

★ **Roll Call Number**

**Agenda Item Number**

9

Date July 9, 2007

APPROVING CHANGE ORDER NO. 5 WITH J. PETTIECORD INC. FOR ADDITIONAL WORK ON THE AGRIMERGENT TECHNOLOGY PARK – CLEARING & GRUBBING CONTRACT NO. 2 FOR A TOTAL NOT TO EXCEED \$101,665; AND AUTHORIZE PAYMENT TO METRO PARK EAST LANDFILL FOR DISPOSAL OF RUBBLE AND CONTAMINATED SOIL FOR A TOTAL NOT TO EXCEED \$89,500

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached Change Order No. 5 between the City of Des Moines and J. Pettiecord Inc., Jeff L. Pettiecord, President, 5043 NE 22nd Street, Des Moines, Iowa, 50313, for additional work on the Agrimergent Technology Park – Clearing & Grubbing Contract No. 2 to provide additional excavation, hauling, and disposal of buried building foundations and rubble, buried rubble, buried debris mixed with soil, and also contaminated soil in an amount not to exceed \$101,665, be and is hereby approved, and the City Manager is authorized and directed to execute said change order.

BE IT FURTHER RESOLVED: That the City Engineer is authorized and directed to make payment directly to Metro Park East Landfill for disposal of these approximately 2,600 tons of solid waste at \$32.00 per ton, and disposal of the 350 tons contaminated soil at \$18.00 per ton, in an amount not to exceed \$89,500.

(Council Communication Number 07-ADA attached)  
Activity ID 25-2007-031

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

FORM APPROVED: Kathleen Vanderpool  
Kathleen Vanderpool  
Deputy City Attorney

EB Funding Source: 2007-08 CIP, Page Economic Development-5, SE Ag Park Area, URR035, TIF-Backed G. O. Bonds

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

MOTION CARRIED

APPROVED

**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.

\_\_\_\_\_  
Mayor

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

**ENGINEERING DEPARTMENT**  
**CITY OF DES MOINES, IOWA**  
**CHANGE ORDER AGREEMENT NO. 5**



**Date:** 7/2/2007

**Contractor:** J. Pettiecord Inc.

**Project:** Agrimergent Tech. Pk. Cl. & Gr. Contr. 2

**Subproject:**

**Activity ID:** 25-2007-031

**Activity ID:** 00-0000-000A

**INITIATED BY:**  
Engineering

**DESCRIPTION OF CHANGE ORDER AND PURPOSE**

Agrimergent Technology Park - Clearing & Grubbing Contract 2 was awarded to J. Pettiecord Inc. on March 26, 2007. Bid Item No. 3 ( Removal of buried building foundation & rubble) was included at 500 CY which was bid at \$40.00 per CY. The contractor discovered 1,870 CY of buried concrete and brick bat in the area east of 1411 SE 37th Street. Due to the large quantity a price of \$20.00 per CY was negotiated with the contractor. This change order shall compensate the contractor \$20.00/CY to excavate, sort, load, and haul to recycle sites which also includes backfill and compaction of the excavation.

The contractor discovered buried debris, debris with dirt mixed in, and contaminated soil at 1412 SE 37th Street. City staff has estimated approximately of 2,600 tons of material will need to be excavated, loaded, and hauled to the Metro Park East Landfill. The contractor estimated approximately 1,000 CY of additional backfilled will be needed to backfilled the excavated areas of debris and contaminated soil. This change shall compensate the contractor for excavating, loading, and hauling the buried debris, debris with dirt mixed in, and contaminated soil to the Metro Park East Landfill at \$15.00/ton and backfilling and compacting at \$9.00/CY. The City staff has negotiated a price with the Metro Waste Authority for disposal of this waste material at the Metro Park East Landfill, and the City will pay the Landfill directly for disposal.

Under Change Order No. 1 the contractor was compensated for removal and disposal of an (UST) underground storage tank at 1805 SE 37th Street, approximately 7,000 gallons of fluids in the UST, and to provide IDNR certification of closure of the UST. However; once the contractor open up the tank to completely clean the tank, the contractor discovered approximately two and half feet of sludge and mixed debris on the bottom of the tank. Test results showed the material as being extremely hazardous material, this material filled 19 each, 55 gallons drums. This change order shall compensate the contractor for containerizing and disposal of this material at a hazardous material disposal site located in Missouri where it will be incinerated.

