

DATE September 28, 2009

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR 2008 DESIGNATED NEIGHBORHOOD SIDEWALK REPLACEMENT PROGRAM, T K CONCRETE
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 2008 Designated Neighborhood Sidewalk Replacement Program, 09-2008-001, in accordance with the contract approved between T K Concrete Inc., Tony J. VerMeer, President, 1608 Fifield Road, Pella, IA 50219, under Roll Call No. 08-1142, of June 23, 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 \$118,899.07 is the total cost, of which \$110,175.39 has been paid the Contractor, and \$2,778.73 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$5,944.95 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 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.

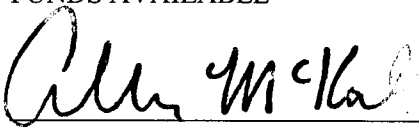
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

Moved by _____ to adopt.

FORM APPROVED:


FUNDS AVAILABLE



 **BB**

Kathleen Vanderpool
Deputy City Attorney

Allen McKinley
Des Moines Finance Director

 Funding Source: 2009-2010 CIP, Page Street-26, Neighborhood Infrastructure Rehabilitation Program, STR205, G. O. Bonds

★ Roll Call Number

Agenda Item Number

9B

DATE September 28, 2009

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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September 28, 2009

CERTIFICATION OF COMPLETION



AGENDA HEADING:

Accepting completed construction and approving final payment for the 2008 Designated Neighborhood Sidewalk Replacement Program, T K Concrete 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: \$118,899.07 As-Built Contract Cost

Funding Source: 2009-2010 CIP, Page Street-26, Neighborhood Infrastructure Rehabilitation Program, STR205, G. O. Bonds

CERTIFICATION OF COMPLETION:

On June 23, 2008, under Roll Call No. 08-1142, the City Council awarded a contract to T K Concrete Inc., Tony J. VerMeer, President, 1608 Fifield Road, Pella, IA 50219 for the construction of the following improvement:

2008 Designated Neighborhood Sidewalk Replacement Program, 09-2008-001

The improvement includes placement of Portland cement concrete sidewalks, four(4) inches thick, (six(6) inches thick at driveways and driveway approaches), six(6) inches thick at handicapped ramps, together with all appurtenances in a cooperative effort with the City of Des Moines Public Works Department, in accordance with the contract documents at various Neighborhood Infrastructure Rehabilitation Program (NIRP) eligible locations. Sidewalk will be replaced at locations inspected by the Public Works Department. Handicapped accessible ramps will also be constructed in the vicinity where sidewalks will be replaced.

I hereby certify that the construction of said 2008 Designated Neighborhood Sidewalk Replacement Program, Activity ID 09-2008-001, 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 July 21, 2009, and was completed on September 21, 2009.

I further certify that \$118,899.07 is the total cost of said improvement, of which \$110,175.39 has been paid the Contractor and \$2,778.73 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$5,944.95 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.

A handwritten signature in black ink that reads "Jeb E. Brewer, P.E.". The signature is written in a cursive, flowing style.

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

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PROJECT SUMMARY

2008 Designated Neighborhood Sidewalk Re Activity ID 09-2008-001

On June 23, 2008, under Roll Call No. 08-1142, the City Council awarded the contract for the above improvements to T K Concrete Inc., in the amount of \$153,600.00, to construct Portland cement concrete sidewalks four(4) inches thick (six(6) inches thick at driveways) and six(6) inch driveway approaches, together with all necessary appurtenances; in accordance with the contract documents at:

Various Neighborhood Infrastructure Rehabilitation Program(NIRP) eligible locations.

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	9/3/2009 To adjust quantities to as-built amounts.	Engineering	(\$34,700.93)
Original Contract Amount			\$153,600.00
Total Change Orders			(\$34,700.93)
Percent of Change Orders to Original Contract			-22.59%
Final Contract Amount			\$118,899.07

ESTIMATE OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 6/4/09 TO 6/30/09
FINAL

PROJECT: 2008 Designated Neighborhood Sidewalk Replacement
CONTRACTOR: TK Concrete, Inc.

FINAL

LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
1	SIDEWALK, 4" PCC	SY	6,500.000	5,301.840	5,301.840	\$98,084.04
2	SIDEWALK, 6" PCC	SY	700.000	772.150	772.150	\$18,145.53
3	DRIVEWAY, 6" PCC	SY	400.000	0.000	0.000	\$0.00
4	HANDICAPPED RAMPS, W/TRUNCATED DOMES	SY	150.000	53.390	53.390	\$2,669.50
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$118,899.07			
	PARTIAL PAYMENT NO. 1		\$10,886.27			
	PARTIAL PAYMENT NO. 2		\$15,372.20			
	PARTIAL PAYMENT NO. 3		\$11,192.33			
	PARTIAL PAYMENT NO. 4		\$13,979.40			
	PARTIAL PAYMENT NO. 5		\$3,858.84			
	PARTIAL PAYMENT NO. 6		\$27,153.23			
	PARTIAL PAYMENT NO. 7		\$27,733.12			
	THIS PARTIAL PAYMENT		\$2,778.73			
	TOTAL PARTIAL PAYMENTS		\$112,954.12			
	BALANCE		\$5,944.95			
		Percent Complete	100%			
					TOTAL	\$118,899.07
					RETAINAGE	\$5,944.95
					TOTAL LESS RETAINAGE	\$112,954.12
					LESS PREVIOUS PAYMENT	\$110,175.39
					AMOUNT DUE	\$2,778.73

FINAL

PREPARED BY: 

CHECKED BY: 

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