

DATE June 8, 2009

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR WOODLAND CEMETERY ORNAMENTAL FENCE, AMERICAN FENCE CO. OF IOWA, 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 Woodland Cemetery Ornamental Fence, 11-2007-018, in accordance with the contract approved between American Fence Co. of Iowa, Inc., Mark A. Wolodkewitsch, Manager, 1922 Delaware Avenue, Des Moines, IA 50317, under Roll Call No. 07-1552, of August 6, 2007, 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 \$57,895.92 is the total cost, of which \$54,130.88 has been paid the Contractor, and \$870.24 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$2,894.80 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.

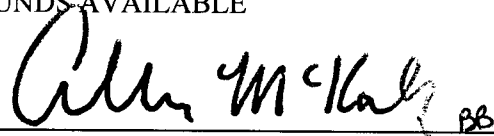
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:

FUNDS AVAILABLE





Kathleen Vanderpool  
Deputy City Attorney

Allen McKinley  
Des Moines Finance Director



Funding Source: 2009-2010 CIP, Page Park-5, Cemetery Infrastructure and Improvements, PKS138, G. O. Bonds

**Roll Call Number**

**Agenda Item Number**

★ .....

12

**Date** June 8, 2009

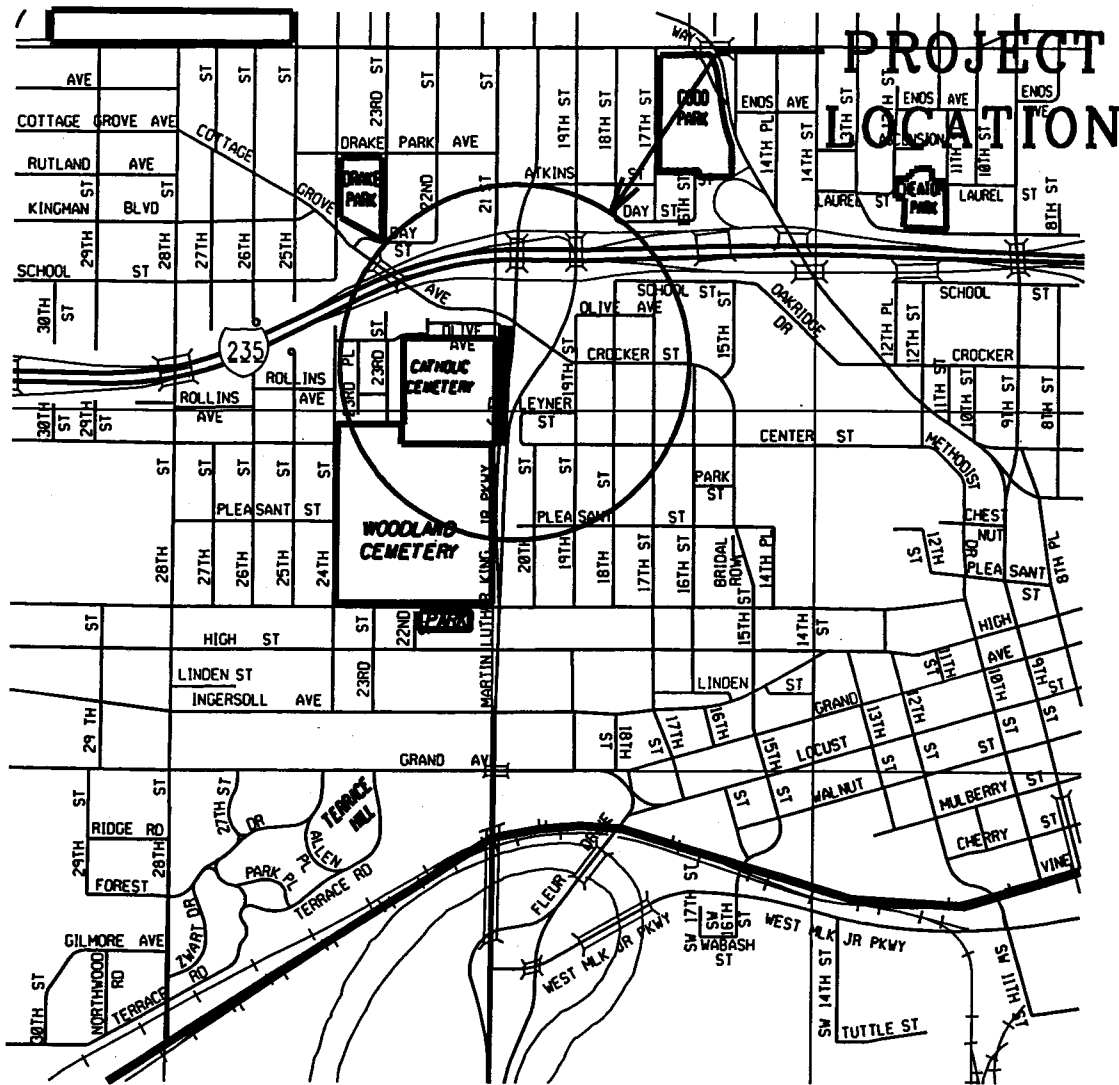
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
<b>TOTAL</b>				
MOTION CARRIED		APPROVED		
_____ Mayor				

