

DATE August 11, 2008

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR GRAY'S LAKE TERRACE BUILDING SHADE STRUCTURE, VENTER SPOONER, 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 Gray's Lake Terrace Building Shade Structure, 11-2008-003, in accordance with the contract approved between Venter Spooner, Inc., Daniel Venter, President, 6500 NW Beaver Drive, Johnston, IA 50131-1307, under Roll Call No. 08-259, of February 11, 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 \$107,300.00 is the total cost, of which \$101,935.00 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 \$5,365.00 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.

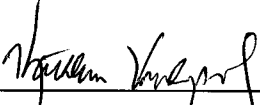
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such 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.

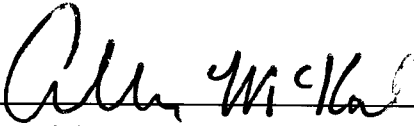
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

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

FORM APPROVED:

FUNDS AVAILABLE

  
\_\_\_\_\_  
Kathleen Vanderpool  
Deputy City Attorney

  
\_\_\_\_\_  
Allen McKinley  
Des Moines Finance Director

Funding Source: 2008-2009 CIP, Page Park-12, Gray's Lake Park Improvements, PKS140, Various Funding, Being: \$70,000 in private contributions from the Gray's Lake/Meredith Trail Advisory Group and \$37,300 in G. O. Bonds

★ Roll Call Number

Agenda Item Number

9E

Date August 11, 2008

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.

