



Roll Call Number

Agenda Item Number

11 C

DATE November 9, 2009

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR AMERICAN DISCOVERY TRAIL WETLANDS MITIGATION, C.A.C., 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 American Discovery Trail Wetlands Mitigation, 11-2008-002, in accordance with the contract approved between C.A.C., Inc., Chris Christensen, President, 3090 104th Street, Urbandale, IA 50322, under Roll Call No. 07-2336, of December 3, 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 \$128,793.00 is the total cost, of which \$122,353.35 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 \$6,439.65 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code chapter 573.

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.

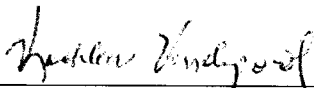
BE IT FURTHER RESOLVED: That the City Manager be and is hereby authorized and directed to certify the Pollution Prevention Plan Inspection Summary and the NPDES Stormwater General Permit Notice of Discontinuation for the above referenced project on behalf of the City of Des Moines and submit said documents 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: 2009-2010 CIP, Page Park-22, Recreation Trails, PKS045, G. O. Bonds

US Army Corps of Engineers Permit No. CEMVR-P-2006-757

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

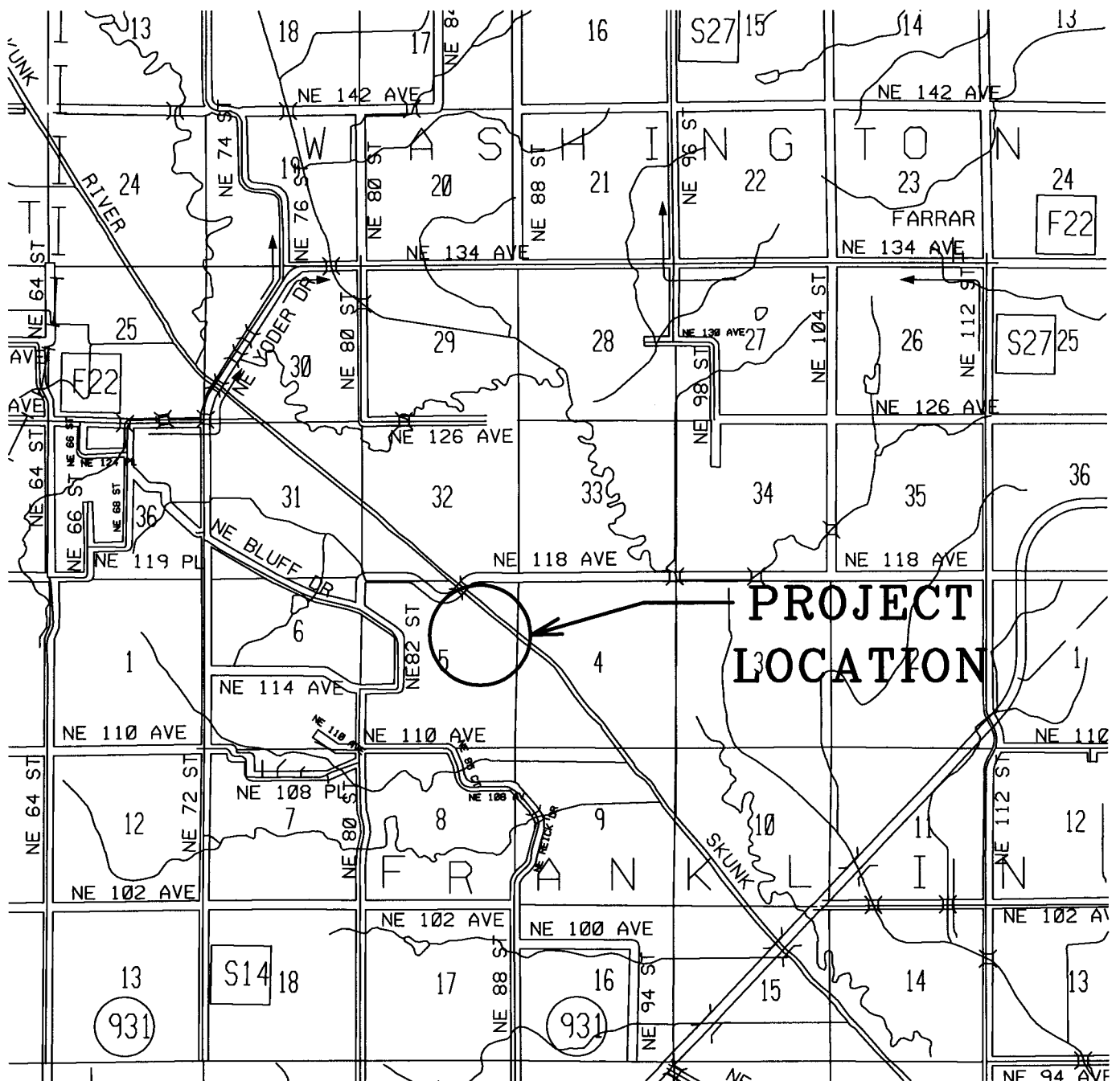
CERTIFICATE

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.

