

DATE July 27, 2009

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 2008 STORM SEWER REPAIR CONTRACT 1, THE UNDERGROUND COMPANY, LTD.

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 2008 Storm Sewer Repair Contract 1, 08-2008-001, in accordance with the contract approved between The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047, under Roll Call No. 08-738, of April 21, 2008, 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 \$531,930.63 is the total cost, of which \$492,909.05 has been paid the Contractor, and \$12,425.05 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$26,596.53 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 by AS
Kathleen Vanderpool
Deputy City Attorney

Allen McKinley BB
Allen McKinley
Des Moines Finance Director

 Funding Source: 2009-2010 CIP, Page Storm-4, City-wide Storm Water Utility Projects, STE057, Storm Water Utility Funds

Roll Call Number

Agenda Item Number

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Date July 27, 2009

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

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.

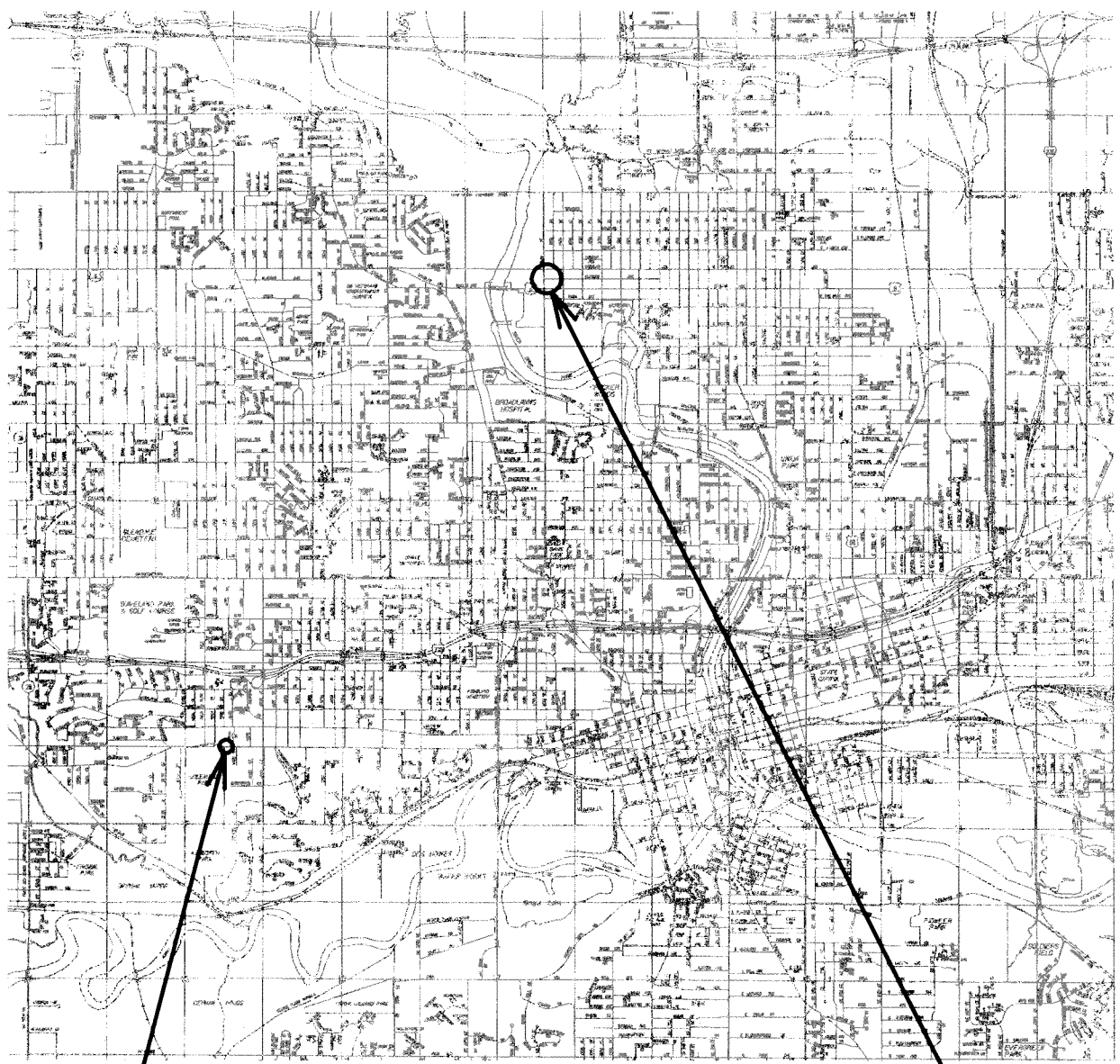
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

