

DATE July 26, 2010

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 2009 EXPANDED STREET RESURFACING PROGRAM - CONTRACT 2, OMG MIDWEST, INC. D/B/A DES MOINES ASPHALT & PAVING

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 2009 Expanded Street Resurfacing Program - Contract 2, 06-2009-020, in accordance with the contract approved between OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, James Gauger, President, 5550 NE 22nd Street, P.O. Box 3365, Des Moines, IA 50316-0365, under Roll Call No. 09-1503, of August 10, 2009, 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 \$1,936,141.73 is the total cost, of which \$1,839,334.64 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 \$96,807.09 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code chapter 573.

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.

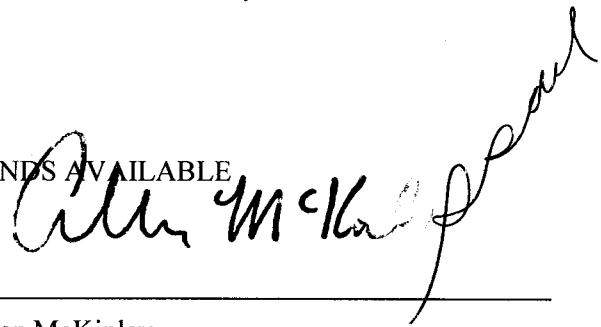
Moved by _____ to adopt.

FORM APPROVED:

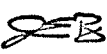


Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE



Allen McKinley
Des Moines Finance Director

Funding Source: 2009-2010 CIP, Page Street-42, Special City-wide Street Improvements, STR217, Being:  \$1,385,561.53 in Gaming Monies from the Agreement with Polk County and The Racing Association of Central Iowa, and \$550,580.20 in G. O. Bonds.

★ **Roll Call Number**

Agenda Item Number

7

DATE July 26, 2010

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

MOTION CARRIED

APPROVED

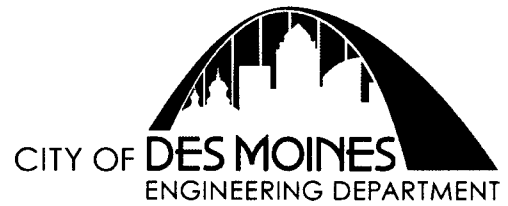
Mayor

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

July 26, 2010



CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the 2009 Expanded Street Resurfacing Program - Contract 2, OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$1,936,141.73 As-Built Contract Cost

Funding Source: 2009-2010 CIP, Page Street-42, Special City-wide Street Improvements, STR217, Being: \$1,385,561.53 in Gaming Monies from the Agreement with Polk County and The Racing Association of Central Iowa, and \$550,580.20 in G. O. Bonds.

CERTIFICATION OF COMPLETION:

On August 10, 2009, under Roll Call No. 09-1503, the City Council awarded a contract to OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, James Gauger, President, 5550 NE 22nd Street, P.O. Box 3365, Des Moines, IA 50316-0365 for the construction of the following improvement:

2009 Expanded Street Resurfacing Program - Contract 2, 06-2009-020

The improvement includes scarification of existing asphalt streets, furnish and place hot mix asphalt, and furnish and place pavement markings, and other incidental items; in accordance with the contract documents, including Plans File Nos. 506-119/144, at the following locations in Des Moines, Iowa:

- E. 9th Street from Guthrie Avenue to Arthur Avenue
- 13th Street from University Avenue to Day Street
- S.E. 34th Street from Easter Lake Drive to Evergreen Avenue
- 48th Street Hickman Road to Beaver Crest Drive
- Clark Street from 23rd Street to 27th Street
- Day Street from 9th Street to 13th Street
- Delaware Avenue from Guthrie Avenue to E. Hull Avenue
- Euclid Avenue from Douglas Avenue to 27th Street
- Guthrie Avenue from North Union Street to Saylor Road
- Hubbell Avenue from E. 29th Street to E. 33rd Street
- Hubbell Avenue from University Avenue to Easton Boulevard
- McKinley Avenue from East of S.E. 5th Street to S.E. 14th Street
- Meredith Drive from Beaver Avenue to Merle Hay Road
- Prospect Road from Hickman Road to M.L. King Jr. Parkway
- South Union Street from Park Avenue to Bell Avenue
- Vandalia Road from CB&Q Street to S.E. 43rd Street

I hereby certify that the construction of said 2009 Expanded Street Resurfacing Program - Contract 2, Activity ID 06-2009-020, 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 12, 2009, and was completed on July 13, 2010.

