving Co., James D. Gauger, President, P.O. Box 3365, 5550 NE 22nd Street, Suite 100, Des Moines, IA 50316 for the construction of the following improvement:

Fleur Drive Resurfacing - Railroad Viaduct to M. L. King Jr. Parkway, 06-2005-003

Placing new Hot Mix Asphalt (HMA) approximately 4.0 inches deep, patching localized pavement areas, installing pavement markings, and other incidental items; in accordance with the contract documents, including Plans File Nos. 461-029/046, on Fleur Drive from the Railroad Viaduct North 0.5 Mile to M.L. King Jr. Parkway.

I hereby certify that the construction of said Fleur Drive Resurfacing - Railroad Viaduct to M. L. King Jr. Parkway, Activity ID 06-2005-003, 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 June 19, 2006, and was completed on May 29, 2007.



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, 1976, 1981
2003

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I further certify that \$444,474.39 is the total cost of said improvement, of which \$422,250.67 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 \$22,223.72 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 \$22,223.72 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 \$22,223.72 before being released to the Contractor. 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