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DATE August 25, 2008

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR RIVERWALK CIVIC GARDENS, CRAMER AND ASSOCIATES, 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 Riverwalk Civic Gardens, 11-2005-009, in accordance with the contract approved between Cramer and Associates, Inc., Robert Cramer, President/CAO, 990 NE 44th Avenue, Des Moines, IA 50313, under Roll Call No. 05-2264, of September 12, 2005, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

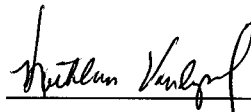
BE IT FURTHER RESOLVED: That \$1,341,587.06 is the total cost, of which \$1,270,704.16 has been paid the Contractor, and \$3,803.55 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$67,079.35 is to be paid at the end of thirty days, provided 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.

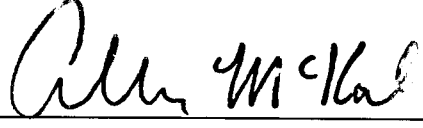
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

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

FORM APPROVED:

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

FUNDS AVAILABLE

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

⌘ Funding Source: 2008-2009 CIP, Page Parks-23, Riverwalk, PKS162

★ Roll Call Number

Agenda Item Number

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Date August 25, 2008

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

MOTION CARRIED

APPROVED

**CERTIFICATE**

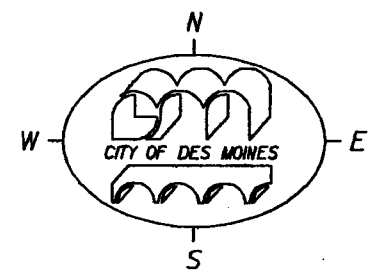
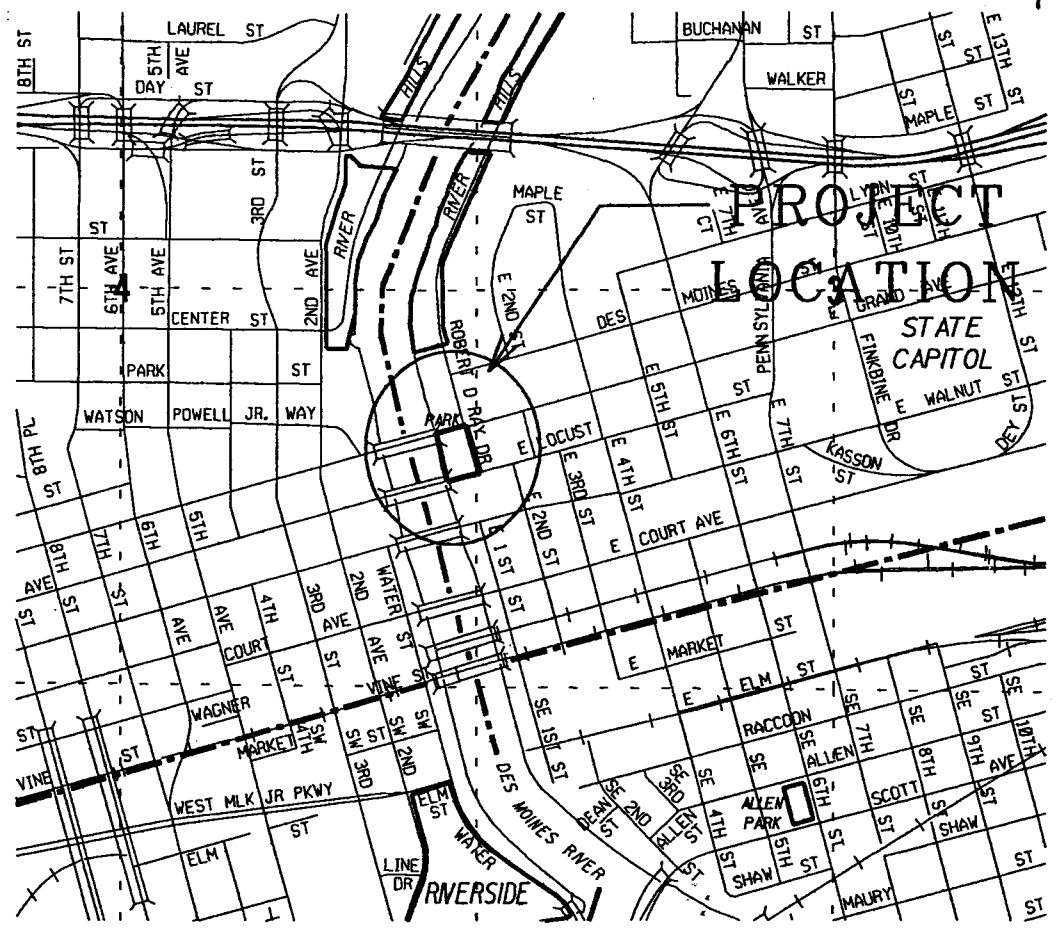
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

