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DATE October 13, 2008

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR MULBERRY STREET STORM SEWER - 9TH STREET TO 10TH STREET, 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 Mulberry Street Storm Sewer - 9th Street to 10th Street, 08-2007-001, in accordance with the contract approved between The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047, under Roll Call No. 06-2227, of November 6, 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 \$102,844.00 is the total cost, of which \$97,701.80 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 \$5,142.20 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.

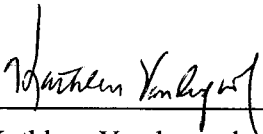
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such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

m Funding Source: 2008-2009 CIP, Page Sanitary-5, City-wide Sanitary Sewers, SAE054, Sanitary Sewer Funds

Roll Call Number

Agenda Item Number

★

_____ 12 _____

Date October 13, 2008

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

CERTIFICATE

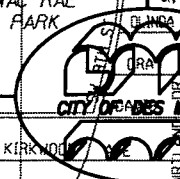
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

_____ City Clerk

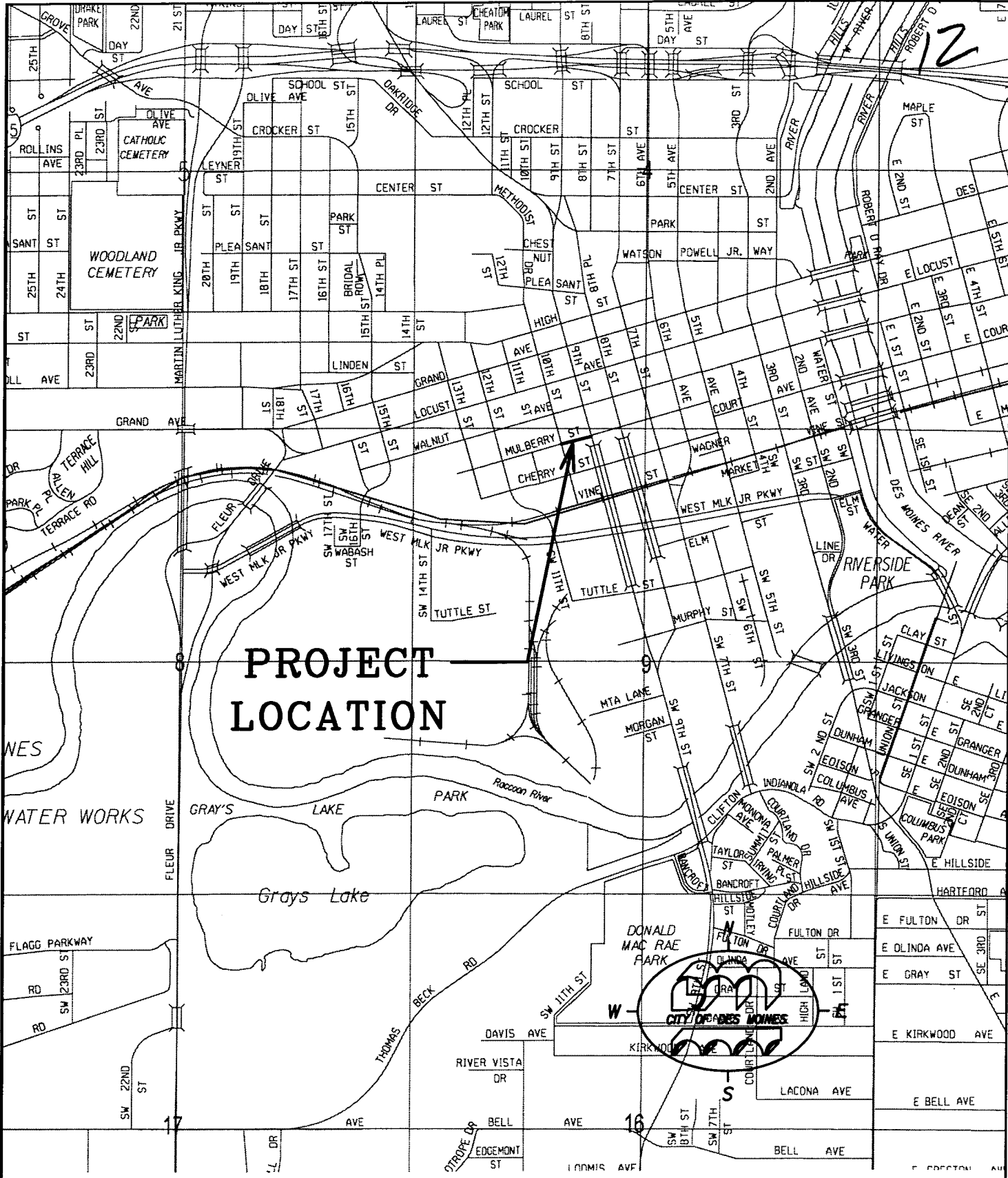
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PROJECT LOCATION



