

10B

DATE October 22, 2007

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR SAYERS PARK RESTROOM RENOVATION, AZCON 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 Sayers Park Restroom Renovation, 11-2006-024, in accordance with the contract approved between Azcon Inc., Lawrence M. Wolinski, President, 11185 NW 52nd Avenue, Grimes, IA 50111, under Roll Call No. 07-602, of March 26, 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 \$95,676.27 is the total cost, of which \$90,449.08 has been paid the Contractor, and \$443.36 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$4,783.83 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.

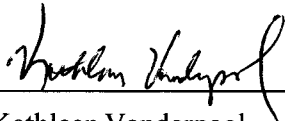
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such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

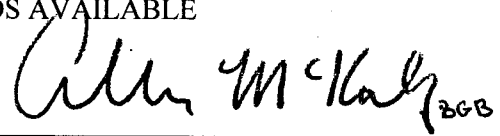
Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:


FUNDS AVAILABLE



Kathleen Vanderpool  
Deputy City Attorney



Allen McKinley  
Des Moines Finance Director

 Funding Source: 2007-2008 CIP, Page Park-15, Park Building Improvements, PKS143, G. O. Bonds

★ Roll Call Number

Agenda Item Number

10B

Date October 22, 2007

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



10B

# PROJECT SUMMARY

## Sayers Park Restroom Renovation

### Activity ID 11-2006-024

On February 26, 2007, under Roll Call No. 07-318, the City Council awarded the contract for the above improvements to Azcon, Inc., in the amount of \$89,000 to renovate the existing restrooms to conform to the Americans with Disabilities Act.

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	6/29/2007 Add for code compliance changes (door width & floor drain); piping protection; masonry work and ceiling sheeting.	Regulator	\$6,209.57
2	Add for electric service conduit	Regulator	\$466.70
<b>Original Contract Amount</b>			\$89,000.00
<b>Total Change Orders</b>			\$6,676.27
<b>Percent of Change Orders to Original Contract</b>			7.50%
<b>Final Contract Amount</b>			\$95,676.27

10B

October 22, 2007

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the Sayers Park Restroom Renovation, Azcon 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: \$95,676.27 As-Built Contract Cost

Funding Source: 2007-2008 CIP, Page Park-15, Park Building Improvements, PKS143, G. O. Bonds

**CERTIFICATION OF COMPLETION:**

On March 26, 2007, under Roll Call No. 07-602, the City Council awarded a contract to Azcon Inc., Lawrence M. Wolinski, President, 11185 NW 52nd Avenue, Grimes, IA 50111 for the construction of the following improvement:

Sayers Park Restroom Renovation, 11-2006-024

The improvement includes renovations to the existing restroom facilities to conform to Americans with Disabilities Act, including demolition of floor slabs, toilet partitions, and plumbing fixtures; widening of door openings; installation of doors and frames, plumbing fixtures, toilet partitions, interior and exterior lighting; and interior and exterior painting; all in accordance with the contract documents including Plan File Nos. 472-037/043 at Sayers Park, SW 13th Street and Watrous Avenue, Des Moines, Iowa

I hereby certify that the construction of said Sayers Park Restroom Renovation, Activity ID 11-2006-024, 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 April 30, 2007, and was completed on October 12, 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

I further certify that \$95,676.27 is the total cost of said improvement, of which \$90,449.08 has been paid the Contractor and \$443.36 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$4,783.83 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". The signature is written in a cursive style with a small flourish at the end.

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