

DATE October 27, 2008

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 2007 EXPANDED STREET RESURFACING PROGRAM - CONTRACT 2, DES MOINES ASPHALT & PAVING CO.

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 2007 Expanded Street Resurfacing Program - Contract 2, 06-2007-012, in accordance with the contract approved between Des Moines Asphalt & Paving Co., James D. Gauger, President, P.O. Box 3365, 5550 NE 22nd Street, Suite 100, Des Moines, IA 50316, under Roll Call No. 07-1022, of May 21, 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 \$1,240,493.33 is the total cost, of which \$1,143,829.81 has been paid the Contractor, and \$34,638.85 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$62,024.67 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.

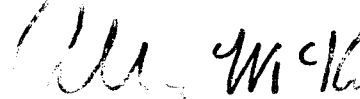
Moved by _____ to adopt.

FORM APPROVED:



Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE



Allen McKinley
Des Moines Finance Director

BB

Funding Source: 2008-2009 CIP, Page Street-42, Special City-wide Street Improvements, STR217, Being: Gaming Monies from the Agreement with Polk County and The Racing Association of Central Iowa

Roll Call Number

★

Agenda Item Number

10A

Date October 27, 2008

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

MOTION CARRIED

APPROVED

Mayor

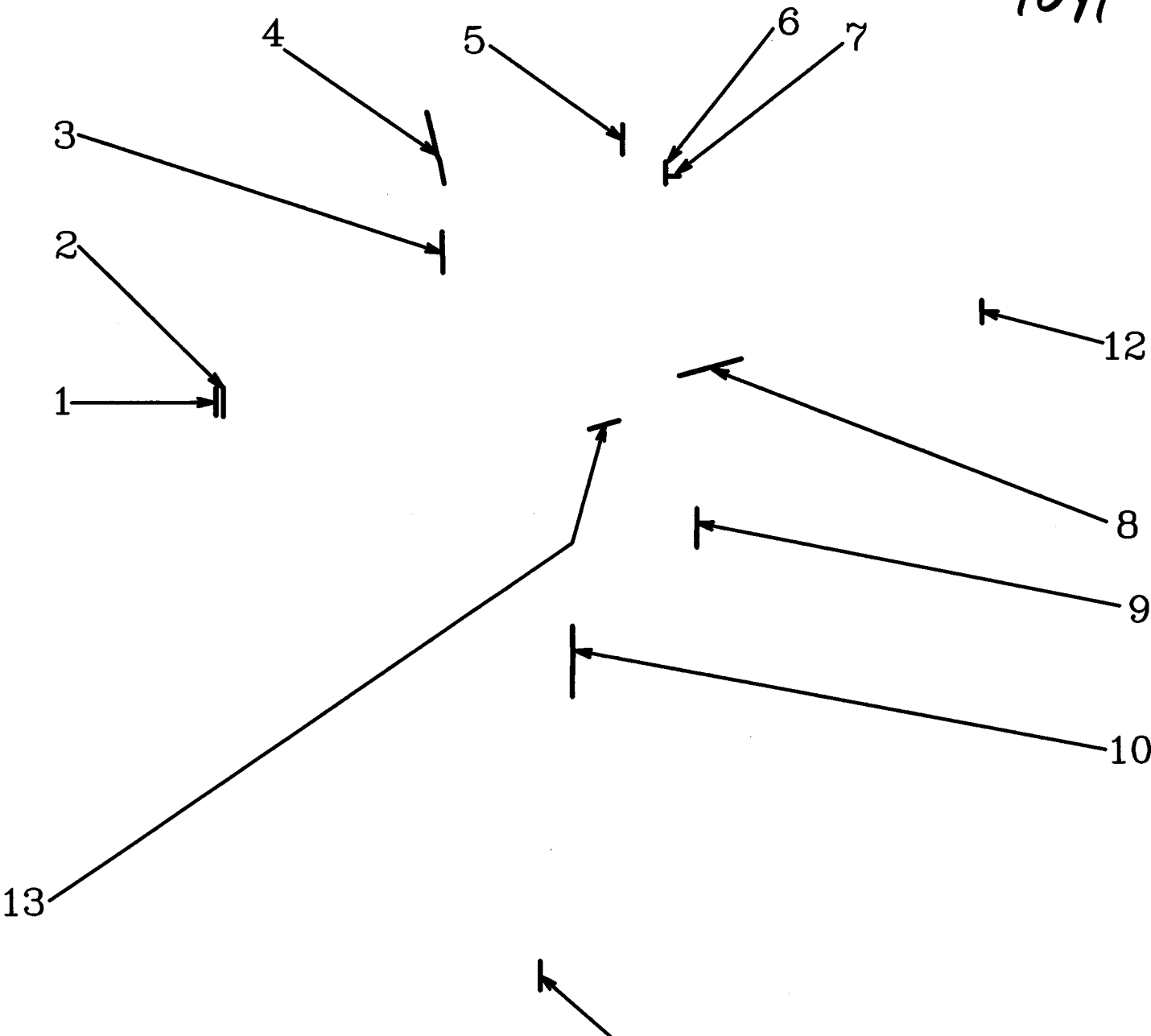
CERTIFICATE

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.