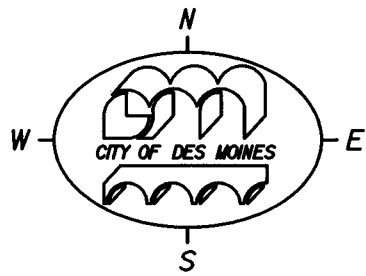
_____ Mayor

_____ City Clerk

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GRAND AVE.
PROJECT
LOCATION



CLINTON AVE.
PROJECT LOCATION

**2008 STORM SEWER REPAIR
CONTRACT 1
ACTIVITY I.D. 08-2008-001**

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PROJECT SUMMARY

2008 Storm Sewer Repair Contract 1

Activity ID 08-2008-001

On April 21, 2008 under Roll Call No. 08-737, the City Council awarded the contract for the above improvement to The Underground Company, Ltd. in the amount of \$402,504.00 for removal of pavement, installation of new storm sewer, replacement of pavement, and other incidental items.

Tabulated below is a history of project change orders.

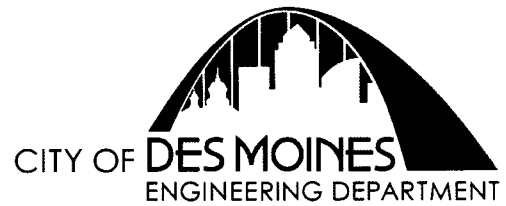
<u>Change Order No.</u>	<u>Description</u>	<u>Initiated By</u>	<u>Amount</u>
1	6/27/2008 Adjustments at new manhole #1 in 45th Street, replacement of storm sewer pipe, and replacement of deteriorated pavement on 45th Street.	Engineering	\$17,837.00
2	7/16/2008 Removal of existing intakes and installation of double intakes to include boxouts, traffic control, grading, and seeding at South Union and Park Avenue.	Engineering	\$21,925.00
3	8/4/2008 Additional work at South Union and Park Avenue for rerouting storm sewer and additional Type M-B manholes for change in storm sewer alignment on Clinton Avenue.	Engineering	\$14,600.00
4	8/27/2008 Additional items to complete work at South Union and Park Avenue for rerouting storm sewer.	Engineering	\$20,254.00
5	9/2/2008 Lower 12" water main because of conflict with 24" storm sewer pipe P-6 at 16th Street and Clinton Avenue intersection. Install pipe supports for storm sewers P-7, P-9, and P-14.	Engineering	\$7,300.00

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<u>Change Order No.</u>	<u>Description</u>	<u>Initiated By</u>	<u>Amount</u>
6	10/6/2008 Install additional curb and manhole at 16th Street & Clinton Avenue location and abandon storm sewer at 45th Street & Grand Avenue location.	Engineering	\$13,833.00
7	11/4/2008 Construct new HMA overlay 3 in thick on 16th Street from Euclid Avenue to the north to restore the street surface.	Engineering	\$22,089.50
8	11/12/2008 Locate buried outlet pipe from detention basin, grade swale to street ditch to provide drainage and seed disturbed area at 4400 Park Avenue.	Engineering	\$4,650.00
9	11/24/2008 Removal of pine tree at 1509 Clinton Avenue and additional HMA Pavement for restoration of 16th Street.	Engineering	\$2,571.95
10	6/30/2009 Additional shoulder work along 16th Street and adjustment of quantities to as-built measurements.	Engineering	\$4,366.18
Original Contract Amount			\$402,504.00
Total Change Orders			\$129,426.63
Percent of Change Orders to Original Contract			32.16%
Final Contract Amount			\$531,930.63

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July 27, 2009



CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the 2008 Storm Sewer Repair Contract 1, The Underground Company, Ltd..

