

DATE June 4, 2007

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR EASTER LAKE DRIVE TURN LANE AT INDIANOLA AVENUE, ELDER CORPORATION

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 Easter Lake Drive Turn Lane at Indianola Avenue, 06-2006-016, in accordance with the contract approved between Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA 50327, under Roll Call No. 06-707, of April 10, 2006, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

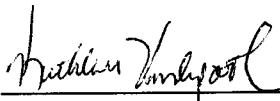
BE IT FURTHER RESOLVED: That \$96,285.00 is the total cost, of which \$91,470.75 has been paid the Contractor, and \$0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$4,814.25 is to be paid at the end of thirty days, provided no claims or 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.

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

 Funding Source: 2007-2008 CIP, Page Street-15, East Indianola Avenue and Easter Lake Drive Turn Lanes, STR126, G. O. Bonds

★ Roll Call Number

Agenda Item Number
12 B

Date June 4, 2007

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

MOTION CARRIED

APPROVED

Mayor

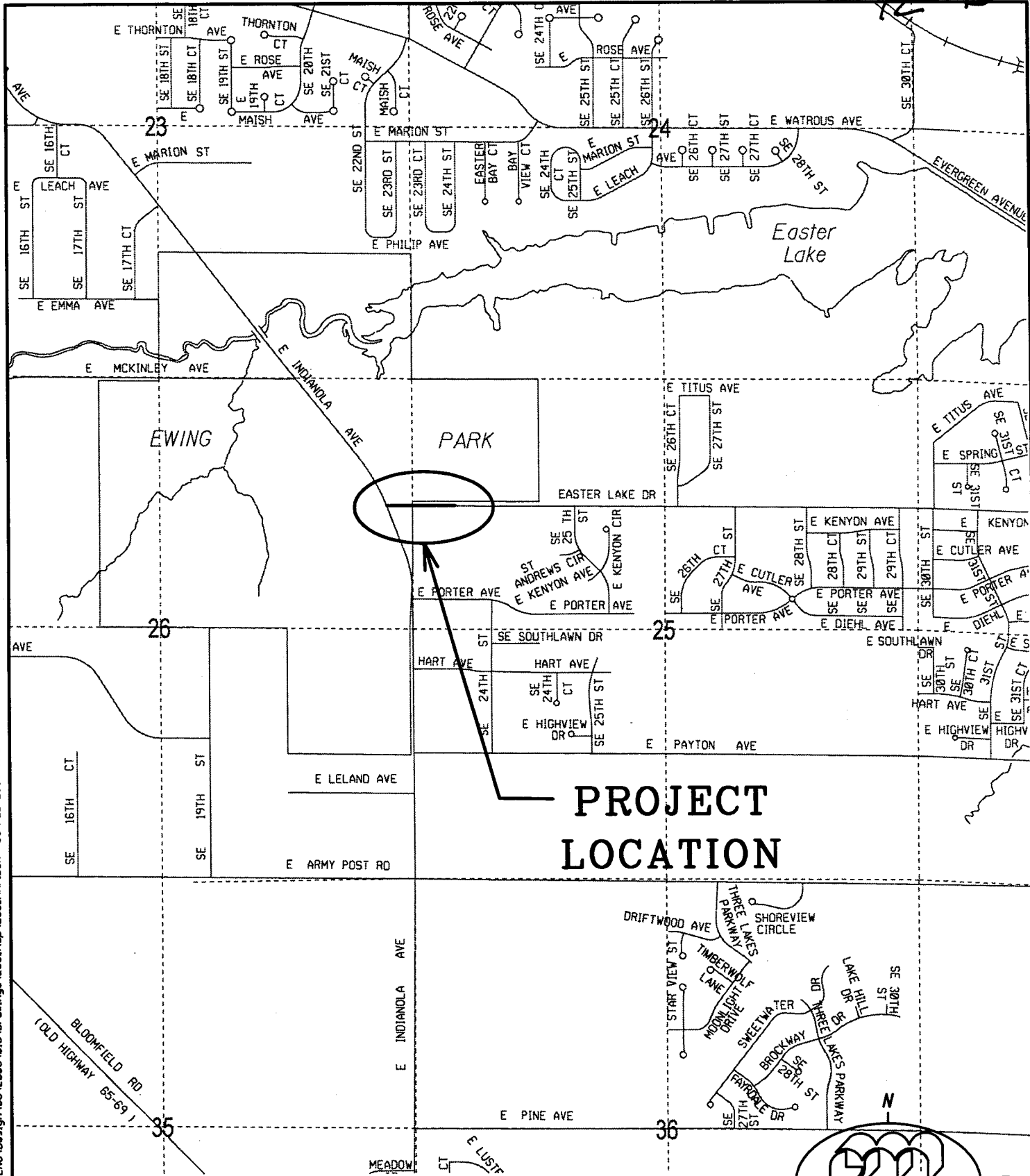
CERTIFICATE

I, JODY WITMER, Deputy Chief 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.