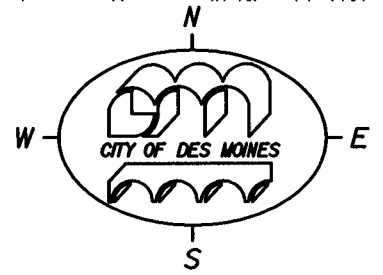
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ City Clerk

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**PROJECT
LOCATION**



**AMERICAN DISCOVERY TRAIL
WETLANDS MITIGATION
ACTIVITY I.D. 11-2008-002**

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PROJECT SUMMARY

ADT Wetlands Mitigation

Activity ID 11-2008-002

American Discovery Trail Wetlands Mitigation, Activity ID 11-2004-017, US Army Corps of Engineer Permit No. CEMVR-P-2006-757

A twenty-one acre wetland mitigation project which includes earthwork, seeding, shrubs, trees and other related items, all in accordance with the contract documents including Plan File Nos. 478-077/088.

The wetland will be constructed in the vicinity of NE 118th Avenue and the Skunk River near Elkhart, Iowa in the northeast corner of Polk County.

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	9/30/2008 Replant trees and shrubs that were killed by the June flood at Wetlands Mitigation site.	Engineering	\$5,466.00
2	8/25/2009 Adjustment to as-built quantities.	Engineering	(\$3,043.00)
Original Contract Amount			\$126,370.00
Total Change Orders			\$2,423.00
Percent of Change Orders to Original Contract			1.92%
Final Contract Amount			\$128,793.00

November 9, 2009

CERTIFICATION OF COMPLETION



AGENDA HEADING:

Accepting completed construction and approving final payment for the American Discovery Trail Wetlands Mitigation, C.A.C., 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: \$128,793.00 As-Built Contract Cost

Funding Source: 2009-2010 CIP, Page Park-22, Recreation Trails, PKS045, G. O. Bonds

CERTIFICATION OF COMPLETION:

On December 3, 2007, under Roll Call No. 07-2336, the City Council awarded a contract to C.A.C., Inc., Chris Christensen, President, 3090 104th Street, Urbandale, IA 50322 for the construction of the following improvement:

American Discovery Trail Wetlands Mitigation, 11-2008-002

The improvement includes a twenty-one acre wetland construction project which includes earthwork, seeding, shrubs, trees and other related items, all in accordance with the contract documents including Plan File Nos. 478-077/088, in the vicinity of NE 118th Avenue and the Skunk River near Elkhart, Iowa in the northeast corner of Polk County

I hereby certify that the construction of said American Discovery Trail Wetlands Mitigation, Activity ID 11-2008-002, 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 December 19, 2007, and was completed on November 2, 2009.

I further certify that \$128,793.00 is the total cost of said improvement, of which \$122,353.35 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 \$6,439.65 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code chapter 573. 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 05/22/09 to 10/14/09
FINAL PAYMENT (PAYMENT NO. 6)

Proj No: PKS045
Activity ID: 11-2008-002
Date: 10/19/09

PROJECT: AMERICAN DISCOVERY TRAIL WETLANDS MITIGATION
CONTRACTOR: CAC, INC.

LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
1	Clearing and Grubbing	Acre	10.000	10.000	10.000	\$1,000.00
2	Excavation, Class 10, Roadway and Borrow	CY	17,800.000	17,800.000	17,800.000	\$37,380.00
3	Remove Field Fence	LF	740.000	0.000	0.000	\$0.00
4	Construction Survey	LS	1.000	1.000	1.000	\$2,700.00
5	Seed - Buffer Zone	Acre	5.100	5.100	5.100	\$1,700.00
6	Seed - Emergent Zone	Acre	2.500	2.500	2.500	\$5,600.00
7	Seed - Wet Meadow Zone	Acre	4.400	4.400	4.400	\$1,200.00
8	Erosion Control	LS	1.000	1.000	1.000	\$2,500.00
9	Silt Fence Installation	LF	1,300.000	410.000	410.000	\$820.00
10	Silt Fence Removal	LF	1,300.000	0.000	0.000	\$0.00
11	Mulch	Acre	12.000	12.000	12.000	\$950.00
12	Concrete Slope Protection	SY	25.000	25.000	25.000	\$160.00
13	Mulch, Wood Chips	CY	100.000	100.000	100.000	\$45.00
14	Shrubs, Furnished and Installed (with warranty)	Each	65.000	109.000	109.000	\$69.00
15	Trees, Furnished and Installed (with warranty)	Each	35.000	62.000	62.000	\$81.00
16	Mobilization	LS	1.000	1.000	1.000	\$15,000.00

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LINE NO.	DESCRIPTION	UNIT	UNITS		CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED			
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$128,793.00				
	PARTIAL PAYMENT 1		\$41,648.00				
	PARTIAL PAYMENT 2		\$17,708.00				
	PARTIAL PAYMENT 3		\$13,239.20				
	PARTIAL PAYMENT 4		\$40,622.95				
	PARTIAL PAYMENT 5		\$9,135.20				
	THIS PARTIAL PAYMENT		\$0.00				
	TOTAL PARTIAL PAYMENTS		\$122,353.35				
	BALANCE		\$6,439.65				
	TOTAL						\$128,793.00
	RETAINAGE						\$6,439.65
	TOTAL LESS RETAINAGE						\$122,353.35
	LESS PREVIOUS PAYMENT						\$122,353.35
	AMOUNT DUE						\$0.00

FINAL PAYMENT (PAYMENT NO. 6)

PREPARED BY: Jack L. Emery

CHECKED BY: ALC 51