

DATE July 23, 2007

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR BILL RILEY TRAIL HMA OVERLAY, GRIMES ASPHALT & PAVING CORP.**

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 Bill Riley Trail HMA Overlay, 11-2004-003, in accordance with the contract approved between Grimes Asphalt & Paving Corp., J M Yonker, President, 12021 NW 54th Avenue, Grimes, IA 50111, under Roll Call No. 06-1128, 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 \$224,492.54 is the total cost, of which \$213,730.33 has been paid the Contractor, and \$4,027.43 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$6,734.78 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 \$6,734.78 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 \$6,734.78 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 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.

★ **Roll Call Number**

Agenda Item Number

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DATE July 23, 2007

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

Allen McKinley

Kathleen Vanderpool
Deputy City Attorney

Allen McKinley
Des Moines Finance Director

Funding Source: 2007-2008 CIP, Page Park-22, Recreation Trails, PKS045, Various Funding, Being: Federal Recreational Trails Program funds from the Transportation Equity Act(TEA-21) for 80% of the cost of eligible contract items only with \$100,000 Maximum, with the remaining \$124,492.54 in G. O. Bonds NRT-NT06(3)--9G-77

DEB

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

MOTION CARRIED APPROVED

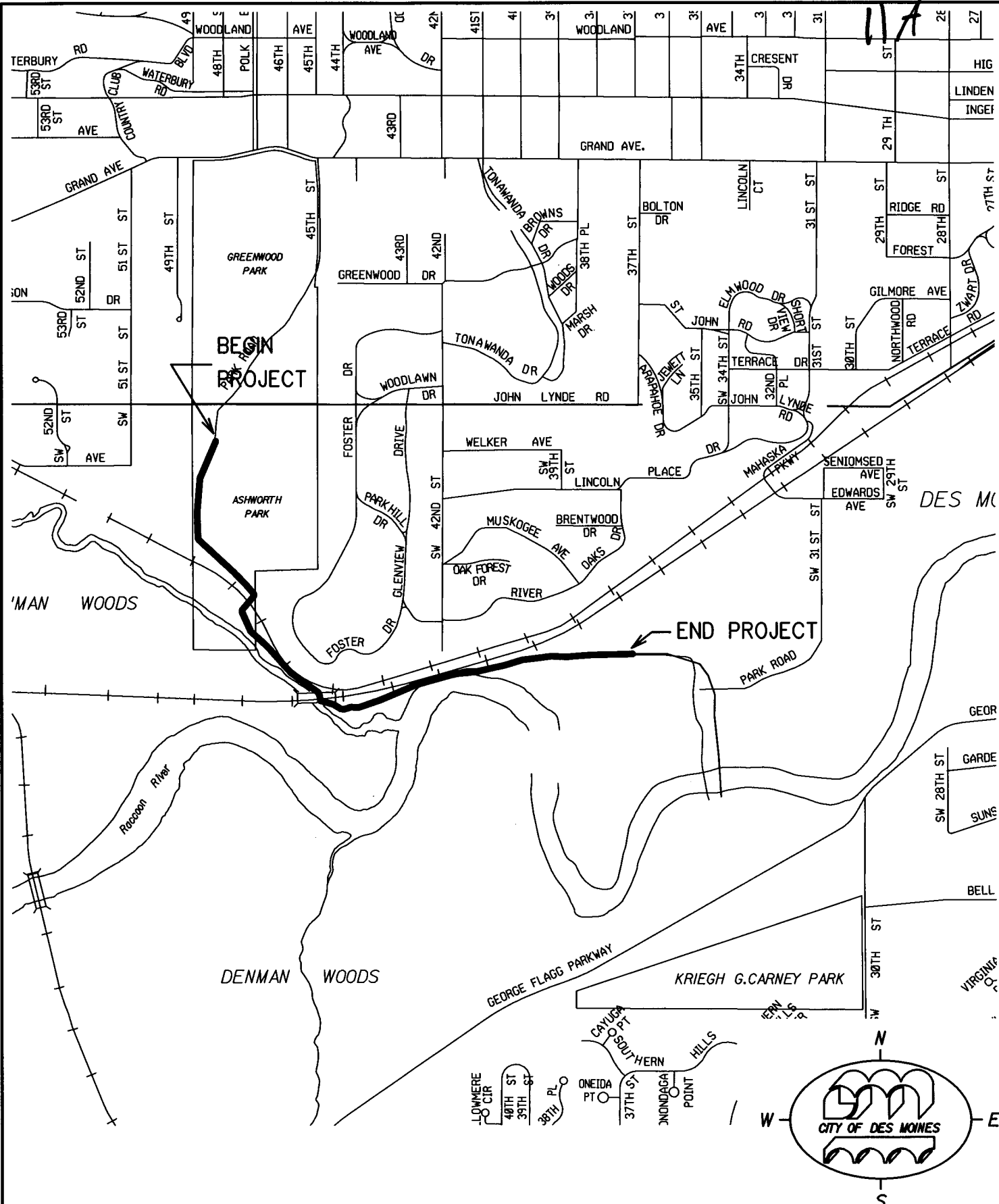
Mayor

I, Diane Rauh, 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.

City Clerk

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BILL RILEY TRAIL HMA OVERLAY
ACTIVITY I.D. 11-2004-003
PROJECT NO. NRT-NT06(3)--9G-77

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PROJECT SUMMARY

Bill Riley Trail HMA Overlay

Activity ID 11-2004-003

On June 6, 2006, under Roll Call No. 06-1128, the City Council awarded the contract for the above improvement to Grimes Asphalt and Paving Corporation in the amount of \$240,331.67 to construct a 2 foot wide H.M.A. trail widening, a 2 inch thick H.M.A. trail overlay, storm sewer, trail markings, trail signs, and other incidental items