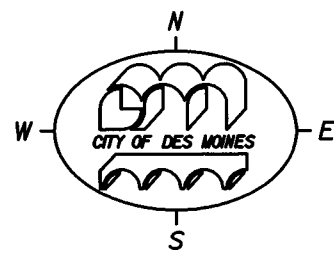
City Clerk

10A



PROJECT LOCATIONS

- 1 49th St - Waterbury Rd to Harwood Dr
- 2 48th St - Ingersol Ave to Harwood Dr
- 3 22nd St - Forest Ave to Washington Ave
- 4 ML King Jr Pwky - Hickman Rd to Welbeck Rd
- 5 Oxford St - Sheridan Ave to Hull Ave
- 6 North Union St - Guthrie Ave to Arthur Ave
- 7 Wisconsin Ave - North Union St. to E 8th St
- 8 Grand Ave - Pennsylvania Ave to E 14th St
- 9 SE 8th St - Hillside St to Livingston Ave
- 10 SW 9th St - Creston Ave to Thornton Ave
- 11 Southview Dr - Amos to dead-end south
- 12 E 30th St - Lyon St to University Ave
- 13 Court Ave - Water St to 5th St



2007 EXPANDED STREET RESURFACING PROGRAM - CONTRACT 2 ACTIVITY I.D. 06-2007-012

T:\ENGIN\Design\06\2007\012\Drawings\Loc_Map\LOC_MAP v8.dgn 03-OCT-2006 09:32

PROJECT SUMMARY

2007 Exp Street Resurfacing Contract 2

Activity ID 06-2007-012

On May 21, 2007, by Roll Call No. 07-1022, the City Council awarded the contract for the above construction to Des Moines Asphalt & Paving Co. The 2007 Expanded Street Resurfacing Program - Contract 2, Activity ID 06-2007-012, described as: scarification of existing asphalt streets, furnish and place hot mix asphalt, and furnish and place pavement markings, and other incidental items; in accordance with the contract documents, including Plans File Nos. 472-141/157, at the following locations:

- 1 49th St - Waterbury Rd to Harwood Dr
- 2 48th St - Ingersol Ave to Harwood Dr
- 3 22nd St - Forest Ave to Washington Ave
- 4 ML King Jr Pwky - Hickman Rd to Post St
- 5 Oxford St - Sheridan Ave to Hull Ave
- 6 North Union St - Guthrie Ave to Arthur Ave
- 7 Wisconsin Ave - North Union St. to E 8th St
- 8 Grand Ave - Pennsylvania Ave to E 14th St
- 9 SE 6th St - Hillside St to Livingston Ave
- 10 SW 9th St - Jarvis St to Creston Ave
- 11 Southview Dr - Amos to dead-end south
- 12 E 30th St - Lyon St to University Ave

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	6/20/2007 Adjust the hot mix asphalt quantity to the as-built quantity for 49th St, 48th St, 22nd St, and ML King Jr Parkway.	Engineering	\$18,161.10
2	8/22/2007 Increase the quantity of hot mix asphalt to the as-built quantity for Oxford St, North Union St, Wisconsin Ave, Southview Dr, SW 9th and E 30th St.	Engineering	\$19,576.80
3	10/9/2007 Increase the quantity of hot mix asphalt to the as-built quantity for SE 6th Street & E Grand Avenue and one manhole repair.	Engineering	\$22,222.05
4	3/28/2008 Add milling and resurfacing of Court Avenue from 5th to Water St to contract to complete the work prior to the start of the Downtown Farmer's Market.	Engineering	\$106,562.85

October 27, 2008

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the 2007 Expanded Street Resurfacing Program - Contract 2, Des Moines Asphalt & Paving Co..

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$1,240,493.33 As-Built Contract Cost

Funding Source: 2008-2009 CIP, Page Street-42, Special City-wide Street Improvements, STR217, Being:

Gaming Monies from the Agreement with Polk County and The Racing Association of Central Iowa

CERTIFICATION OF COMPLETION:

On May 21, 2007, under Roll Call No. 07-1022, the City Council awarded a contract to Des Moines Asphalt & Paving Co., James D. Gauger, President, P.O. Box 3365, 5550 NE 22nd Street, Suite 100, Des Moines, IA 50316 for the construction of the following improvement:

2007 Expanded Street Resurfacing Program - Contract 2, 06-2007-012

The improvement includes scarification of existing asphalt streets, furnish and place hot mix asphalt, and furnish and place pavement markings, and other incidental items; in accordance with the contract documents, including Plans File Nos. 472-141/157, at the following locations:

- 49th Street - Waterbury Road to Harwood Drive
- 48th Street - Ingersoll Avenue to Harwood Drive
- 22nd Street - Forest Avenue to Washington Avenue
- M. L. King Jr. Parkway - Hickman Road to Welbeck Road
- Oxford Street - Sheridan Avenue to Hull Avenue
- North Union Street - Guthrie Avenue to Arthur Avenue.
- Wisconsin Avenue - North Union Street to E 8th Street
- Grand Avenue - Pennsylvania Avenue to E 14th Street
- SE 6th Street - Hillside Street to Livingston Avenue
- SW 9th Street - Creston Avenue to Thornton Avenue
- Southview Drive - Amos Avenue to dead-end south
- E 30th Street - University Avenue to 100 foot north of Lyon Street



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

A

I hereby certify that the construction of said 2007 Expanded Street Resurfacing Program - Contract 2, Activity ID 06-2007-012, 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 May 25, 2007, and was completed on October 22, 2008.

I further certify that \$1,240,493.33 is the total cost of said improvement, of which \$1,143,829.81 has been paid the Contractor and \$34,638.85 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$62,024.67 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