

DATE August 23, 2010

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT  
FOR 2010 TENNIS COURT RESURFACING, BLACKTOP REPAIR SERVICE, INC. DBA UPPER  
MIDWEST ATHLETIC CONSTRUCTION**

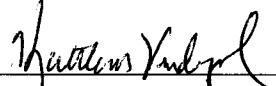
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached report of the Jurisdictional Engineer, showing the cost of the construction of the 2010 Tennis Court Resurfacing, 11-2010-013, in accordance with the contract approved between Blacktop Repair Service, Inc. dba Upper Midwest Athletic Construction, Patricia J. Hicks, President, 16340 Nowthen Blvd., Anoka, MN 55303, under Roll Call No. 10-984, of June 14, 2010, 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 \$102,189.90 is the total cost, of which \$93,574.90 has been paid the Contractor, and \$3,505.50 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$5,109.50 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.

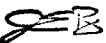
Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:

  
Kathleen Vanderpool  
Deputy City Attorney

FUNDS AVAILABLE

  
Allen McKinley  
Des Moines Finance Director

 Funding Source: 2010-2011 CIP, Page PKS-13, Neighborhood Park Improvements, PKS137, G. O. Bonds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GREISS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED		APPROVED		

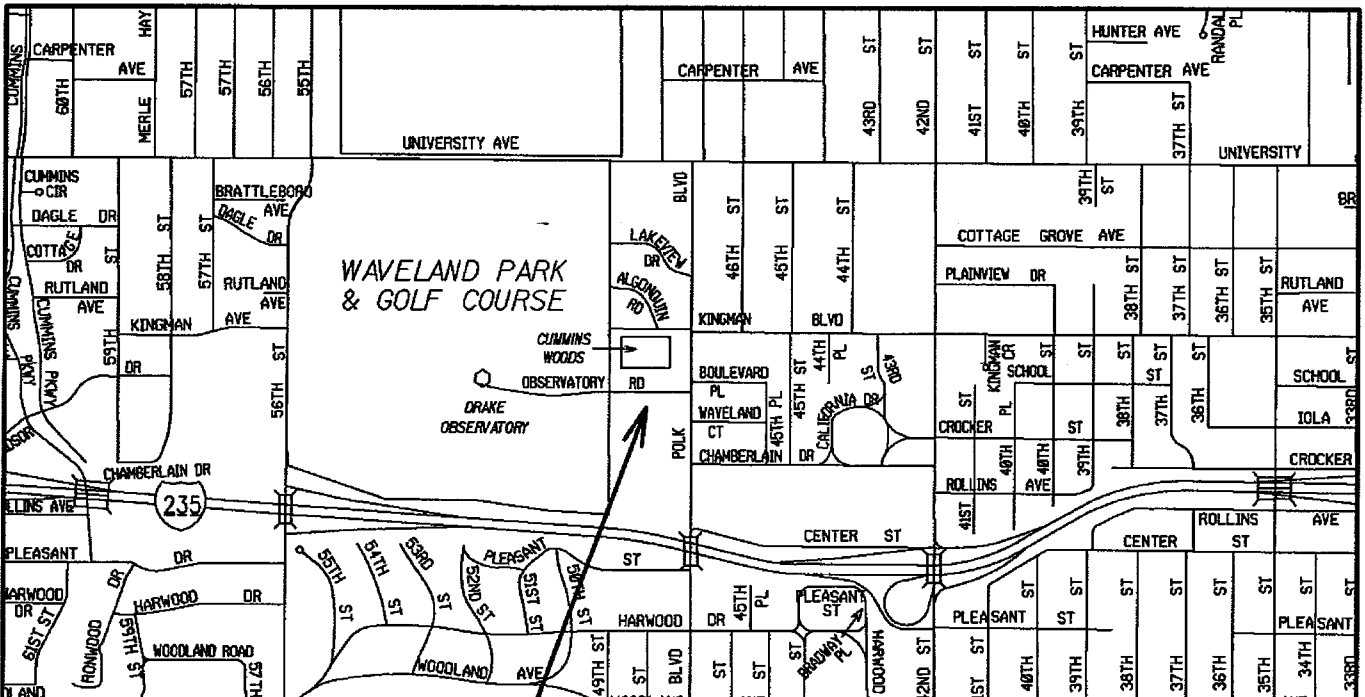
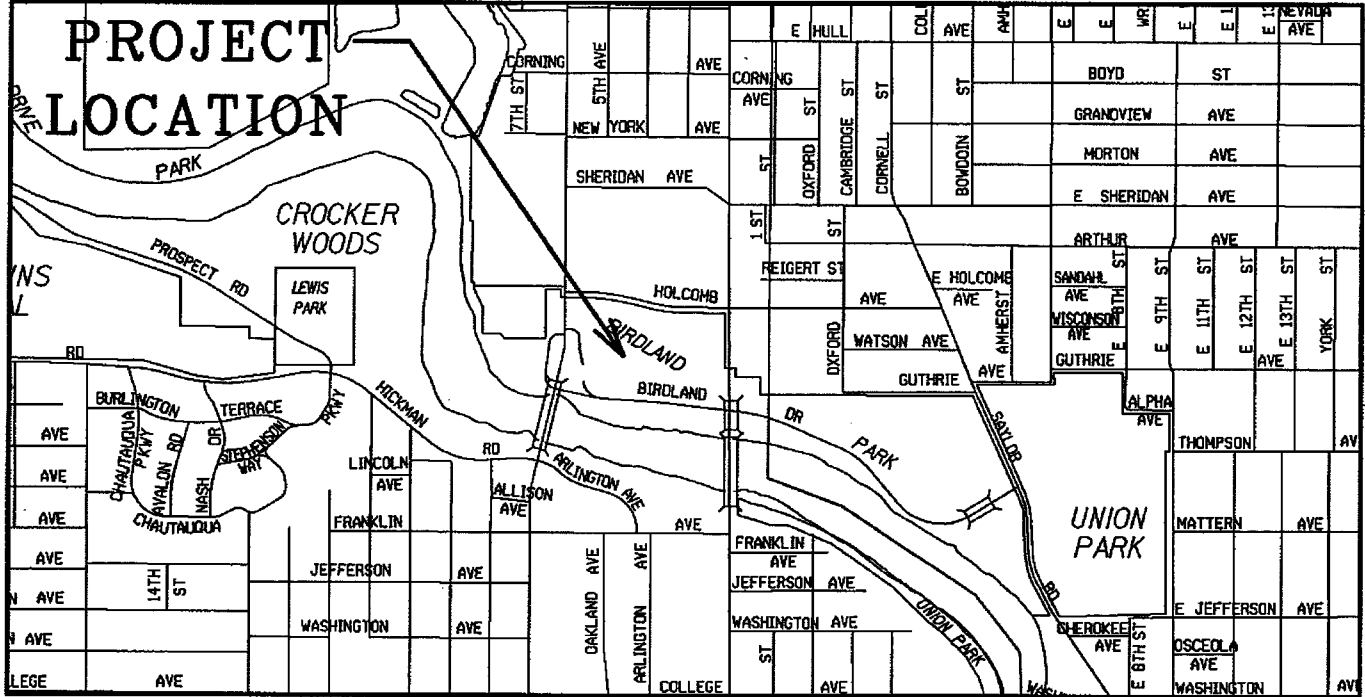
**CERTIFICATE**

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.

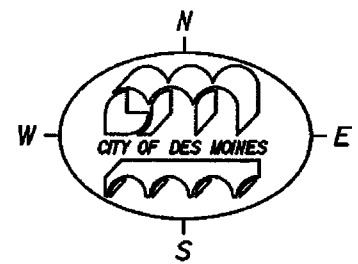
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_  
Mayor

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



**PROJECT LOCATION**



**2010 TENNIS COURT RESURFACING  
ACTIVITY I.D. 11-2010-013**

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# PROJECT SUMMARY

## 2010 Tennis Court Resurfacing

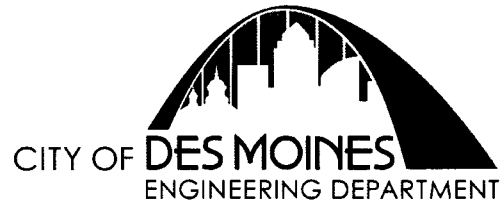
### Activity ID 11-2010-013

On June 14, 2010 under Roll Call No. 10-983 the City Council awarded the contract for the above improvement to Blacktop Repair Services, Inc. DBA Upper Midwest Athletic Construction in the amount of \$89,979.90 for the crack repair, joint sealing and joint repair, court resurfacing, and finish color and striping on seventeen (17) tennis courts at Waveland Park and Birdland Park.