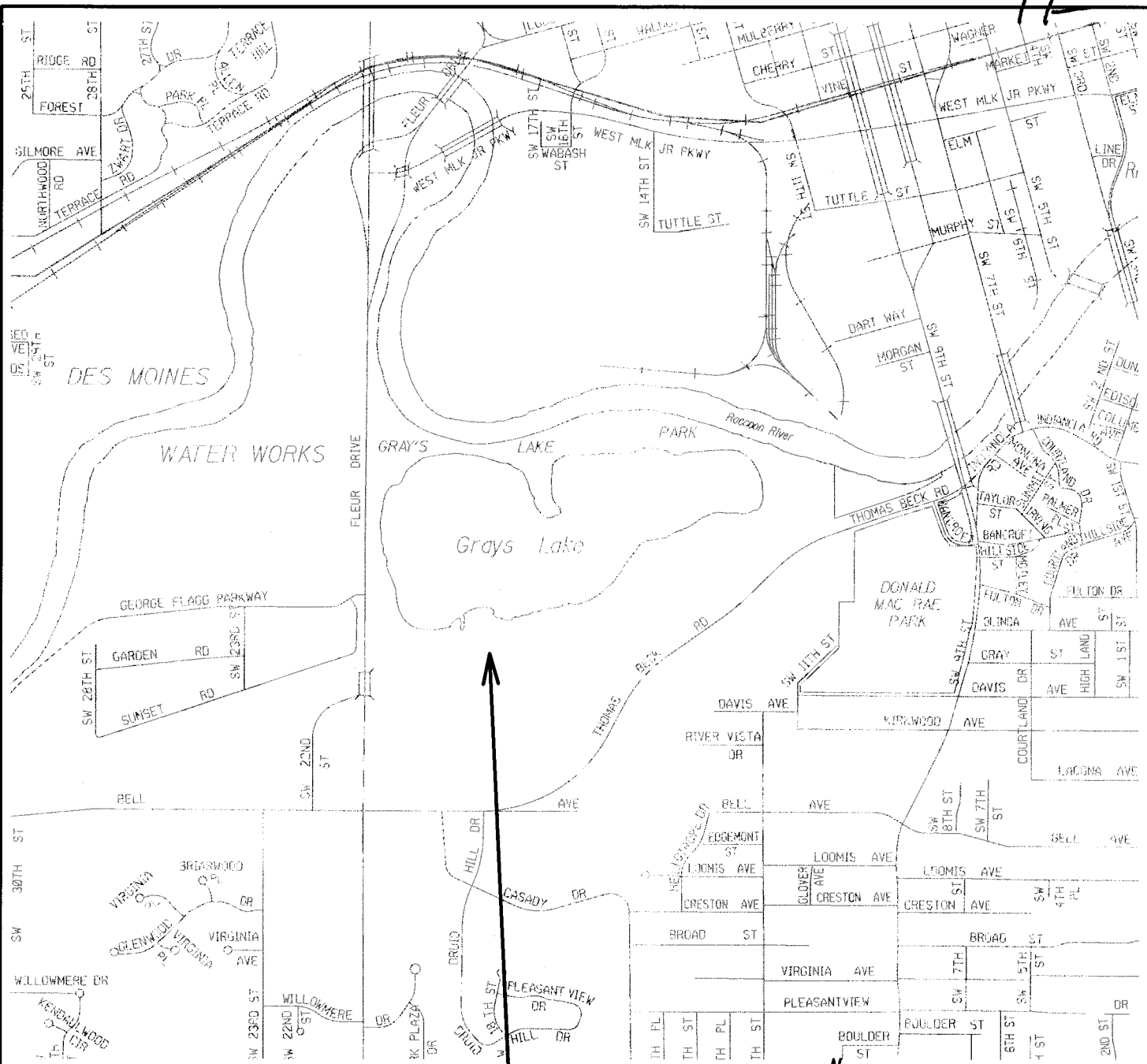
MOTION CARRIED

APPROVED

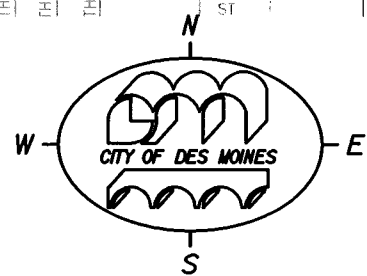
\_\_\_\_\_  
Mayor

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

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**PROJECT  
LOCATION**



**GRAY'S LAKE TERRACE BUILDING  
SHADE STRUCTURE  
ACTIVITY I.D. 11-2008-003**

T:\ENGV\Design\11\2008\003\Drawings\Loc.Map\LOC\_MAP.DGN 05-AUG-2008 10:57

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# PROJECT SUMMARY

## Grays Lake Terrace Bldg Shade Structure Activity ID 11-2008-003

On February 11, 2008 under Roll Call 08-259 The City Council awarded a contract in the amount of \$10,875.00 To Bergstrom Construction, Inc. for construction of -

Gray's Lake Terrace Building Shade Structure, Activity ID 11-2008-003

The improvement is construction of a shade structure including steel fabrication and erection, fabrication and installation of stainless steel cable trellis system, provide and install shade fabric, painting and site restoration all accordance with the contract documents including Plan File Nos. 475-115/121 at Gray's Lake Park, 2101 Fleur Drive, Des Moines, IA.

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	There were no Change Orders on this project.	Engineering	\$0.00
<b>Original Contract Amount</b>			\$107,300.00
<b>Total Change Orders</b>			\$0.00
<b>Percent of Change Orders to Original Contract</b>			0.00%
<b>Final Contract Amount</b>			\$107,300.00

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August 11, 2008

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the Gray's Lake Terrace Building Shade Structure, Venter Spooner, 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: \$107,300.00 As-Built Contract Cost

Funding Source: 2008-2009 CIP, Page Park-12, Gray's Lake Park Improvements, PKS140, Various Funding, Being:

\$70,000 in private contributions from the Gray's Lake/Meredith Trail Advisory Group and \$37,300 in G. O. Bonds

**CERTIFICATION OF COMPLETION:**

On February 11, 2008, under Roll Call No. 08-259, the City Council awarded a contract to Venter Spooner, Inc., Daniel Venter, President, 6500 NW Beaver Drive, Johnston, IA 50131-1307 for the construction of the following improvement:

Gray's Lake Terrace Building Shade Structure, 11-2008-003

The improvement includes construction of a shade structure including steel fabrication and erection, fabrication and installation of a stainless steel cable trellis system, provide and install shade fabric, painting and site restoration all in accordance with the contract documents including Plan File Nos. 475-115/121 at Gray's Lake Park, 2101 Fleur Drive, Des Moines, Iowa

I hereby certify that the construction of said Gray's Lake Terrace Building Shade Structure, Activity ID 11-2008-003, 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 March 13, 2008, and was completed on July 21, 2008.



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 \$107,300.00 is the total cost of said improvement, of which \$101,935.00 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 \$5,365.00 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.

A handwritten signature in black ink, appearing to read "Jeb E. Brewer". The signature is fluid and cursive, with a long horizontal stroke at the end.

