

10 A

DATE September 8, 2008

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 2006 PEDESTRIAN CROSSING CONTROL IMPROVEMENTS, BAKER ELECTRIC, 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 2006 Pedestrian Crossing Control Improvements, 04-2006-012, in accordance with the contract approved between Baker Electric, Inc., Britt Baker, CEO, 111 Jackson Avenue, Des Moines, IA 50315, under Roll Call No. 07-1114, of June 4, 2007, 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 \$161,236.96 is the total cost, of which \$147,225.27 has been paid the Contractor, and \$5,949.81 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$8,061.85 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. Said remaining balance of \$8,061.85 is to be paid at the end of thirty days, also provided that a release of this payment has been approved by the Iowa Department of Transportation through the Des Moines Engineering Department. Said Engineering Department shall not release this payment until all projects audits have been completed, and any monetary penalties resulting from audit deficiencies shall be deducted from said balance of \$8,061.85 before being released to the Contractor. The Mayor be and is hereby authorized and directed to sign the Iowa Department of Transportation Certificate of Completion and Final Acceptance of Agreement Work. 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.

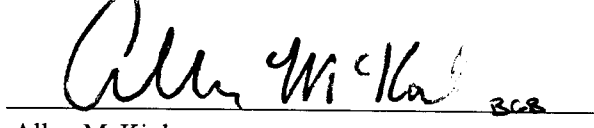
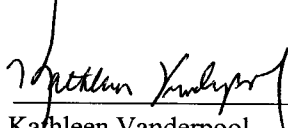
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such 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 Traffic-4, City-wide Neighborhood Traffic Control Program, STR131, Various Funding, Being: \$59,560.00 in Iowa DOT Traffic Safety Funds for 100% of Divisions 1 material costs only (Max \$75,000) and \$101,676.93 in G. O. Bonds from STR131 for 100% of Division 2 IDOT ineligible work

CS-TSF-1945(717)--85-77

**Roll Call Number**

**Agenda Item Number**

★ .....

10A

**Date** September 8, 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



# PROJECT SUMMARY

## 2006 Pedestrian Crossing Control Improve Activity ID 04-2006-012

On June 4, 2007, under Roll Call No. 07-1114, the City Council awarded the contract for the above improvements to Baker Electric, Inc., in the amount of \$153,900.26 to install pedestrian crossing control improvements at the following locations:

- University Avenue east of 29th Street
- University Avenue at 27th Street
- University Avenue at 4th Street
- E Grand Avenue at E 13th Street
- 2200 Block of Grand Avenue

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	8/10/2007 Longer poles with support collars needed to accommodate additional warning signage at 9 locations	Engineering	\$1,512.00
2	6/30/2008 To adjust quantities to as-built amounts.	Engineering	\$5,824.67
<b>Original Contract Amount</b>			\$153,900.26
<b>Total Change Orders</b>			\$7,336.67
<b>Percent of Change Orders to Original Contract</b>			4.77%
<b>Final Contract Amount</b>			\$161,236.93

September 8, 2008

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the 2006 Pedestrian Crossing Control Improvements, Baker Electric, 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: \$161,236.96 As-Built Contract Cost

Funding Source: 2008-2009 CIP, Page Traffic-4, City-wide Neighborhood Traffic Control Program, STR131, Various Funding, Being: \$59,560.00 in Iowa DOT Traffic Safety Funds for 100% of Divisions 1 material costs only (Max \$75,000) and \$101,676.93 in G. O. Bonds from STR131 for 100% of Division 2 IDOT ineligible work

**CERTIFICATION OF COMPLETION:**

On June 4, 2007, under Roll Call No. 07-1114, the City Council awarded a contract to Baker Electric, Inc., Britt Baker, CEO, 111 Jackson Avenue, Des Moines, IA 50315 for the construction of the following improvement:

2006 Pedestrian Crossing Control Improvements, 04-2006-012

The improvement consists of upgrading five existing pedestrian crossing locations throughout Des Moines including the installation of pedestrian crossing signs with pushbutton-activated LED lights, a driveway relocation, installation of a pedestrian signal, and improved crosswalk markings in accordance with the contract documents including Plan File Nos. 472/110-117 at:

- University Avenue east of 29th Street
- University Avenue at 27th Street
- University Avenue at 4th Street
- E. Grand Avenue at E. 13th Street
- 2200 Block of Grand Avenue

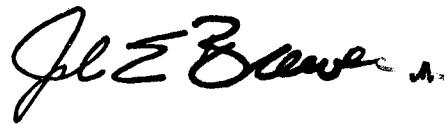
I hereby certify that the construction of said 2006 Pedestrian Crossing Control Improvements, Activity ID 04-2006-012, has been completed in substantial compliance with the terms of said contract, and I hereby recommend that the work be accepted. The work commenced on July 1, 2007, and was completed on August 29, 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 \$161,236.96 is the total cost of said improvement, of which \$147,225.27 has been paid the Contractor and \$5,949.81 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$8,061.85 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, P.E.", with a stylized flourish at the end.

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



**ESTIMATE OF CONSTRUCTION COMPLETED**

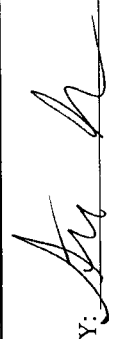
FOR WORK DONE FROM 9/29/07 to 5/28/08


**FINAL**

**Project: 2006 Pedestrian Crossing Control Improvements**  
**Contractor: Baker Electric, Inc.**

**Activity ID: 04-2006-012**  
**Date: 8/22/08**

LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
1	Pedestrian Signals Materials Only	LS	1.000	1.000	1.000	\$18,500.00
2	Blinking Pedestrian Sign Assemblies Materials Only	LS	1.000	1.000	1.000	\$40,070.00
3	Pedestrian Signals Installation & Labor Only	LS	1.000	1.000	1.000	\$16,800.00
4	Blinking Pedestrian Sign Assemblies Installation Labor Only	LS	1.000	1.000	1.000	\$15,000.00
5	Class A Sidewalk	SY	220.000	220.000	165.500	\$4,804.47
6	Class C Sidewalk	SY	8.000	8.000	126.800	\$4,416.44
7	Class A sidewalk Parallel Ramp, w/Truncated Domes	SY	72.000	72.000	55.100	\$3,967.20
8	Sidewalk, Handicapped Ramp, w/Truncated Domes Remove & Replace	SY	44.000	44.000	56.000	\$5,201.84
9	18" Curb & Gutter	LF	257.000	257.000	202.500	\$7,053.08
10	Driveway & Sidewalk Removal	SY	1,010.000	1,010.000	1,010.000	\$12,897.70
11	Topsoil	CY	150.000	150.000	180.000	\$4,179.60
12	Sodding	SQ	10.000	10.000	74.560	\$5,208.02
13	Traffic Control	LS	1.000	1.000	1.000	\$1,579.85
14	Blinking Pedestrian Sign Assemblies, 2200 Grand Ave Only	LS	1.000	1.000	1.000	\$19,000.00
15	Sidewalk, Handicapped Ramp, w/Truncated Domes New	SY	14.000	14.000	14.900	\$1,046.73
1.01	Longer Poles, Material Cost	LS		1.000	1.000	\$990.00
1.02	Longer Poles, Labor Cost	LS		1.000	1.000	\$522.00
TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS			\$161,236.93			
PARTIAL PAYMENT NO. 1			\$103,987.59			
PARTIAL PAYMENT NO. 2			\$43,237.68			
THIS PARTIAL PAYMENT			\$5,949.81			
TOTAL PARTIAL PAYMENTS			\$153,175.08			
BALANCE			\$8,061.85			
			100.00%			
TOTAL						\$161,236.93
RETAINAGE						\$8,061.85
TOTAL LESS RETAINAGE						\$153,175.08
LESS PREVIOUS PAYMENT						\$147,225.27
AMOUNT DUE						\$5,949.81

PREPARED BY: 

CHECKED BY: 

FINAL

DA