MULBERRY STREET STORM SEWER FROM 9TH STREET TO 10TH STREET ACTIVITY I.D. 08-2007-001

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PROJECT SUMMARY

Mulberry St. Storm Sewer - 9th to 10th

Activity ID 08-2007-001

On November 6, 2006, under Roll Call 06-2227, the City Council awarded the contract for the above improvement to The Underground Company, LTD., in the amount of \$87,493.00, for the construction of storm sewer and intakes at 10th and Mulberry St.

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	4/9/2008 Subsurface Utility Locating	Consultant	\$6,435.00
2	7/29/2008 Twin 12" ductile iron storm sewer.	Engineering	\$4,998.00
3	9/4/2008 Adjust contract quantities to final asbuilt quantities.	Engineering	\$3,918.00
Original Contract Amount			\$87,493.00
Total Change Orders			\$15,351.00
Percent of Change Orders to Original Contract			17.55%
Final Contract Amount			\$102,844.00

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October 13, 2008

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Mulberry Street Storm Sewer - 9th Street to 10th Street, 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: \$102,844.00 As-Built Contract Cost

Funding Source: 2008-2009 CIP, Page Sanitary-5, City-wide Sanitary Sewers, SAE054, Sanitary Sewer Funds

CERTIFICATION OF COMPLETION:

On November 6, 2006, under Roll Call No. 06-2227, 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:

Mulberry Street Storm Sewer - 9th Street to 10th Street, 08-2007-001

The improvement includes construction of 18" diameter RCP storm sewers, manholes, intakes, pavement removal and replacement, traffic control, sidewalk, and miscellaneous associated work including cleanup; in accordance with the contract documents, including Plan File Nos. 465-026/031, in Mulberry Street from 9th Street to 10th Street.

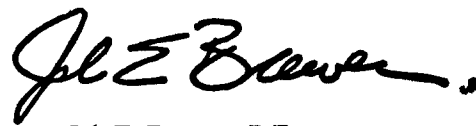
I hereby certify that the construction of said Mulberry Street Storm Sewer - 9th Street to 10th Street, Activity ID 08-2007-001, has been completed in substantial compliance with the terms of said contract, and I hereby recommend that the work be accepted. The work commenced on November 13, 2006, and was completed on September 30, 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 \$102,844.00 is the total cost of said improvement, of which \$97,701.80 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 \$5,142.20 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

PROJECT: Mulberry Street Storm Sewer-9th Street to 10th Street
 CONTRACTOR: The Underground Company, Ltd.

PARTIAL PAYMENT NO. 5 (Final)

LINE NO.	DESCRIPTION	UNIT	UNITS		CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED			
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$102,844.00				
	PARTIAL PAYMENT NO. 1		\$48,658.05				
	PARTIAL PAYMENT NO. 2		\$39,832.55				
	PARTIAL PAYMENT NO. 3		\$4,463.10				
	PARTIAL PAYMENT NO. 4		\$4,748.10				
	THIS PARTIAL PAYMENT		\$0.00				
	TOTAL PARTIAL PAYMENTS		\$97,701.80				
	BALANCE		\$5,142.20				
	Percent Complete	100%					
TOTAL							\$102,844.00
RETAINAGE							\$5,142.20
TOTAL LESS RETAINAGE							\$97,701.80
LESS PREVIOUS PAYMENT							\$97,701.80
AMOUNT DUE							\$0.00

PARTIAL PAYMENT NO. 5 (Final)

PREPARED BY: 
 CHECKED BY: 

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