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 as-bulit measurements.	Engineering	(\$15,839.13)
Original Contract Amount			\$240,331.67
Total Change Orders			(\$15,839.13)
Percent of Change Orders to Original Contract			-6.59%
Final Contract Amount			\$224,492.54

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July 23, 2007

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Bill Riley Trail HMA Overlay, Grimes Asphalt & Paving Corp..

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$224,492.54 As-Built Contract Cost

Funding Source: 2007-2008 CIP, Page Park-22, Recreation Trails, PKS045, Various Funding, Being:

Federal Recreational Trails Program funds from the Transportation Equity Act(TEA-21) for 80% of the cost of eligible contract items only with \$100,000 Maximum, with the remaining \$124,492.54 in G. O. Bonds

CERTIFICATION OF COMPLETION:

On June 5, 2006, under Roll Call No. 06-1128, the City Council awarded a contract to Grimes Asphalt & Paving Corp., J M Yonker, President, 12021 NW 54th Avenue, Grimes, IA 50111 for the construction of the following improvement:

Bill Riley Trail HMA Overlay, 11-2004-003

Construction of 2 foot wide H.M.A. trail widening, 2 inch thick HMA trail overlay, storm sewer, trail markings, trail signs, and other incidental items; in accordance with the contract documents, including Plans File Nos. 461-047/083, on the Bill Riley Trail from Ashworth Pool to 6805 LF southeasterly.

I hereby certify that the construction of said Bill Riley Trail HMA Overlay, Activity ID 11-2004-003, 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 July 5, 2006, and was completed on July 13, 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

I further certify that \$224,492.54 is the total cost of said improvement, of which \$213,730.33 has been paid the Contractor and \$4,027.43 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$6,734.78 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 \$6,734.78 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 \$6,734.78 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



ESTIMATE OF CONSTRUCTION COMPLETED

FOR WORK DONE FROM 10/25/06 to 4/20/07

FINAL PAYMENT (PAYMENT NO. 5)