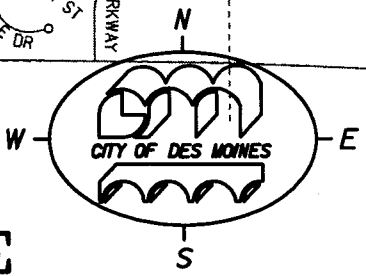
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Deputy Chief City Clerk

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**PROJECT
LOCATION**



**EASTER LAKE DRIVE
TURN LANE @ E. INDIANOLA AVENUE
ACTIVITY I.D. 06-2006-011**

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PROJECT SUMMARY

Easter Lake Dr Turn Lane at Indianola Av

Activity ID 06-2006-016

On April 10, 2006, under Roll Call 06-707, the City Council awarded the contract for the above improvement to Elder Corporation in the amount of \$108,565.00, for the construction of a right turn lane at Easter Lake Drive and Indianola Ave.

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	Adjust final quantities to asbuilt measurements.	Engineering	(\$12,280.00)
Original Contract Amount			\$108,565.00
Total Change Orders			(\$12,280.00)
Percent of Change Orders to Original Contract			-11.31%
Final Contract Amount			\$96,285.00

ESTIMATE OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 10/12/06 TO 12/6/06
PARTIAL PAYMENT NO. 3 (Final)

PROJECT: Easter Lake Drive Turn Lane at Indianola Avenue
CONTRACTOR: Elder Corporation

PARTIAL PAYMENT NO. 3 (Final)

LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
0010	Stripping, Salvaging and Spread Topsoil	CY	400.000	400.000	400.000	\$7.50	\$3,000.00
0020	Embankment In Place	CY	3,250.000	3,250.000	3,250.000	\$13.00	\$42,250.00
0030	Topsoil	CY	100.000	0.000		\$29.50	\$0.00
0040	Pavement Removal	SY	50.000	50.000	50.000	\$45.00	\$2,250.00
0050	HMA (3M ESAL) Surface, 1/2", Friction L-4	TON	100.000	100.000	100.000	\$63.00	\$6,300.00
0060	HMA (3M ESAL) Intermediate, 1/2"	TON	200.000	200.000	200.000	\$63.00	\$12,600.00
0070	HMA (3M ESAL) Base, 1/2"	TON	200.000	200.000	200.000	\$63.00	\$12,600.00
0080	Sodding	SQ	300.000	300.000	300.000	\$23.00	\$6,900.00
0090	Silt Fence	LF	2,000.000	300.000	300.000	\$2.10	\$630.00
0100	Traffic Control	LS	1.000	1.000	1.000	\$2,300.00	\$2,300.00
0110	Flagger	EA	20.000	2.000	2.000	\$320.00	\$640.00
0120	Final Painted Pavement Markings	LS	1.000	1.000	1.000	\$1,200.00	\$1,200.00
0130	Mobilization	LS	1.000	1.000	1.000	\$5,505.00	\$5,505.00
0140	Project Sign, Small	EA	1.000	1.000	1.000	\$110.00	\$110.00
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$96,285.00				
	PARTIAL PAYMENT NO. 1		\$83,775.75				
	PARTIAL PAYMENT NO. 2		\$7,695.00				
	THIS PARTIAL PAYMENT		\$0.00				
	TOTAL PARTIAL PAYMENTS		\$91,470.75				
	BALANCE		\$4,814.25				
	Percent Complete	100%					
	TOTAL						\$96,285.00
	RETAINAGE						\$4,814.25
	TOTAL LESS RETAINAGE						\$91,470.75
	LESS PREVIOUS PAYMENT						\$91,470.75
	AMOUNT DUE						\$0.00

PREPARED BY: *[Signature]*
CHECKED BY: *[Signature]*
Elder Corporation: *[Signature]*

PARTIAL PAYMENT NO. 3 (Final)

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June 4, 2007

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Easter Lake Drive Turn Lane at Indianola Avenue, Elder Corporation.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$96,285.00 As-Built Contract Cost

Funding Source: 2007-2008 CIP, Page Street-15, East Indianola Avenue and Easter Lake Drive Turn Lanes, STR126, G. O. Bonds

CERTIFICATION OF COMPLETION:

On April 10, 2006, under Roll Call No. 06-707, the City Council awarded a contract to Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA 50327 for the construction of the following improvement:

Easter Lake Drive Turn Lane at Indianola Avenue, 06-2006-016

Construction of a right turn lane, including 3,250 CY of fill supplied by the Contractor and 500 Ton of HMA paving, sodding, and miscellaneous associated work including cleanup; in accordance with the contract documents including Plan File Nos. 460-143/153 located along the north side of the Easter Lake Drive at Indianola Avenue

I hereby certify that the construction of said Easter Lake Drive Turn Lane at Indianola Avenue, Activity ID 06-2006-016, 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 12, 2006, and was completed on May 24, 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 \$96,285.00 is the total cost of said improvement, of which \$91,470.75 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 \$4,814.25 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