

★ **Roll Call Number**

**Agenda Item Number**

14 B

.....  
**Date** October 23, 2006  
 .....

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT  
 FOR THE WESTERN GATEWAY IMPROVEMENTS AT 12TH STREET AND GRAND AVENUE,  
 LARSON & LARSON CONSTRUCTION LLC

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached report of the Chief Civil Engineer, showing the cost of construction of the Western Gateway Improvements at 12th Street and Grand Avenue, Activity ID 04-2004-008, in accordance with the contract approved between Larson & Larson Construction LLC, Jeffrey C. Larson, President, 10703 Justin Drive, Des Moines, IA, 50322, under Roll Call No. 04-1242, of June 7, 2004, and the City of Des Moines, Iowa, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

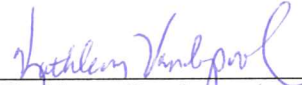
BE IT FURTHER RESOLVED: That \$243,407.44 is the total cost, of which \$231,237.07 has been paid the Contractor, and the remaining balance of \$12,170.37 is to be paid at the end of thirty days, provided no claims or liens have been filed against said contract. In the event that at the end of said thirty (30) day period, claims are on file as herein provided, the City 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 5%, 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 will be required to release the retainage which it is now holding.

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

Activity ID 04-2004-008

Moved by \_\_\_\_\_ to adopt. Funds Available:

FORM APPROVED:   
 Kathleen Vanderpool  
 Deputy City Attorney

  
 Allen McKinley  
 Acting Finance Director

 Funding: 2006-2007 CIP, Page Economic Development - 5, Western Gateway Area, URR027, TIF Funds

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

**CERTIFICATE**

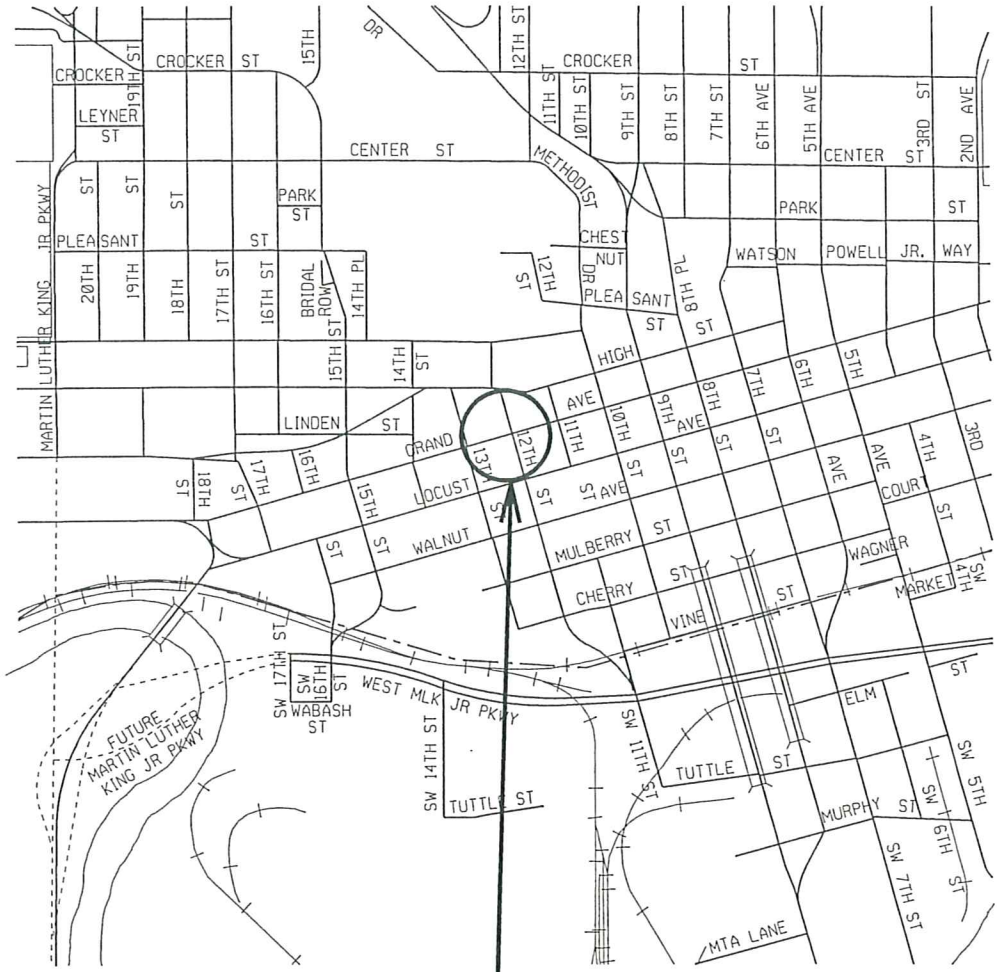
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

