

★ Roll Call Number

Agenda Item Number

10C

DATE September 8, 2008

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR TEACHOUT AQUATIC CENTER SLIDE REPLACEMENT, BROCON SERVICES LLC

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 Teachout Aquatic Center Slide Replacement, 11-2007-001, in accordance with the contract approved between Brocon Services LLC, Chris Brault, Managing Partner, 6220 NW Beaver Drive, Suite 4, Johnston, IA 50131, under Roll Call No. 07-079, of January 8, 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 \$347,757.50 is the total cost, of which \$330,369.62 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 \$17,387.88 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.

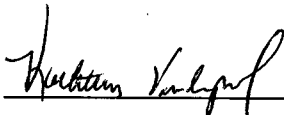
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such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

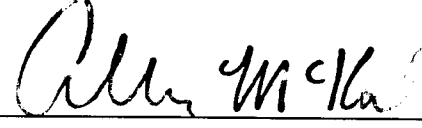
Moved by _____ to adopt.

FORM APPROVED:

FUNDS AVAILABLE



Kathleen Vanderpool
Deputy City Attorney



Allen McKinley
Des Moines Finance Director

Funding Source: 2008-2009 CIP, Page Park-27, Swimming Pools and Aquatic Infrastructure, PKS153, G. O. Bonds

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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.

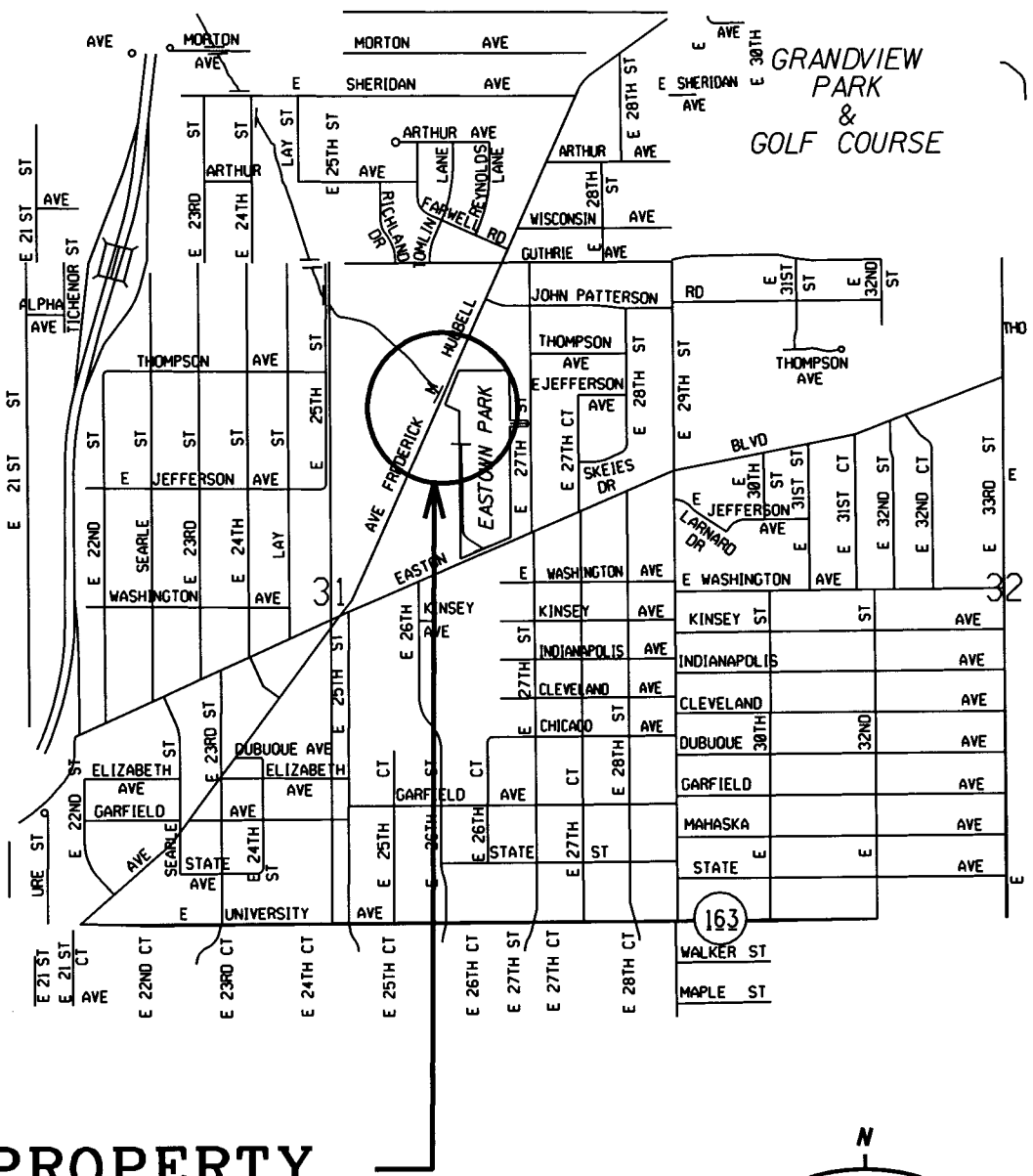
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

