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DATE October 8, 2007

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR CLOVER HILL TRUNK SANITARY SEWER - PHASE 2, THE UNDERGROUND COMPANY, LTD.

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 Clover Hill Trunk Sanitary Sewer - Phase 2, 07-2006-007, in accordance with the contract approved between The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047, under Roll Call No. 06-1389, of July 10, 2006, 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 \$602,436.45 is the total cost, of which \$556,502.83 has been paid the Contractor, and \$15,811.80 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$30,121.82 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.

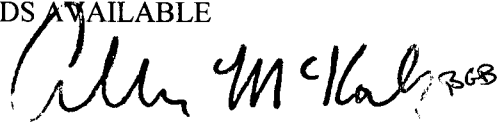
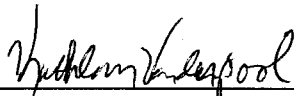
BE IT FURTHER RESOLVED: That the City Manager be and is hereby authorized and directed to certify the Pollution Prevention Plan Inspection Summary and the NPDES Stormwater General Permit Notice of Discontinuation for the above referenced project on behalf of the City of Des Moines and submit said documents to the Iowa Department of Natural Resources.

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: 2007-2008 CIP, Page Sanitary-6, Clover Hill Trunk Sanitary Sewer, SAE121, Sanitary Sewer Funds