**SETTLEMENT FOR COST OF CHANGED WORK**

**B . ITEMS FOR WHICH CONTRACT UNIT PRICES ARE NOT ESTABLISHED:**

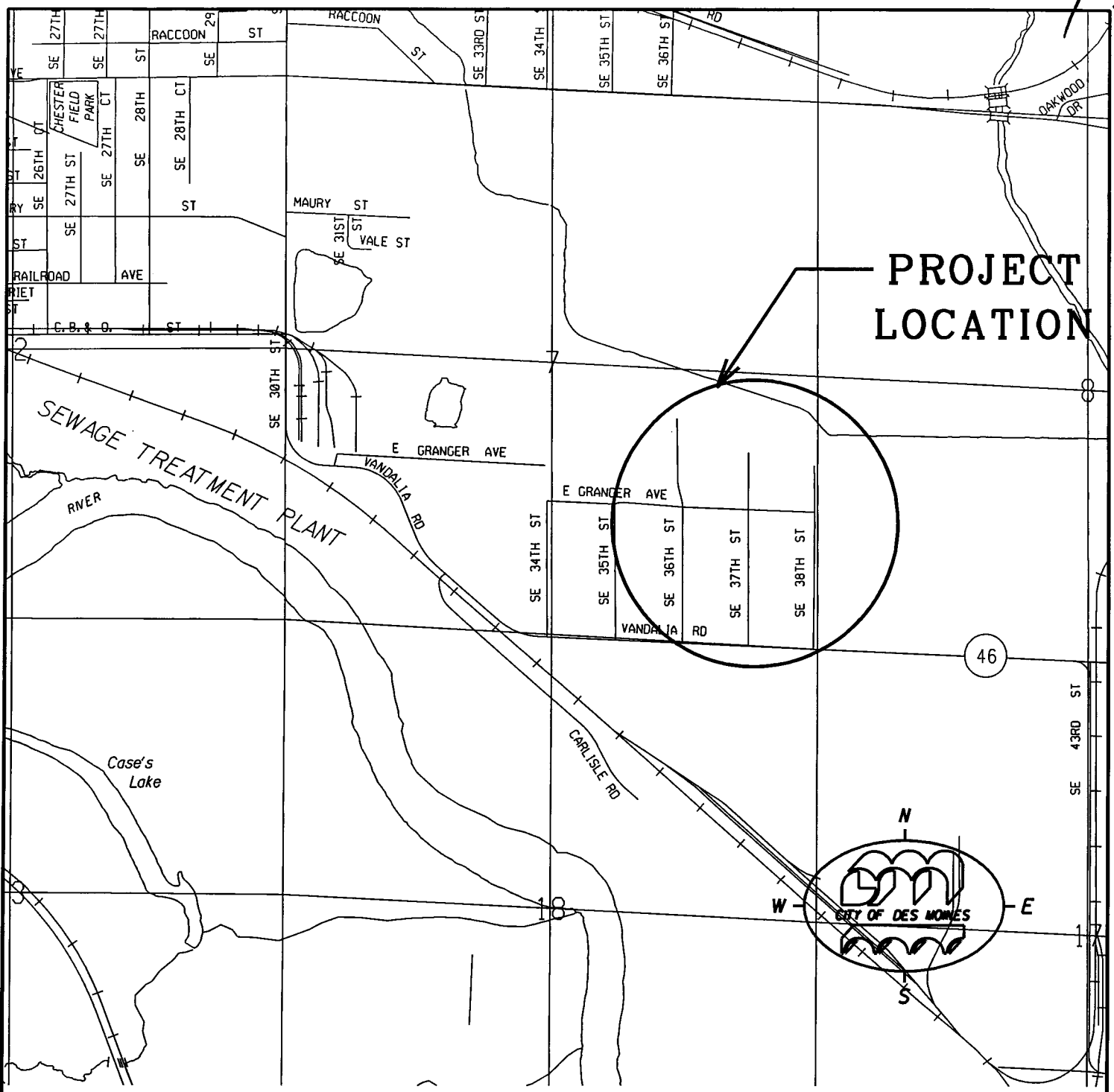
<u>ITEM</u>	<u>DESCRIPTION</u>	<u>UNITS</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
1	Removal of buried concrete & brick bat	1,870.000 CY	\$20.00	\$37,400.00
2	Excavating, loading, & hauling debris/soil	2,600.000 Ton	\$15.00	\$39,000.00
3	Excavating, loading & hauling contaminated soil	350.000 Ton	\$15.00	\$5,250.00
4	Backfilling & compacting	1,000.000 CY	\$9.00	\$9,000.00
5	Removal & disposal of 19 drums of hazardous Mat	1.000 LS	\$11,015.00	\$11,015.00
<b>NET CHANGE PART B</b>				<b>\$101,665.00</b>
<b>TOTAL</b>				<b>\$101,665.00</b>

# Summary of Change Orders

Agrimergent Tech. Pk. Cl. & Gr. Contr. 2

Activity ID 25-2007-031

<b>Change Order No.</b>	<b>Initiated By</b>	<b>Description</b>	<b>Amount</b>
1	Engineering	4/20/2007 Removal of underground storage tank per IDNR Regulations.	\$18,000.00
2	Engineering	5/18/2007 Removal and disposal of buried tires.	\$20,000.00
3	Engineering	5/18/2007 Cost for environmental soil testing	\$10,000.00
4	Engineering	6/12/2007 Removal of 980 CY of buried concrete & brick bat.	\$19,600.00
5	Engineering	Removal and disposal/recycle of 1,870 CY of buried foundation rubble, concrete & brick bat at 1411 SE 37th Street. Excavating, loading, and hauling 2,600 ton of buried rubble & debris with dirt mixed in, and 350 tons of contaminated soil from 1412 SE 37th Street to the Metro Park East Landfill along with backfilling & compacting of 1000 CY. Disposal of 19 drums of hazardous material at 1805 SE 37th Street.	\$101,665.00
<b>Original Contract Amount</b>			\$472,200.00
<b>Total Change Orders</b>			\$169,265.00
<b>Percent of Change Orders to Original Contract</b>			35.85%



**AGRIMERGENT PARK  
 CLEAR AND GRUB CONTRACT NO. 2  
 NORTH OF VANDALIA RD..  
 FROM S.E. 36TH ST. TO S.E. 38TH ST.  
 ACTIVITY I.D. 25-2007-031**