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$531,930.63 As-Built Contract Cost

Funding Source: 2009-2010 CIP, Page Storm-4, City-wide Storm Water Utility Projects, STE057, Storm Water Utility Funds

CERTIFICATION OF COMPLETION:

On April 21, 2008, under Roll Call No. 08-738, the City Council awarded a contract to The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047 for the construction of the following improvement:

2008 Storm Sewer Repair Contract 1, 08-2008-001

The improvement includes construction of new storm sewers to modify the existing storm sewer system at two locations: 1) the intersection of Grand Avenue & 45th Street and 2) 16th Street from Euclid Avenue to Douglas Avenue, Des Moines, Iowa. These projects will allow for the abandonment of deteriorated, undersized storm sewers that are located on private property. This contract includes construction of the storm sewers, manholes, intakes, restoration of pavement, landscaping, and other incidental items; in accordance with the contract documents including Plan File Nos. 489-001/024

I hereby certify that the construction of said 2008 Storm Sewer Repair Contract 1, Activity ID 08-2008-001, 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 April 23, 2008, and was completed on July 15, 2009.

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I further certify that \$531,930.63 is the total cost of said improvement, of which \$492,909.05 has been paid the Contractor and \$12,425.05 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$26,596.53 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



ESTIMATE OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 12/20/08 to 07/01/09
FINAL PAYMENT (PAYMENT #8)

PROJECT: 2008 STORM SEWER REPAIR CONTRACT 1
CONTRACTOR: THE UNDERGROUND COMPANY, LTD.

Activity ID: 08-2008-001
Date: 07/15/09

LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
1	Pavement Removal	SY	940.000	821.060	821.060	\$8,210.60
2	Driveway Removal	SY	135.000	135.000	135.000	\$1,350.00
3	Sidewalk Removal	SY	160.000	160.000	160.000	\$1,600.00
4	Sidewalk Ramp Removal	SY	5.000	5.000	5.000	\$50.00
5	Intake Removal	EACH	7.000	7.000	7.000	\$1,050.00
6	Manhole Removal	EACH	2.000	2.000	2.000	\$400.00
7	Remove Storm Sewer Pipe Less Than or Equal to 24 in.	LF	347.000	100.000	100.000	\$200.00
8	Remove and Replace 18" Storm Sewer Pipe	LF	33.000	0.000	0.000	\$2.00
9	Flowable Mortar	CY	50.000	48.000	48.000	\$40.00
10	Storm Sewer Plug	EACH	3.000	3.000	3.000	\$100.00
11	Tree Removal	LS	1.000	1.000	1.000	\$50.00
12	Temporary Surfacing, HMA Millings	TON	425.000	53.030	53.030	\$600.00
13	PCC Pavement, 8 in.	SY	522.000	451.460	451.460	\$1.00
14	PCC Pavement, 6 in.	SY	217.000	502.850	502.850	\$65.00
15	HMA Pavement, 2 in.	SY	217.000	567.100	567.100	\$45.00
16	HMA Pavement, 6 in.	SY	164.000	57.260	57.260	\$45.00
17	Drives, PCC, 6 in.	SY	135.000	160.800	160.800	\$40.00
18	Sidewalk, PCC, 4 in.	SY	160.000	160.000	160.000	\$30.00
19	Sidewalk, PCC, 6 in.	SY	5.000	5.000	5.000	\$100.00
20	Detectable Warning, Truncated Domes	SF	6.000	8.000	8.000	\$500.00
21	Curb and Gutter, PCC, 2.0 Ft	LF	93.000	263.500	263.500	\$20.00
22	Painted Pavement Marking	STA	1.600	1.600	1.600	\$5,270.00
23	Storm Sewer, 15 in. Dia., RCP Class III	LF	134.000	134.000	134.000	\$1,408.00
24	Storm Sewer, 18 in. Dia., RCP Class III	LF	252.000	285.000	285.000	\$60.00
25	Storm Sewer, 24 in. Dia., RCP Class III	LF	503.000	528.000	528.000	\$62.00
26	Storm Sewer 30 in. Dia., RCP Class III	LF	634.000	669.000	669.000	\$79.00
27	Manhole, Type M-A, 72"	EACH	2.000	2.000	2.000	\$160.00
28	Intake, Type M-D	EACH	1.000	4.000	4.000	\$7,366.00
29	Intake, Type M-F	EACH	3.000	3.000	3.000	\$2,825.00
30	Intake, Type M-I	EACH	4.000	4.000	4.000	\$3,000.00
						\$4,134.00
						\$16,536.00

