

DATE August 11, 2008

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR SKYWALK BRIDGE 5D-6D REPAIRS, BERGSTROM CONSTRUCTION, 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 Skywalk Bridge 5D-6D Repairs, 12-2008-002, in accordance with the contract approved between Bergstrom Construction, Inc., Tom Gorgas, President, 1719 Hull Avenue, Des Moines, IA 50313, under Roll Call No. 08-1010, of June 9, 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 \$10,875.00 is the total cost, of which \$10,331.25 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 \$543.75 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.

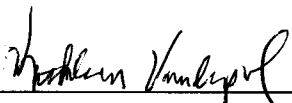
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such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

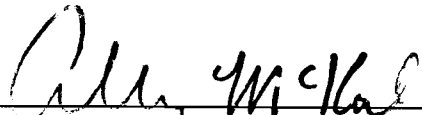
Moved by _____ to adopt.

FORM APPROVED:

FUNDS AVAILABLE



Kathleen Vanderpool
Deputy City Attorney



Allen McKinley
Des Moines Finance Director

M Funding Source: 2008-2009 CIP, Page Sidewalk-6, Downtown Skywalk System, SID094, Tax Increment Funds

★ **Roll Call Number**

.....

Agenda Item Number

9F

Date August 11, 2008

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

MOTION CARRIED

APPROVED

_____ Mayor

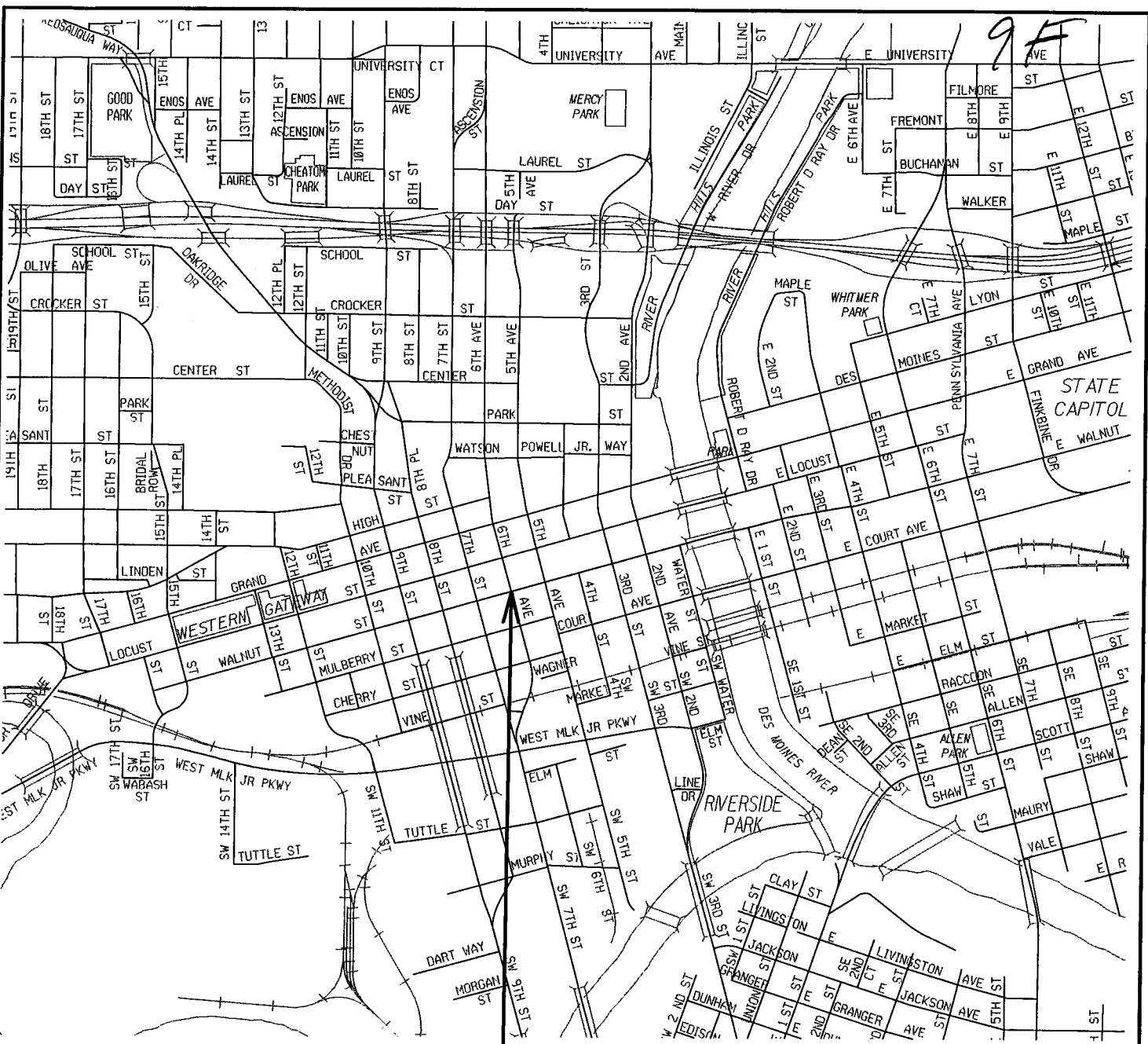
CERTIFICATE

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.

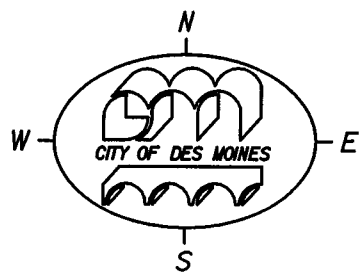
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ City Clerk

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**PROJECT
LOCATION**



**SKYWALK BRIDGE 5D-6D REPAIRS
ACTIVITY I.D. 12-2008-002**

T:\END\Design\12\2008\002\Drawings\Loc_Map\Map_Loc_Map_DGN 21-MAY-2008 13:00

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PROJECT SUMMARY

Skywalk Bridge 5D-6D Repairs

Activity ID 12-2008-002

On June 9, 2008 under Roll Call 08-1010 The City Council awarded a contract in the amount of \$10,875.00 To Bergstrom Construction, Inc. for construction of -