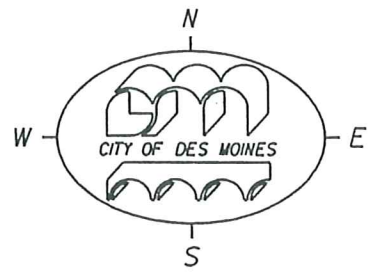
\_\_\_\_\_  
 Mayor

\_\_\_\_\_  
 City Clerk

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**PROJECT  
LOCATION**



**WESTERN GATEWAY IMPROVEMENTS  
@ 12TH AND GRAND  
ACTIVITY I.D. 04-2004-008**

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# PROJECT SUMMARY

Western Gateway Improve at 12th & Grand

**Activity ID 04-2004-008**

On June 7, 2004, under Roll Call 04-1242, the City Council awarded the contract for the above improvement to Larson & Larson Construction LLC, in the amount of \$205,000.00, for the construction of a streetscape, including sidewalks, lighting, landscaping and other related items.

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	8/9/2004 Relocate existing construction fence.	Engineering	\$3,000.00
2	10/5/2004 Seeding of the rest of the block.	Engineering	\$7,833.00
3	1/28/2005 Revisions to grading, sodding and planting.	Engineering	\$4,708.00
4	2/4/2005 Miscellaneous electrical changes. Delete lights. Provide traffic signal base.	Consultant	\$8,268.00
5	2/15/2005 Revise air vents to MAE vault to fit into design of streetscape.	Consultant	\$6,033.00
6	5/9/2006 Provide soil and plant trees at Higher Education Center.	Consultant	\$8,565.44
<b>Original Contract Amount</b>			\$205,000.00
<b>Total Change Orders</b>			\$38,407.44
<b>Percent of Change Orders to Original Contract</b>			18.74%
<b>Final Contract Amount</b>			\$243,407.44 ✓



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October 23, 2006

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the Western Gateway Improvements at 12<sup>th</sup> Street and Grand Avenue, Activity ID 04-2004-008, Larson & Larson Construction 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: \$243,407.44 As-Built Contract Cost

Funding Source: 2006-2007 CIP, Page Economic Development – 5, Western Gateway Area, URR027, TIF Funds



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

**CERTIFICATION OF COMPLETION:**

On June 7, 2004, under Roll Call No. 04-1242, the City Council awarded a contract to Larson & Larson Construction LLC, Jeffrey C. Larson, President, 10703 Justin Drive, Des Moines, IA, 50322, for the construction of the following improvement:

Western Gateway Improvements at 12<sup>th</sup> Street and Grand Avenue, Activity ID 04-2004-008:

Construction of the streetscape and other flatwork located at 12<sup>th</sup> and Grand Avenue. Work will include sidewalks, lighting, landscaping and other related items; in accordance with the contract documents, including Plan File Nos. 442 – 012/020 at:

12<sup>th</sup> Street and Grand Avenue  
Des Moines, Iowa.

I hereby certify that the construction of said Western Gateway Improvements at 12<sup>th</sup> Street and Grand Avenue, Activity ID 04-2004-008, 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 June 14, 2004, and was completed on October 12, 2006.

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I further certify that \$243,407.44 is the total cost of said improvement, of which \$231,237.07 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 \$12,170.37 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 that reads "Jeb E. Brewer". The signature is written in a cursive style. At the end of the signature, there is a small red mark that looks like a stylized "A" or a similar symbol.

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