\_\_\_\_\_  
Mayor

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

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# RIVERWALK CIVIC GARDENS

ACTIVITY ID 11-2005-009

# PROJECT SUMMARY

## Riverwalk Civic Gardens

### Activity ID 11-2005-009

On September 12, 2005, under Roll Call No. 05-2264, the City Council awarded the contract for the above improvement to Cramer and Associates, Inc., in the amount of \$1,305,000.00 to complete the reconstruction of the west entrance to City Hall; the installation of a City purchased vendor supplied inclined platform (wheelchair) lifting device to the east entrance to City Hall; the construction of the foundation and installation of a donated sculpture; construction of stone-clad PCC flood wall and gate closures; construction of PCC steps; construction of various terraced planters and landscaping gardens; installation of various trees, shrubs, and plants; sod restoration; installation of a complete irrigation system; installation of a complete exterior electrical and accent lighting system; extension of the emergency telephone system conduit; construction of various PCC broom finished, and precast concrete paver surfaced walkways; installation of stone benches and elevated planters; fabrication, installation, and maintenance of a project sign; construction survey; along with the necessary clearing and grubbing, grading, sidewalk removal, floodwall removal, and the demolition and disposal of various items; all in accordance with the contract documents including Plan File Nos. 454-090/149. This project is located at City Hall, 400 Robert D. Ray Drive, in Des Moines Iowa.

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	12/5/2005 Remove two buried concrete walls. Replace the PCC protective cap on the city-owned communication duct bank. Relocate existing bridge lighting wire and conduit in conflict with floodwall construction.	Engineering	\$9,904.95
2	1/20/2006 Removal, relocation, and reconnection of two existing air conditioning units.	Engineering	\$2,310.00
3	3/31/2006 Fill existing voids under granite slabs at the west entrance to City Hall.	Engineering	\$2,805.00
4	4/24/2006 Substitute "Iridian" colored granite for specified "Sierra White". Reconstruct the wall above the west entrance to City Hall with CMU's instead of metal framing.	Engineering	\$4,902.70
5	5/9/2006 Add the following quantity extensions to this contract; Poured Concrete Backup Wall, "Iridian" Granite Veneer, Sidewalk Removal, and Topsoil Backfill.	Engineering	\$8,243.20