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LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
31	Intake, Type M-G Modified	EACH	3.000	4.000	4.000	\$4,204.00
32	Intake, Type "RCP Area"	EACH	2.000	2.000	2.000	\$1,090.00
33	Sanitary Sewer Service Relocation	EACH	5.000	1.000	1.000	\$100.00
34	Water Service Relocation	EACH	5.000	3.000	3.000	\$100.00
35	New Water Service	EACH	4.000	1.000	1.000	\$100.00
36	Water Service Disconnection	EACH	4.000	4.000	4.000	\$100.00
37	Water Service Tap	EACH	4.000	0.000	0.000	\$0.00
38	Tree Planting, Japanese Lilac, 2" CAL	EACH	2.000	2.000	2.000	\$250.00
39	Rip-Rap, Class D	TON	10.000	0.000	0.000	\$50.00
40	Topsoil, Finish and Place	CY	135.000	135.000	135.000	\$25.00
41	Sod	SQ	56.000	68.682	68.682	\$50.00
42	Seed and Mulch	ACRE	0.200	0.200	0.200	\$2,000.00
43	Flaggers	DAY	15.000	20.500	20.500	\$600.00
44	Traffic Control	LS	1.000	1.000	1.000	\$6,794.00
45	Project Sign, Small	EACH	2.000	2.000	2.000	\$100.00
46	Mobilization	LS	1.000	1.000	1.000	\$62,250.00
1.01	Connection of Existing Tile	FT	0.000	57.000	57.000	\$20.00
1.02	Remove and Replace 21 in. Storm Sewer	FT	0.000	12.500	12.500	\$150.40
1.03	Concrete Collar	EACH	0.000	1.000	1.000	\$250.00
2.01	Berm Grading on North Side of Park Avenue	LS	0.000	1.000	1.000	\$700.00
2.02	Extra Excavation for M-D Intake Under Traffic	EACH	0.000	3.000	3.000	\$2,075.00
2.03	Intake, Type M-E	EACH	0.000	1.000	1.000	\$6,400.00
2.04	Remove Existing Intakes	EACH	0.000	4.000	4.000	\$600.00
2.05	Additional Traffic Control	LS	0.000	1.000	1.000	\$2,000.00
2.06	Seeding and Clean Up	LS	0.000	1.000	1.000	\$1,400.00
2.07	Saw Existing Slab and Install New Boxouts	EACH	0.000	4.000	4.000	\$700.00
3.01	Tap into Existing Manhole Structure	LS	0.000	1.000	1.000	\$3,000.00
3.02	Full Depth Patch with Overlay	LS	0.000	1.000	1.000	\$4,000.00
3.03	Manhole, Type M-B	EACH	0.000	3.000	3.000	\$3,800.00
5.01	Water Main Lower	LS	0.000	1.000	1.000	\$5,800.00
5.02	Sewer Pipe Supports	EACH	0.000	3.000	3.000	\$500.00
6.01	Sawcut Pavement	LF	0.000	125.500	125.500	\$5.00
6.02	Abandon Storm Sewer Under 4420 Grand Avenue	LS	0.000	1.000	1.000	\$4,700.00
7.01	HMA Pavement	TON	0.000	193.440	193.440	\$109.65
7.02	Minor Cleaning/Butt Joints	LS	0.000	1.000	1.000	\$1,700.75
7.03	Mobilization for Paving 16th Street	LS	0.000	1.000	1.000	\$1,200.00
8.01	Work as described, 4400 Park Ave	LS	0.000	1.000	1.000	\$4,650.00
9.01	Removal of Pine Tree	LS	0.000	1.000	1.000	\$550.00
10.01	Shoulder Work on 16th Street	LS	0.000	1.000	1.000	\$7,725.00

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LINE NO.	DESCRIPTION	UNIT	UNITS		CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED			
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$531,930.63				
	PARTIAL PAYMENT #1		\$152,242.14				
	PARTIAL PAYMENT #2		\$19,138.47				
	PARTIAL PAYMENT #3		\$99,338.65				
	PARTIAL PAYMENT #4		\$105,638.58				
	PARTIAL PAYMENT #5		\$54,616.63				
	PARTIAL PAYMENT #6		\$34,184.57				
	PARTIAL PAYMENT #7		\$27,750.01				
	THIS PARTIAL PAYMENT		\$12,425.05				
	TOTAL PARTIAL PAYMENTS		\$505,334.10				
	BALANCE		\$26,596.53				
	TOTAL						\$531,930.63
	RETAINAGE						\$26,596.53
	TOTAL LESS RETAINAGE						\$505,334.10
	LESS PREVIOUS PAYMENT						\$492,909.05
	AMOUNT DUE						\$12,425.05

FINAL PAYMENT (PAYMENT #8)

PREPARED BY: John L. Hunt

CHECKED BY: Matthew A. Beckel