Skywalk Bridge 5D-6D Repairs, Activity ID 12-2008-002

The improvement includes removal and replacement of soffit sheetrock, texturing, painting, traffic control and clean up all accordance with the contract documents at Skywalk Bridge 5D-6D over 6th Avenue just north of Walnut Street, 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 are no Change Orders on this project.	Engineering	\$0.00
	Original Contract Amount		\$10,875.00
	Total Change Orders		\$0.00
	Percent of Change Orders to Original Contract		0.00%
	Final Contract Amount		\$10,875.00

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August 11, 2008

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Skywalk Bridge 5D-6D Repairs, Bergstrom Construction, 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: \$10,875.00 As-Built Contract Cost

Funding Source: 2008-2009 CIP, Page Sidewalk-6, Downtown Skywalk System, SID094, Tax Increment Funds

CERTIFICATION OF COMPLETION:

On June 9, 2008, under Roll Call No. 08-1010, the City Council awarded a contract to Bergstrom Construction, Inc., Tom Gorgas, President, 1719 Hull Avenue, Des Moines, IA 50313 for the construction of the following improvement:

Skywalk Bridge 5D-6D Repairs, 12-2008-002

The improvement includes removal and replacement of soffit sheetrock, texturing, painting, traffic control and clean up; all in accordance with the contract documents at Skywalk Bridge 5D-6D over 6th Avenue just north of Walnut Street, Des Moines, Iowa

I hereby certify that the construction of said Skywalk Bridge 5D-6D Repairs, Activity ID 12-2008-002, 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 7, 2008, and was completed on August 6, 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

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I further certify that \$10,875.00 is the total cost of said improvement, of which \$10,331.25 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 \$543.75 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