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<u>Change Order No.</u>	<u>Description</u>	<u>Initiated By</u>	<u>Amount</u>
6	7/17/2006 Add the removal of the discovered buried PCC Curbs, isolate the work area with a construction curtain, install a paving notch to support the PCC Brick Paver Subslabs, and install reinforcing steel in the PCC Brick Paver Subslabs.	Engineering	\$4,335.63
7	7/21/2006 Add the use of pigmented mortar to the installation of the limestone veneer, and add the installation of a sidewalk shear lug to the 12 foot wide sidewalk proposed for the river side of the flood wall.	Engineering	\$3,485.00
8	7/28/2006 Add the relocation of two electrical handholes and connecting conduits, add the purchasing and installation of an electrical time clock, delete the electrical wiring of the City provided wheel chair lift, and delete the relocation of an existing telecommunication equipment enclosure.	Engineering	\$996.85
9	6/3/2008 Add mortar netting and weep ropes, modular block wall overruns, limestone edging overruns, and the relocation of several landscaping plants. Delete the removal of the wheel chair lift, painting of the interior arch and wall, and the installation of all annual plants.	Engineering	(\$396.27)
<b>Original Contract Amount</b>			\$1,305,000.00
<b>Total Change Orders</b>			\$36,587.06
<b>Percent of Change Orders to Original Contract</b>			2.80%
<b>Final Contract Amount</b>			\$1,341,587.06

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August 25, 2008

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the Riverwalk Civic Gardens, Cramer and Associates, 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: \$1,341,587.06 As-Built Contract Cost

Funding Source: 2008-2009 CIP, Page Parks-23, Riverwalk, PKS162

**CERTIFICATION OF COMPLETION:**

On September 12, 2005, under Roll Call No. 05-2264, the City Council awarded a contract to Cramer and Associates, Inc., Robert Cramer, President/CAO, 990 NE 44th Avenue, Des Moines, IA 50313 for the construction of the following improvement:

Riverwalk Civic Gardens, 11-2005-009

Reconstruction of the west entrance to City Hall; the installation of a city purchased vendor supplied inclined platform (wheelchair) lifting device to the east entrance to City Hall; the construction of the foundation and installation of a donated sculpture; construction of stone-clad PCC flood wall and gate closures; construction of PCC steps; construction of various terraced planters and landscaping gardens; installation of various trees, shrubs, and plants; sod restoration; installation of a complete irrigation system; installation of a complete exterior electrical and accent lighting system; extension of the emergency telephone system conduit; construction of various PCC broom finished, and precast concrete paver surfaced walkways; installation of stone benches and elevated planters; fabrication, installation, and maintenance of a project sign; construction survey; along with the necessary clearing and grubbing, grading, sidewalk removal, floodwall removal and the demolition and disposal of various items; all in accordance with the contract documents including Plan File Nos. 454-090/149. This project is located at City Hall, 400 Robert D. Ray Drive, in Des Moines Iowa.

I hereby certify that the construction of said Riverwalk Civic Gardens, Activity ID 11-2005-009, 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 13, 2005, and was completed on August 18, 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 \$1,341,587.06 is the total cost of said improvement, of which \$1,270,704.16 has been paid the Contractor and \$3,803.55 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$67,079.35 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 11/10/06 TO 05/05/08  
**PARTIAL PAYMENT NO. 12 FINAL**