★ **Roll Call Number**

Agenda Item Number

9 A

DATE October 8, 2007

DEB

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

MOTION CARRIED

APPROVED

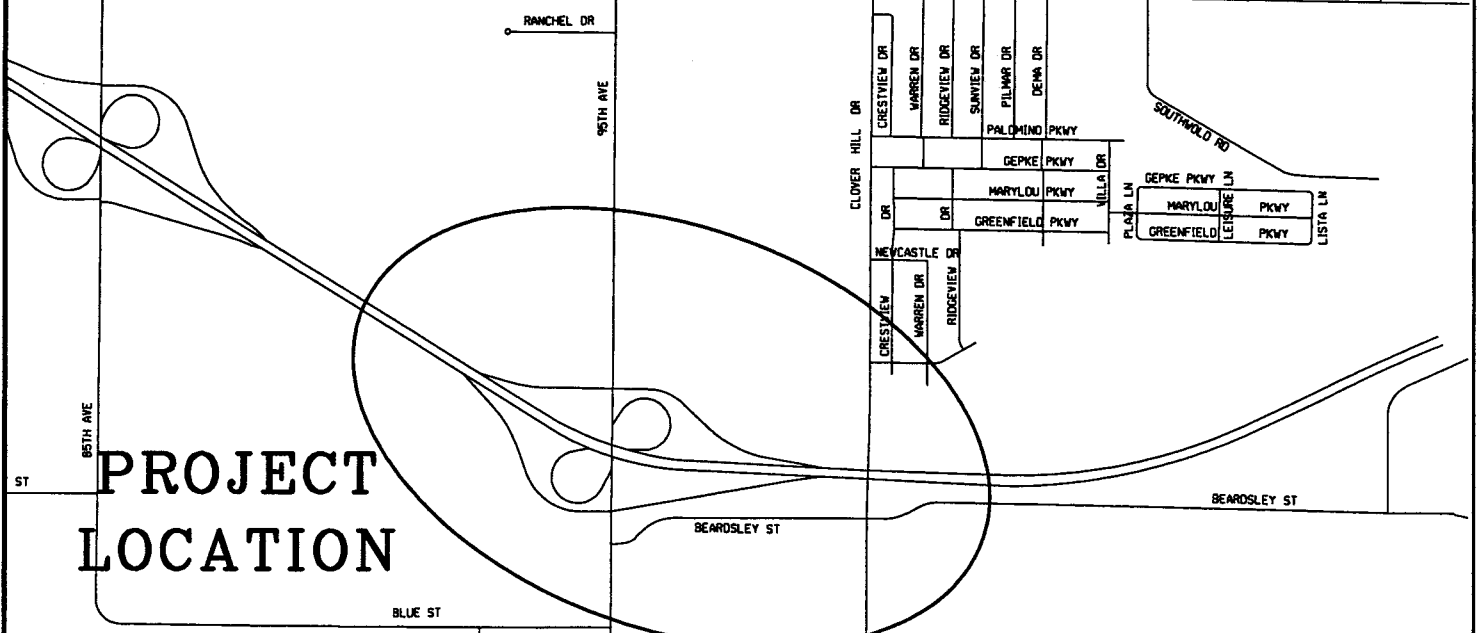
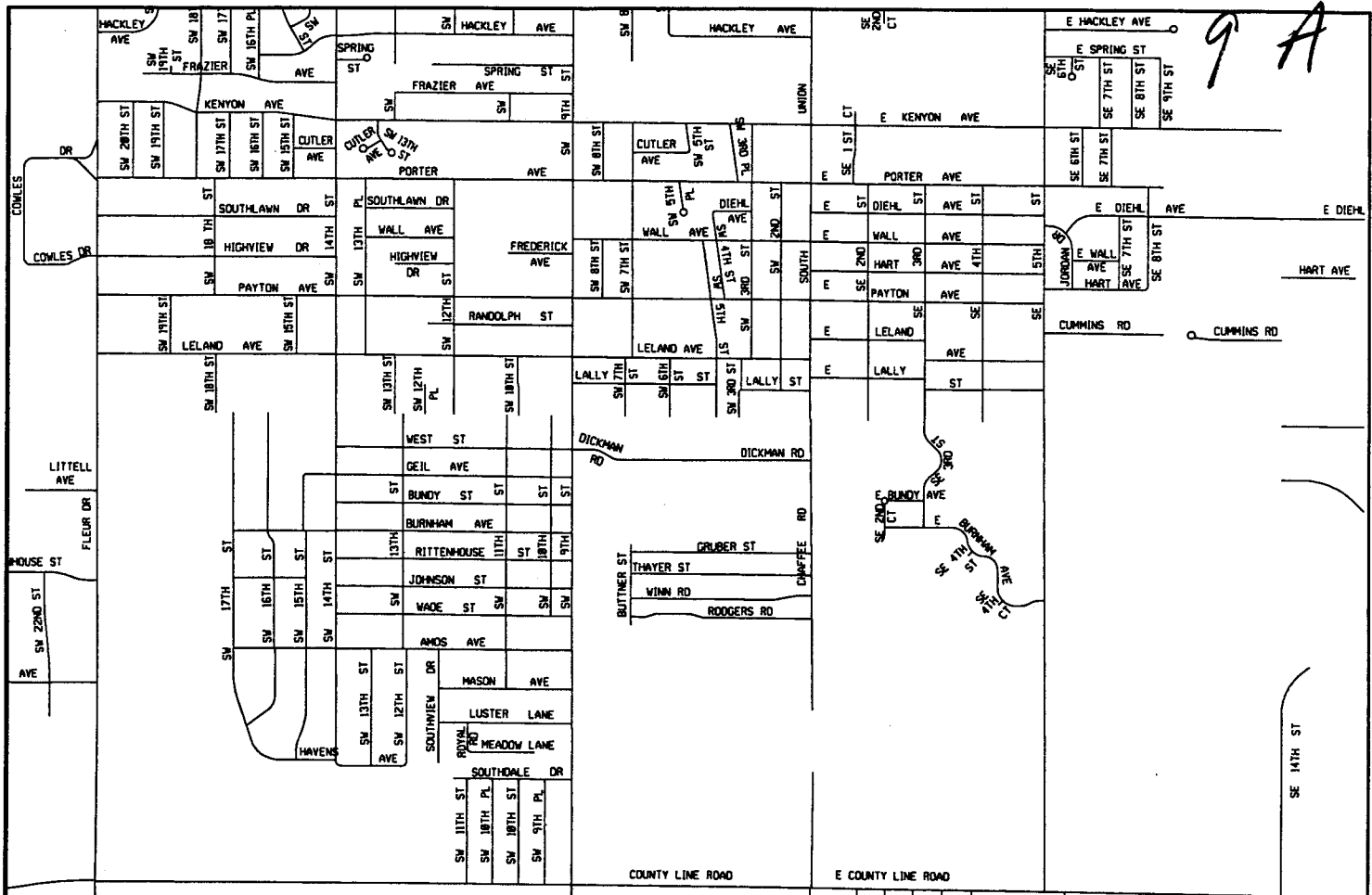
Mayor

I, Diane Rauh, City Clerk of said City Council, hereby certify that at a meeting of the City Council, 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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PROJECT LOCATION

CLOVER HILL TRUNK
 SANITARY SEWER PHASE 2
 ACTIVITY I.D. 07-2006-007

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PROJECT SUMMARY

Clover Hill Trunk Sanitary Sewer - Ph 2

Activity ID 07-2006-007

On July 10, 2006, under Roll Call No. 056-1389, the City Council awarded the contract for the above improvements to The Underground Company, Ltd., in the amount of \$605,208.00, to construct approximately 1,328 LF of 8" sanitary sewer, 1,995 LF of 10" sanitary sewer, 1,154 LF of 15" sanitary sewer including approximately 570 LF of tunneling and encasement, surface restoration and other related items; in accordance with the contract documents including Plan File Nos. 462-94/118 located at:

South of Des Moines near intersection of Iowa Highway 5 and SW 9th Street.