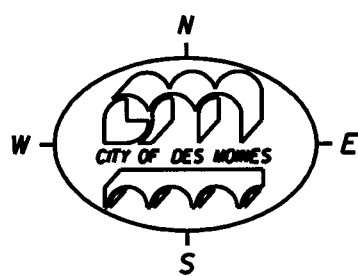
_____ Mayor

_____ City Clerk

10C



**PROPERTY
LOCATION**



**TEACHOUT AQUATIC CENTER
SLIDE REPLACEMENT
ACTIVITY I.D. 11-2007-001**

efile-dates

10 C

PROJECT SUMMARY

Teachout Aquatic Center Slide Replacemt

Activity ID 11-2007-001

On January 8 2007, under Roll Call No. 07-079, the City Council awarded the contract for the above improvement to Brocon Services LLC, in the amount of \$339,800.00 to complete the furnishing and installing of an open "U" flume design minimum width 54 inch raft water slide with a minimum centerline length of 184 feet; furnishing and installing a second water slide consisting of an enclosed tube design with a minimum inside diameter of 32 inch body water slide with a minimum centerline length of 148 feet; furnishing and installing a water slide tower and stairway system consisting of an elevated platform with a minimum plan view dimension of 12 feet by 14 feet and a tower elevation of 19.8 feet; furnishing and installing a sun shade structure and cover which protects the entire water slide tower elevated platform as well as the water slide entry sections; extending and connecting the existing water slide riser piping system and new butterfly valves to the two newly installed water slides in order to create a complete and operational water supply system; along with the necessary shop drawings, certifications, operation and maintenance manuals, permits, and safety signage; all in accordance with the contract documents including Plan File Nos. 470-130 at Teachout Family Aquatic Center, 2601 Hubbell Avenue, 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	6/6/2007 Add construction surveying, lowering of the slide/tower footings found to be in conflict with various pool drain lines, and regrading the area around the water slides and tower in order to correct existing drainage problems.	Engineering	\$7,957.50
Original Contract Amount			\$339,800.00
Total Change Orders			\$7,957.50
Percent of Change Orders to Original Contract			2.34%
Final Contract Amount			\$347,757.50

September 8, 2008

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Teachout Aquatic Center Slide Replacement, Brocon Services LLC.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$347,757.50 As-Built Contract Cost

Funding Source: 2008-2009 CIP, Page Park-27, Swimming Pools and Aquatic Infrastructure, PKS153, G. O. Bonds

CERTIFICATION OF COMPLETION:

On January 8, 2007, under Roll Call No. 07-079, the City Council awarded a contract to Brocon Services LLC, Chris Brault, Managing Partner, 6220 NW Beaver Drive, Suite 4, Johnston, IA 50131 for the construction of the following improvement:

Teachout Aquatic Center Slide Replacement, 11-2007-001

The improvement includes furnishing and installing an open "U" flume design minimum width 54 inch raft water slide with a minimum centerline length of 184 feet; furnishing and installing a second water slide consisting of an enclosed tube design with a minimum inside diameter of 32 inch body water slide with a minimum centerline length of 148 feet; furnishing and installing a water slide tower and stairway system consisting of an elevated platform with a minimum plan view dimension of 12 feet by 14 feet and a tower elevation of 19.8 feet; furnishing and installing a sun shade structure and cover which protects the entire water slide tower elevated platform as well as the water slide entry sections; extending and connecting the existing water slide riser piping system and new butterfly valves to the two newly installed water slides in order to create a complete and operational water supply system; along with the necessary shop drawings, certifications, operation and maintenance manuals, permits, and safety signage; all in accordance with the contract documents including Plan File Nos. 470-130 at Teachout Family Aquatic Center, 2601 Hubbell Avenue, Des Moines, Iowa

I hereby certify that the construction of said Teachout Aquatic Center Slide Replacement, Activity ID 11-2007-001, 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 January 9, 2007, and was completed on September 2, 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, 1978, 1981
2003

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I further certify that \$347,757.50 is the total cost of said improvement, of which \$330,369.62 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 \$17,387.88 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 05/30/08 TO 08/21/08
PARTIAL PAYMENT NO. 4 FINAL

Project: Teachout Aquatic Center Slide Replacement
Contractor: Brocon Services LLC

Activity ID: 11-2007-001
Date: 08/21/08

LINE NO.	DESCRIPTION	UNIT	UNITS			CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED				
0001	Water Slides and Tower, Complete	LS	1.000	1.000		1.000	\$339,800.00	\$339,800.00
0002	Construction Survey, Complete (CO #1)	LS		1.000		1.000	\$2,250.00	\$2,250.00
0003	Lower Slider/Tower Footings Below Drain Lines (CO #1)	LS		1.000		1.000	\$2,587.50	\$2,587.50
0004	Correct Surface Drainage Under Slide/Tower (CO #1)	LS		1.000		1.000	\$3,120.00	\$3,120.00
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$347,757.50					
	PARTIAL PAYMENT #1		\$200,450.00					
	PARTIAL PAYMENT #2		\$110,551.02					
	PARTIAL PAYMENT #3		\$19,368.60					
	THIS PARTIAL PAYMENT		\$0.00					
	TOTAL PARTIAL PAYMENTS		\$330,369.62					
	BALANCE		\$17,387.88					
	TOTAL							\$347,757.50
	RETAINAGE							\$17,387.88
	TOTAL LESS RETAINAGE							\$330,369.62
	LESS PREVIOUS PAYMENT							\$330,369.62
	AMOUNT DUE							\$0.00

PREPARED BY: *Eugene J. Schmitt*
CHECKED BY: *Chris F. M.*

PARTIAL PAYMENT NO. 4 FINAL

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