**Project: Riverwalk Civic Gardens**  
**Contractor: Cramer & Associates, Inc.**

**Activity ID: 11-2005-009**  
**Date: 7/17/08**


LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
0001	City Hall Landscape	LS	1.000	1.000	1.000	\$340,000.00
0002	Long Look Garden Corp Eligible	LS	1.000	1.000	1.000	\$880,000.00
0003	Long Look Garden Corp Ineligible	LS	1.000	1.000	1.000	\$85,000.00
0004	Removal & Disposal of Concrete Wall (CO # 1)	LS		1.000	1.000	\$800.00
0005	Remove & Replace Duct Bank Concrete Cap (CO # 1)	LS		1.000	1.000	\$5,120.00
0006	Relocate Bridge Lighting Wire and Conduit (CO # 1)	LS		1.000	1.000	\$3,984.95
0007	Relocate Existing Air Conditioning Units (CO #2)	LS		1.000	1.000	\$2,310.00
0008	Void Filling, Under Existing Granite Slabs (CO #3)	LS		1.000	1.000	\$2,805.00
0009	Granite Color Substitution, Price Differential (CO #4)	LS		1.000	1.000	\$4,541.90
0010	Reconstructing West Entrance with CMU's (CO #4)	LS		1.000	1.000	\$360.80
0011	Poured Concrete Backup Wall, Quantity Extension (CO # 5)	LS		1.000	1.000	\$2,070.00
0012	"Iridian" Granite Veneer, Quantity Extension (CO #5)	LS		1.000	1.000	\$5,227.20
0013	Sidewalk Removal, Quantity Extension (CO #5)	LS		1.000	1.000	\$500.00
0014	Topsoil Backfill, Quantity Extension (CO # 5)	LS		1.000	1.000	\$446.00
0015	PCC Curb Removal & Disposal (CO #6)	LS		1.000	1.000	\$2,325.00
0016	Construction Curtain Installation (CO #6)	LS		1.000	1.000	\$490.00
0017	Paving Notch Installation (CO #6)	LS		1.000	1.000	\$1,445.63
0018	PCC Brick Paver Subslab Reinforcing (CO #6)	LS		1.000	1.000	\$75.00
0019	Pigmented Mortar (CO #7)	LS		1.000	1.000	\$1,485.00
0020	Sidewalk Shear Lug (CO #7)	LS		1.000	1.000	\$2,000.00
0021	Relocate Handholes & Conduits (CO #8)	LS		1.000	1.000	\$1,374.18
0022	Provide and Install Electrical Time Clock (CO #8)	LS		1.000	1.000	\$638.51
0023	Electrical Wiring of Wheel Chair Lift, Delete (CO #8)	LS		-1.000	-1.000	\$415.84
0024	Relocation of Existing Equipment Enclosure, Delete (CO #8)	LS		-1.000	-1.000	\$600.00
0025	Flood Wall/Granite Wall, Revisions (CO #9)	LS		1.000	1.000	\$870.10
0026	Wheel Chair Lift Removal, Delete (CO #9)	LS		-1.000	-1.000	\$400.00
0027	Paint Interior Arch and Wall, Delete (CO #9)	LS		-1.000	-1.000	\$100.00
0028	Modular Block Wall, Overrun (CO #9)	SF		29.000	29.000	\$20.79
0029	Annual Plants, Delete (CO #9)	SF		-200.000	-200.000	\$10.37
0030	Rework Landscaping to avoid Light Fixture (CO #9)	LS		1.000	1.000	\$74.25
0031	6"x6" Limestone Edging, Overrun (CO #9)	LF		67.000	67.000	\$9.41


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LINE NO.	DESCRIPTION	UNIT	UNITS		CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED			
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$1,341,587.06				
	PARTIAL PAYMENT #1		\$192,945.00				
	PARTIAL PAYMENT #2		\$59,833.36				
	PARTIAL PAYMENT #3		\$92,112.00				
	PARTIAL PAYMENT #4		\$79,928.25				
	PARTIAL PAYMENT #5		\$94,801.66				
	PARTIAL PAYMENT #6		\$84,398.76				
	PARTIAL PAYMENT #7		\$110,485.00				
	PARTIAL PAYMENT #8		\$96,648.25				
	PARTIAL PAYMENT #9		\$229,636.68				
	PARTIAL PAYMENT #10		\$166,592.95				
	PARTIAL PAYMENT # 11		\$63,322.25				
	THIS PARTIAL PAYMENT		\$3,803.55				
	TOTAL PARTIAL PAYMENTS		\$1,274,507.71				
	BALANCE		\$67,079.35				
	TOTAL						\$1,341,587.06
	RETAINAGE ( 5% )						\$67,079.35
	TOTAL LESS RETAINAGE						\$1,274,507.71
	LESS PREVIOUS PAYMENT						\$1,270,704.16
	AMOUNT DUE						\$3,803.55

PREPARED BY: 

CHECKED BY: 

PARTIAL PAYMENT NO. 12 FINAL