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	7/14/2010 Install new net posts for all five (5) courts at Birdland Park.	User	\$2,500.00
2	8/2/2010 Resurface and repair cracks in basketball court at Columbus Park.	User	\$6,020.00
3	8/6/2010 Adjustment of quantities to as-built measurements.	Engineering	\$3,690.00
<b>Original Contract Amount</b>			\$89,979.90
<b>Total Change Orders</b>			\$12,210.00
<b>Percent of Change Orders to Original Contract</b>			13.57%
<b>Final Contract Amount</b>			\$102,189.90

August 23, 2010



**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the 2010 Tennis Court Resurfacing, Blacktop Repair Service, Inc. dba Upper Midwest Athletic Construction.

**SYNOPSIS:**

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

**FISCAL IMPACT:**

Amount: \$102,189.90 As-Built Contract Cost

Funding Source: 2010-2011 CIP, Page PKS-13, Neighborhood Park Improvements, PKS137, G. O. Bonds

**CERTIFICATION OF COMPLETION:**

On June 14, 2010, under Roll Call No. 10-984, the City Council awarded a contract to Blacktop Repair Service, Inc. dba Upper Midwest Athletic Construction, Patricia J. Hicks, President, 16340 Nowthen Blvd., Anoka, MN 55303 for the construction of the following improvement:

2010 Tennis Court Resurfacing, 11-2010-013

The improvement includes work on tennis court facilities located at Waveland Park and Birdland Park in Des Moines, Iowa, including crack repairs, joint sealing and joint repairs, court resurfacing, and finish color and striping on seventeen (17) tennis courts; in accordance with the contract documents including Plan File Numbers 517-019/027

I hereby certify that the construction of said 2010 Tennis Court Resurfacing, Activity ID 11-2010-013, 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 6, 2010, and was completed on August 12, 2010.

I further certify that \$102,189.90 is the total cost of said improvement, of which \$93,574.90 has been paid the Contractor and \$3,505.50 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$5,109.50 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



**ESTIMATE OF CONSTRUCTION COMPLETED**  
FOR WORK DONE FROM 07/29/10 to 08/04/10  
**FINAL PAYMENT (PARTIAL PAYMENT NO. 2)**

**PROJECT: 2010 TENNIS COURT RESURFACING**      **Activity ID: 11-2010-013**  
**CONTRACTOR: BLACKTOP REPAIR SERVICE, INC. DBA UPPER MIDWEST ATHLETIC CONSTRUCTION**      **Date: 08/13/10**

LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
1	Crack Repair	LF	872.000	1,217.000	1,217.000	\$21,906.00
2	Joint Sealing	LF	1,064.000	1,064.000	1,064.000	\$4,224.08
3	Joint Repair	LF	1,806.000	1,806.000	1,806.000	\$7,169.82
4	Tennis Court Resurfacing	EA	17.000	17.000	17.000	\$30,855.00
5	Tennis Court Finish Color and Striping	EA	17.000	17.000	17.000	\$30,855.00
6	Project Sign Small - Standard	EA	1.000	1.000	1.000	\$200.00
7	Mobilization	LS	1.000	1.000	1.000	\$980.00
1.01	Install Net Posts	EA	5.000	5.000	5.000	\$2,500.00
2.01	Basketball Court Resurfacing, Finish Color & Stripe	EA	1.000	1.000	1.000	\$3,500.00
TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS			\$102,189.90			
THIS PARTIAL PAYMENT			\$3,505.50			
PARTIAL PAYMENT #1			\$93,574.90			
TOTAL PARTIAL PAYMENTS			\$97,080.40			
BALANCE			\$5,109.50			
TOTAL						\$102,189.90
RETAINAGE						\$5,109.50
TOTAL LESS RETAINAGE						\$97,080.40
LESS PREVIOUS PAYMENT						\$93,574.90
AMOUNT DUE						\$3,505.50

PREPARED BY:   
CHECKED BY: 

FINAL PAYMENT (PARTIAL PAYMENT NO. 2)