Proj No: NRT-NT06(3)--9G-77
Activity ID: 11-2004-003
7/3/2007

**PROJECT: BILL RILEY TRAIL HMA OVERLAY
CONTRACTOR: GRIMES ASPHALT & PAVING CORP.**

LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
0010	CLEARING AND GRUBBING	UNIT	166.800	166.800	166.800	\$6,505.20
0020	SHOULDER FINISHING, EARTH	STA	134.400	134.400	134.400	\$14,044.80
0030	CLEANING AND PREPARATION OF BASE	MILE	1.290	1.290	1.290	\$3,495.90
0040	PATCHES, FULL-DEPTH REPAIR	SY	44.000	0.000	0.000	\$0.00
0050	PATCHES BY COUNT (REPAIR)	EACH	3.000	0.000	0.000	\$0.00
0060	EXCAVATION, CLASS 13, FOR WIDENING	CY	730.000	730.000	730.000	\$8,030.00
0070	BASE WIDENING, HOT MIX ASPHALT MIXTURE	TON	380.000	380.000	380.000	\$30,020.00
0080	PAVEMENT SCARIFICATION	SY	9.000	9.000	9.000	\$387.00
0090	HOT MIX ASPHALT MIXTURE, WEDGE, LEVELING OR STRENGTHENING COURSE	TON	200.000	200.000	200.000	\$12,200.00
0100	HOT MIX ASPHALT MIXTURE (100,000 ESAL), BASE, INTERMED, OR SURFACE COURSE, 3/8 IN. MIX, NO SPCL FRIC REQ	TON	1000.000	919.730	919.730	\$55.00
0110	ASPHALT BINDER, PG 58-28	TON	100.000	95.870	95.870	\$45,538.25
0120	ADJUSTMENT OF FIXTURES	EACH	1.000	1.000	1.000	\$250.00
0130	HOT MIX ASPHALT PAVEMENT SAMPLES	LS	1.000	0.000	0.000	\$0.00
0140	REMOVALS, AS PER PLAN	LS	1.000	1.000	1.000	\$1,320.00
0150	INTAKE, SPECIAL, AS PER PLAN	EACH	1.000	1.000	1.000	\$3,850.00
0160	SEWER PIPE, CORRUGATED METAL STORM, 6 IN.	LF	4.000	4.000	4.000	\$22.00
0170	SEWER PIPE, CORRUGATED METAL STORM, 12 IN.	LF	40.000	40.000	40.000	\$880.00
0180	ENGINEERING FABRIC	SY	20.000	20.000	20.000	\$110.00
0190	REVTMENT, CLASS D	TON	20.000	14.710	14.710	\$647.24
0200	REMOVAL OF RECREATIONAL TRAIL	SY	202.000	296.280	296.280	\$2,281.36
0210	SPECIAL COMPACTION OF SUBGRADE FOR RECREATIONAL TRAIL	STA	1.200	1.200	1.200	\$550.00
0220	SIDEWALK, P.C. CONCRETE, 6 IN.	SY	36.000	36.000	36.000	\$1,800.00
0230	DETECTABLE WARNING - CURB RAMP	SF	72.000	68.000	68.000	\$2,040.00
0240	SAFETY CLOSURE	EACH	2.000	2.000	2.000	\$275.00
0250	WOOD POSTS FOR TYPE A OR B SIGNS, 4 IN. X 4 IN.	LF	80.000	60.000	60.000	\$462.00
0260	TYPE A SIGNS, SHEET ALUMINUM	SF	19.700	15.200	15.200	\$325.89
0270	PAINTED PAVEMENT MARKING, WATERBORNE OR SOLVENT-BASED	STA	15.820	7.158	7.158	\$715.80
0280	TRAFFIC CONTROL	LS	1.000	1.000	1.000	\$5,400.00

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LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
0290	MOBILIZATION	LS	1.000	1.000	1.000	\$18,200.00
0300	RELOCATE BENCH	EACH	2.000	2.000	2.000	\$1,100.00
0310	MULCHING	ACRE	6.000	2.680	2.680	\$938.00
0320	SEEDING AND FERTILIZING (URBAN)	ACRE	3.000	2.680	2.680	\$11,215.80
0330	SILT FENCE	LF	400.000	247.000	247.000	\$679.25
0340	REMOVAL OF SILT FENCE	LF	400.000	247.000	247.000	\$172.90
0350	CLEAN-OUT OF SILT FENCE	LF	400.000	0.000	0.000	\$0.00
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$224,492.54			
	PARTIAL PAYMENT NO. 1		\$28,855.06			
	PARTIAL PAYMENT NO. 2		\$107,020.54			
	PARTIAL PAYMENT NO. 3		\$58,900.78			
	PARTIAL PAYMENT NO. 4		\$18,953.95			
	THIS PARTIAL PAYMENT		\$4,027.43			
	TOTAL PARTIAL PAYMENTS		\$217,757.76			
	TOTAL					\$224,492.54
	RETAINAGE					\$6,734.78
	TOTAL LESS RETAINAGE					\$217,757.76
	LESS PREVIOUS PAYMENT					\$213,730.33
	AMOUNT DUE					\$4,027.43
	FINAL PAYMENT (PAYMENT NO. 5)					

7-9-07
Date

FINAL PAYMENT ACCEPTED BY: Grimes Asphalt and Paving Corp.

PREPARED BY: Don W. [Signature]

CHECKED BY: [Signature]