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

# AIA® Document G702™ - 1992

## APPLICATION AND CERTIFICATION FOR PAYMENT

<b>TO OWNER:</b> City of Des Moines 400 Robert D. Ray Drive Des Moines, IA 50309-1891	<b>PROJECT:</b> Gray's Lake Shade Structure 2101 Fleur Drive Des Moines, IA 50321	<b>APPLICATION NO:</b> 5	<b>Distribution to:</b> OWNER <input type="checkbox"/> ARCHITECT <input type="checkbox"/> CONTRACTOR <input type="checkbox"/> FIELD <input type="checkbox"/> OTHER <input type="checkbox"/>
<b>FROM CONTRACTOR:</b> Venter Spooner Inc. 6500 NW Beaver Drive Johnston, IA 50131	<b>ARCHITECT:</b> HLKB Architecture 218 6th Ave, Fleming Bldg, Suite 202 Des Moines, IA 50309	<b>PERIOD TO:</b> 06/30/2008 <b>CONTRACT FOR:</b> General Construction <b>CONTRACT DATE:</b> Pending <b>PROJECT NOS:</b> 0611 <b>City Activity ID:</b> 11-2008-003	

## CONTRACTOR'S APPLICATION FOR PAYMENT

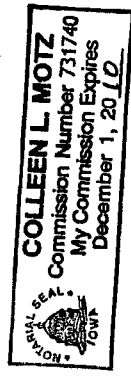
Application is made for payment, as shown below, in connection with the Contract Continuation Sheet. AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM ..... \$ 107,300.00
2. Net change by Change Orders ..... \$ 0.00
3. CONTRACT SUM TO DATE (Line 1 ± 2) ..... \$ 107,300.00
4. TOTAL COMPLETED & STORED TO DATE ..... \$ 107,300.00  
(Column G on G703)
5. RETAINAGE:
  - a. 5 % of Completed Work  
(Column D + E on G703) \$ 5,365.00
  - b. % of Stored Material  
(Column F on G703) \$
 Total Retainage (Lines 5a + 5b or Total in Column 1 of G703) \$ 5,365.00
6. TOTAL EARNED LESS RETAINAGE ..... \$ 101,935.00  
(Line 4 Less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYME ..... \$ 101,935.00  
(Line 6 from prior Certificate)
8. CURRENT PAYMENT DUE ..... \$ 0.00
9. BALANCE TO FINISH, INCLUDING RETAINAGE  
(Line 3 less Line 6) \$ 5,365.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Ow	\$0.00	
Total approved this Month	\$0.00	\$0.00
<b>TOTALS</b>	<b>\$0.00</b>	<b>\$0.00</b>
NET CHANGES by Change Order		\$0.00

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

**CONTRACTOR:** *Colleen L. Motz* Date: 14 Jun 2008  
 By: \_\_\_\_\_ State of: Iowa County of: Polk  
 Subscribed and sworn to before me this 14 day of July 2008  
 Notary Public: *Colleen L. Motz*  
 My Commission expires: 12-1-2010



## ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED ..... \$ 0.00

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application should on the Continuation Sheet that are changed to conform to the amount certified.)

**ARCHITECT:** *Colleen L. Motz* Date: Aug 6, 2008  
 By: \_\_\_\_\_ This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

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# AIA® Document G703™ - 1992

## Continuation Sheet

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 5

APPLICATION DATE: 06/30/2008

PERIOD TO: 06/30/2008

Venter Spooner Project No: 0802001

Project ID: 0611

City Activity ID: 11-2008-003

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C - G)	
			FROM PREVIOUS APPLICATION (D + E)	% (G + C)					
1000	General Requirements	\$23,000.00	\$23,000.00				\$23,000.00	100.00%	
51200	Structural Steel	\$46,000.00	\$46,000.00				\$46,000.00	100.00%	
55001	Metal Cable Fabrications	\$18,300.00	\$18,300.00				\$18,300.00	100.00%	
99600	High Performance Coatings	\$2,000.00	\$2,000.00				\$2,000.00	100.00%	
107316	Fabric Canopies	\$18,000.00	\$18,000.00				\$18,000.00	100.00%	
<b>GRAND TOTALS</b>							\$107,300.00	\$107,300.00	100.00%
							\$0.00	\$0.00	\$0.00

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