I further certify that \$1,936,141.73 is the total cost of said improvement, of which \$1,839,334.64 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 \$96,807.09 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code chapter 573. The amount of completed work is shown on the attached Estimate of Construction Completed.



Jeb E. Brewer, P.E.
Des Moines City Engineer

ENGINEERING DEPARTMENT
CITY OF DES MOINES, IOWA



ESTIMATE OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 07/13/10 to 07/15/10
FINAL PAYMENT (PARTIAL PAYMENT NO. 7)

PROJECT: 2009 EXPANDED STREET RESURFACING PROGRAM - CONTRACT 2
CONTRACTOR: OMG Midwest d.b.a. Des Moines Asphalt & Paving
Activity ID: 06-2009-020
Date: 07/15/10

LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
1	Granular Shld, Type A	TON	1,284.000	565.140	565.140	\$14,128.50
2	Cleaning and Preparation of Base	MILE	7.790	8.120	8.120	\$24,360.00
3	Pavement Scarification	SY	116,568.000	110,633.470	110,633.470	\$221,266.94
4	HMA (1M ESAL) Surface, 1/2", Friction L-4	TON	3,225.000	3,116.950	3,116.950	\$218,186.50
5	HMA (3M ESAL) Surface, 1/2", Friction L-4	TON	15,500.000	15,932.970	15,932.970	\$1,099,374.93
6	Milled Butt Joints	LS	1.000	1.000	1.000	\$9,500.00
7	Manhole Adjusting Ring	EACH	22.000	29.000	29.000	\$4,785.00
8	Intake Riser	EACH	25.000	18.000	18.000	\$3,600.00
9	New Manhole Lid	EACH	6.000	0.000	0.000	\$0.00
10	Patch by Count	EACH	20.000	1.000	1.000	\$250.00
11	Patch, Full Depth	SY	500.000	105.050	105.050	\$6,303.00
12	Remove & Replace Curb & Gutter	LF	100.000	156.000	156.000	\$7,230.60
13	Remove & Replace M-A Intake	EACH	4.000	3.000	3.000	\$10,815.00
14	Remove & Replace M-F Intake	EACH	4.000	0.000	0.000	\$0.00
15	Painted Pavement Marking, Waterborne or Solvent based	STA	1,145.000	1,210.360	1,210.360	\$19,946.73
16	Painted Symbols and Legend, Waterborne or Solvent based	EACH	10.000	4.000	4.000	\$309.00
17	Durable Pavement Markings, Epoxy	STA	750.000	859.210	859.210	\$73,453.86
18	Durable Pavement Symbols and Legend, Epoxy	EACH	10.000	11.000	11.000	\$1,926.10
19	Grooves Cut for Pavement Markings	STA	750.000	859.210	859.210	\$26,549.59
20	Grooves Cut for Symbols and Legends	EACH	10.000	11.000	11.000	\$1,133.00
21	Loop Detector, Replacement, 6' by 8'	EACH	11.000	10.000	10.000	\$7,210.00
22	Loop Detector, Replacement, 6' by 20'	EACH	4.000	6.000	6.000	\$4,635.00
23	Traffic Control	LS	1.000	1.000	1.000	\$12,750.00
24	Flaggers	DAY	60.000	101.000	101.000	\$35,350.00
25	Mobilization	LS	1.000	1.000	1.000	\$43,830.00
26	Project Sign, Small	EACH	32.000	32.000	32.000	\$3,296.00
1.01	Extra Milled Butt Joints	LS		1.000	1.000	\$3,300.00
3.01	HMA (3M ESAL) Surface, 1/2", RAS	TON		1,062.600	1,062.600	\$73,319.40
5.01	Traffic Control (Lane Closures)	LS		1.000	1.000	\$1,200.00
5.02	Extra Milling on McKinley	LS		1.000	1.000	\$6,000.00