**CERTIFICATE**

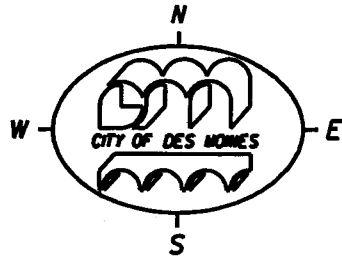
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

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



**PROJECT  
LOCATION**



**WOODLAND CEMETERY  
ORNAMENTAL FENCE  
ACTIVITY ID 11-2007-018**

# PROJECT SUMMARY

## Woodland Cemetery Ornamental Fence

Activity ID 11-2007-018

On August 6, 2007, under Roll Call No. 07-1552, the City Council awarded the contract for the above improvement to American Fence Co. of Iowa, Inc., in the amount of \$60,577.67 to complete the construction of 14 masonry piers and the installation of 775 feet of ornamental painted steel fence along the east side of the Woodland Cemetery adjacent to the west right-of-way line of the Martin Luther King Jr. Parkway from approximately the north right-of-way line of Center Street to the south right-of-way line of Olive Street. This contract also includes the reinstallation of 40.0 feet of an existing 6 foot high vinyl clad chain link fence, the installation of a 20.0 foot wide service gate constructed of 2-10 foot wide chain link fence gate panels, the removal of 775 feet of existing chain link fence, the addition of a construction sign, and the purchase and delivery of extra fence panels and mounting hardware; all in accordance with the contract documents including Plan File Nos. 479-136/138 along the east property line of Woodland Cemetery in Des Moines, Iowa

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	1/8/2008 Delete Bid Item #1 "Removal of Chain Link Fence" and add reinstallation of a vandal removed bronze plaque.	Engineering	(\$2,681.75)
<b>Original Contract Amount</b>			\$60,577.67
<b>Total Change Orders</b>			(\$2,681.75)
<b>Percent of Change Orders to Original Contract</b>			-4.43%
<b>Final Contract Amount</b>			\$57,895.92

June 8, 2009

**CERTIFICATION OF COMPLETION**



**AGENDA HEADING:**

Accepting completed construction and approving final payment for the Woodland Cemetery Ornamental Fence, American Fence Co. of Iowa, 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: \$57,895.92 As-Built Contract Cost

Funding Source: 2009-2010 CIP, Page Park-5, Cemetery Infrastructure and Improvements, PKS138, G. O. Bonds

**CERTIFICATION OF COMPLETION:**

On August 6, 2007, under Roll Call No. 07-1552, the City Council awarded a contract to American Fence Co. of Iowa, Inc., Mark A. Wolodkewitsch, Manager, 1922 Delaware Avenue, Des Moines, IA 50317 for the construction of the following improvement:

Woodland Cemetery Ornamental Fence, 11-2007-018

The improvement includes the construction of 14 masonry piers and the installation of 775 feet of ornamental painted steel fence along the east side of the Woodland Cemetery adjacent to the west right-of-way line of the Martin Luther King Jr. Parkway from approximately the north right-of-way line of Center Street to the south right-of-way line of Olive Street. This contract also includes the reinstallation of 40.0 feet of an existing 6 foot high vinyl clad chain link fence, the installation of a 20.0 foot wide service gate constructed of 2-10 foot wide chain link fence gate panels, the removal of 775 feet of existing chain link fence, the addition of a construction sign, and the purchase and delivery of extra fence panels and mounting hardware; all in accordance with the contract documents including Plan File Nos. 479-136/138 along the east property line of Woodland Cemetery in Des Moines, Iowa

I hereby certify that the construction of said Woodland Cemetery Ornamental Fence, Activity ID 11-2007-018, 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 5, 2007, and was completed on May 21, 2009.



I further certify that \$57,895.92 is the total cost of said improvement, of which \$54,130.88 has been paid the Contractor and \$870.24 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$2,894.80 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