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	5/8/2007 Replacement of livestock fence on the Young property.	Consultant	\$2,160.00
2	7/31/2007 To adjust quantities to As_Built amounts.	Engineering	(\$4,931.55)
Original Contract Amount			\$605,208.00
Total Change Orders			(\$2,771.55)
Percent of Change Orders to Original Contract			-0.46%
Final Contract Amount			\$602,436.45

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October 8, 2007

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Clover Hill Trunk Sanitary Sewer - Phase 2, The Underground Company, Ltd..

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$602,436.45 As-Built Contract Cost

Funding Source: 2007-2008 CIP, Page Sanitary-6, Clover Hill Trunk Sanitary Sewer, SAE121, Sanitary Sewer Funds

CERTIFICATION OF COMPLETION:

On July 10, 2006, under Roll Call No. 06-1389, the City Council awarded a contract to The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047 for the construction of the following improvement:

Clover Hill Trunk Sanitary Sewer - Phase 2, 07-2006-007

The improvement includes construction of approximately 1328 LF of 8" sanitary sewer, 1995 LF of 10" sanitary sewer, and 1154 LF of 15" sanitary sewer, including approximately 570 LF of tunneling and encasement, surface restoration, and other related items, all in accordance with the contract documents including Plan File Nos. 462-94/118; and located on the south side of Des Moines near the intersection of IA 5 Highway and SW 9th Street.

I hereby certify that the construction of said Clover Hill Trunk Sanitary Sewer - Phase 2, Activity ID 07-2006-007, 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 October 24, 2006, and was completed on August 24, 2007.



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 \$602,436.45 is the total cost of said improvement, of which \$556,502.83 has been paid the Contractor and \$15,811.80 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$30,121.82 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 12/15/06 TO 6/31/07
FINAL

PROJECT: Clover Hill Trunk Sanitary Sewer Phase 2
CONTRACTOR: The Underground Company, Ltd.

LINE NO.	DESCRIPTION	UNIT	UNITS			CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED				
1	15" Unclassified Sanitary Sewer Tunnelled with 30" Steel Casing	LF	400.000	400.000		400.000	\$360.00	\$144,000.00
2	Open Cut Steel Casing 30"	LF	200.000	200.000		200.000	\$200.00	\$40,000.00
3	Unclassified Sanitary Sewer 15"	LF	1,154.000	1,154.000		1,154.000	\$60.00	\$69,240.00
4	Unclassified Sanitary Sewer 10"	LF	1,995.000	1,995.000		1,995.000	\$50.00	\$99,750.00
5	8" Unclassified Sanitary Sewer Tunnelled with 20" Steel Casing	LF	170.000	170.000		170.000	\$180.00	\$30,600.00
6	Unclassified Sanitary Sewer 8"	LF	1,328.000	1,328.000		1,328.000	\$42.00	\$55,776.00
7	Utility Access, Type A (48" dia)	EACH	16.000	16.000		16.000	\$2,167.00	\$34,672.00
8	Utility Access, Type I modified (72" dia)	EACH	1.000	1.000		1.000	\$14,530.00	\$14,530.00
9	Remove and Reinstall Chain Link Fence	LF	200.000	140.000		140.000	\$19.50	\$2,730.00
10	Remove and Salvage Fence/Temporary Fence	LF	300.000	360.000		360.000	\$7.00	\$2,520.00
11	Clear and Grubb	ACRE	3.000	3.000		3.000	\$4,000.00	\$12,000.00
12	Erosion Control	LS	1.000	1.000		1.000	\$17,600.00	\$17,600.00
13	Bank Stabilization at Ravine Crossing	EACH	3.000	3.000		3.000	\$15,000.00	\$45,000.00
14	Seed and Fertilize	ACRE	6.000	1.430		1.430	\$915.00	\$1,308.45
15	Mobilization	LS	1.000	1.000		1.000	\$8,750.00	\$8,750.00
16	Construction Survey	LS	1.000	1.000		1.000	\$8,800.00	\$8,800.00
17	Video Inspection	LS	1.000	1.000		1.000	\$12,000.00	\$12,000.00
18	Project Sign, Large	LS	1.000	1.000		1.000	\$1,000.00	\$1,000.00
1.01	Woven Wire Fence, Furnish & Install	LF	360.000	360.000		360.000	\$6.00	\$2,160.00
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$602,436.45					
	PARTIAL PAYMENT NO. 1		\$556,502.83					
	THIS PARTIAL PAYMENT		\$15,811.80					
	TOTAL PARTIAL PAYMENTS		\$556,502.83					
	BALANCE		\$45,933.62					
	Percent Complete	100%						
	TOTAL							\$602,436.45
	RETAINAGE							\$30,121.82
	TOTAL LESS RETAINAGE							\$572,314.63
	LESS PREVIOUS PAYMENT							\$556,502.83
	AMOUNT DUE							\$15,811.80

PREPARED BY: 

CHECKED BY: 

FINAL

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