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PROJECT SUMMARY

2009 Exp Street Resurfacing Contract 2

Activity ID 06-2009-020

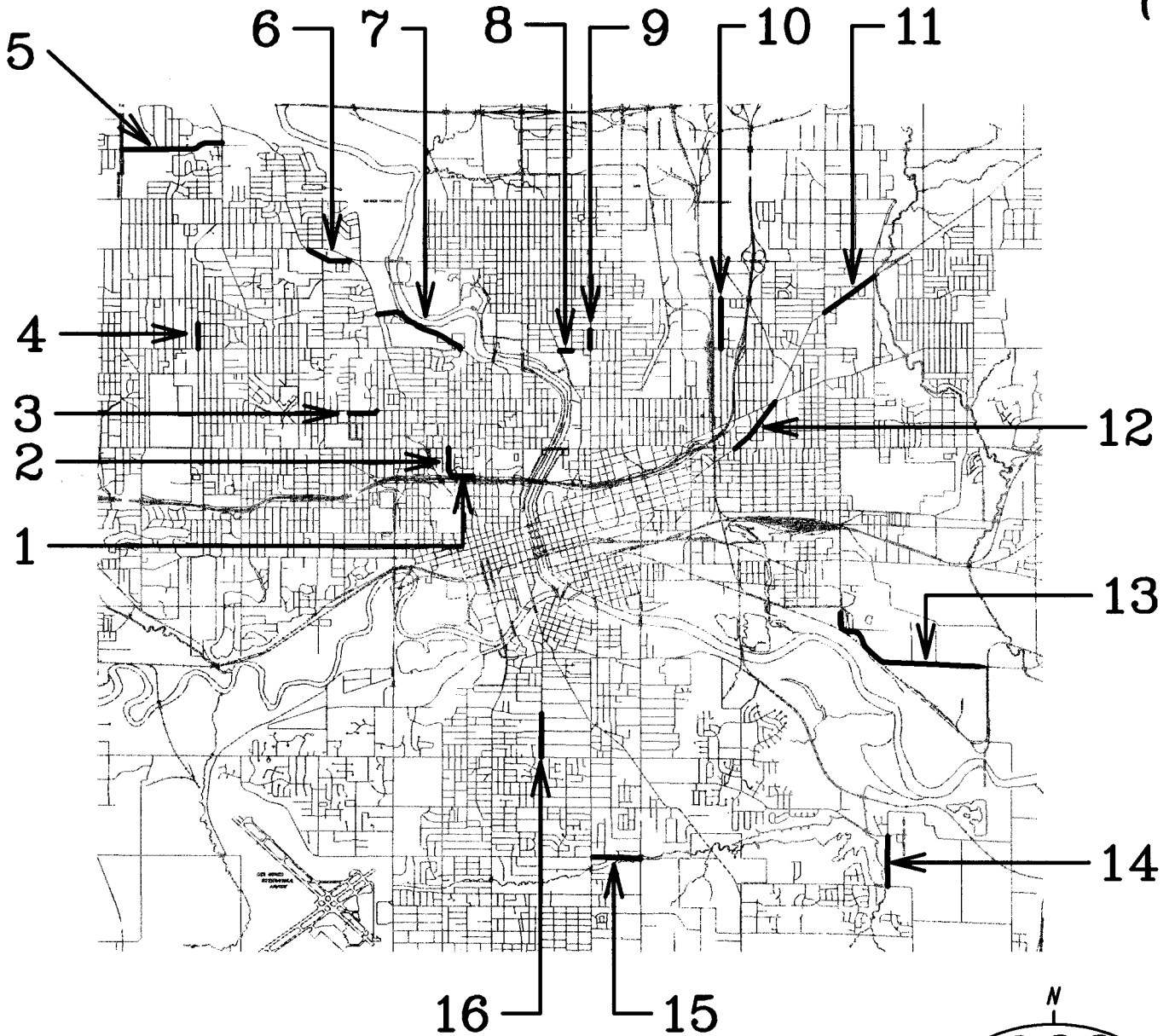
On August 10, 2009, by Roll Call No. 09-1503, the City Council awarded the contract for the above construction to OMG Midwest d/b/a Des Moines Asphalt & Paving. The 2009 Expanded Street Resurfacing Program - Contract 2, Activity ID 06-2009-020, described as: scarification of existing asphalt streets, furnish and place hot mix asphalt, and furnish and place pavement markings, and other incidental items; in accordance with the contract documents, including Plans File Nos. 506-119/144, at the following locations:

- 1 Day St. - 9th St. to 13th St.
- 2 13th St. - University Ave. to Day St.
- 3 Clark St. - 23rd St. to 27th St.
- 4 48th St. - Hickman Rd. to Beaver Crest Dr.
- 5 Meredith Dr. - Beaver Ave. to Merle Hay Rd.
- 6 Euclid Ave. - Douglas Ave. SE to 27th St.
- 7 Prospect Rd. - Hickman Rd. to ML King Jr Pkwy
- 8 Guthrie Ave. - N. Union St. to Saylor Rd.
- 9 E. 9th St. - Guthrie Ave. to Arthur Ave.
- 10 Delaware Ave. - Guthrie Ave. to Hull Ave.
- 11 Hubbell Ave. - E. 29th St. to E. 33rd St.
- 12 Hubbell Ave. - University Ave. to Easton Blvd
- 13 Vandalia Rd. - CB&Q to SE 43rd St
- 14 SE 34th St. - Easter Lake Dr. to Evergreen Ave.
- 15 McKinley Ave. - E of SE 5th St. to SE 14th St.
- 16 S. Union St. - Park Ave. to Bell 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	10/8/2009 Increase quantity of hot mix asphalt to as-built quantity for Euclid Ave and Vandalia Rd.	Engineering	\$21,867.90
2	10/20/2009 Increase the quantity of hot mix asphalt to extend the limits of resurfacing on Meredith Ave.	Engineering	\$24,150.00
3	10/30/2009 Change the 3M ESAL asphalt mix to a 3M ESAL asphalt mix that contains Recycled Asphalt Shingles (RAS).	Engineering	\$0.00

<u>Change Order No.</u>	<u>Description</u>	<u>Initiated By</u>	<u>Amount</u>
4	11/10/2009 Increase and decrease quantity of hot mix asphalt to as-built quantity on Day St, 13th St, Clark St, Guthrie Ave, E9th St, Meredith Dr and Delaware Ave.	Engineering	\$23,015.23
5	2/15/2010 Adjust quantities to as-built final quantities.	Engineering	(\$14,538.76)
6	5/14/2010 Additional traffic control was needed on McKinley while replacing loop detectors and removal of pavement markings on NE 4th Street was added to this project.	Engineering	\$2,132.58
7	7/13/2010 Adjust quantities to agreed upon final quantities.	Engineering	(\$3,668.82)
Original Contract Amount			\$1,883,183.60
Total Change Orders			\$52,958.13
Percent of Change Orders to Original Contract			2.81%
Final Contract Amount			\$1,936,141.73



PROJECT LOCATIONS

- | | |
|---|--|
| 1 Day St. - 9th St. to 13th St. | 9 E. 9th St. - Guthrie Ave. to Arthur Ave. |
| 2 13th St. - University Ave. to Day St. | 10 Delaware Ave. - Guthrie Ave. to Hull Ave. |
| 3 Clark St. - 23rd St. to 27th St. | 11 Hubbell Ave. - E. 29th St. to E. 33rd St. |
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| 7 Prospect Rd. - Hickman Rd. to ML King Jr Pkwy | 15 McKinley Ave. - E of SE 5th St. to SE 14th St. |
| 8 Guthrie Ave. - N. Union St. to Saylor Rd. | 16 S. Union St. - Park Ave. to Bell Ave. |

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2009 EXPANDED STREET RESURFACING PROGRAM - CONTRACT 2 ACTIVITY I.D. 06-2009-020