

★ Roll Call Number

Agenda Item Number

11

DATE November 10, 2008

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 2007 SIDEWALK REPLACEMENT PROGRAM - CONTRACT 2, ROCKY HURST CONSTRUCTION, 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 2007 Sidewalk Replacement Program - Contract 2, 09-2007-005, in accordance with the contract approved between Rocky Hurst Construction, Inc., Kay L. Hurst, President, 3126 Timber Ridge Lane, Truro, IA 50257, under Roll Call No. 07-1462, of July 23, 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 \$175,162.52 is the total cost, of which \$166,404.39 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 \$8,758.13 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.

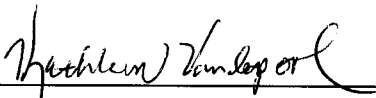
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such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

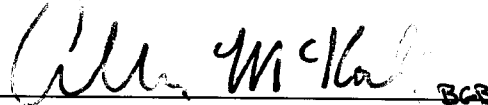
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

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

FORM APPROVED:

FUNDS AVAILABLE

  
\_\_\_\_\_

  
\_\_\_\_\_ BCB

Kathleen Vanderpool  
Deputy City Attorney

Allen McKinley  
Des Moines Finance Director

 Funding Source: 2008-2009 CIP, Page Sidewalk-5, City-wide Sidewalk Replacement, STR084, G. O. Bonds

**Roll Call Number**

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**Date** ..... November 10, 2008 .....

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

//

# PROJECT SUMMARY

## 2007 Sidewalk Replacement Pro. - Con. 2

### Activity ID 09-2007-005

On July 23, 2007, under Roll Call No. 07-1462, the City Council awarded the contract for the above improvements to Rocky Hurst Construction, Inc., in the amount of \$162,705.00, to reconstruct Class 'A' and Class 'B' Portland cement concrete sidewalks four(4) inches thick (six(6) inches thick at driveways), together with all necessary appurtenances; in accordance with the contract documents at:

Various locations City-wide. Sidewalks will be replaced at locations inspected by Public Works and replacement of all sidewalks approved by City Council by separate action. Handicapped accessible ramps will also be constructed in the vicinity where sidewalks will be replaced.

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	9/23/2008 Sidewalk and steps were removed between E. 33rd St and E. 32nd Ct., adjacent to 1732 E 33rd St as requestd by Public Works. The grade was raised and sidewalk replaced 5.5 feet wide.	Engineering	\$6,171.67
2	10/7/2008 To adjust quantities to as-built amounts.	Engineering	\$6,285.85
<b>Original Contract Amount</b>			\$162,705.00
<b>Total Change Orders</b>			\$12,457.52
<b>Percent of Change Orders to Original Contract</b>			7.66%
<b>Final Contract Amount</b>			\$175,162.52

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November 10, 2008

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the 2007 Sidewalk Replacement Program - Contract 2, Rocky Hurst Construction, 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: \$175,162.52 As-Built Contract Cost

Funding Source: 2008-2009 CIP, Page Sidewalk-5, City-wide Sidewalk Replacement, STR084, G. O. Bonds

**CERTIFICATION OF COMPLETION:**

On July 23, 2007, under Roll Call No. 07-1462, the City Council awarded a contract to Rocky Hurst Construction, Inc., Kay L. Hurst, President, 3126 Timber Ridge Lane, Truro, IA 50257 for the construction of the following improvement:

2007 Sidewalk Replacement Program - Contract 2, 09-2007-005

The improvement includes reconstruction of Class A and Class B Portland cement concrete sidewalks four(4) inches thick, (six(6) inches thick at driveways), together with all appurtenances; in accordance with the contract documents at various locations City-wide. Sidewalk will be replaced at locations inspected by the Public Works Department. Handicapped accessible ramps will also be constructed in the vicinity where sidewalks will be replaced

I hereby certify that the construction of said 2007 Sidewalk Replacement Program - Contract 2, Activity ID 09-2007-005, 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 September 12, 2007, and was completed on November 4, 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, 1978, 1981  
2003

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I further certify that \$175,162.52 is the total cost of said improvement, of which \$166,404.39 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 \$8,758.13 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, reading "Jeb E. Brewer" with a small "M" at the end of the signature.

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



**ESTIMATE OF CONSTRUCTION COMPLETED**

FOR WORK DONE FROM 8/28/08 TO 9/20/08

FINAL

Project: 2007 Sidewalk Replacement Program - Contract No.2  
Contractor: Rocky Hurst Construction, Inc.

Activity ID: 09-2007-005  
Date: 10/7/08

LINE NO.	DESCRIPTION	UNIT	ESTIMATED	UNITS		CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
				AUTHORIZED				
1	Sidewalk, 4" Class 'A', Remove and Replace	SY	100.000	0.000	0.000	\$38.00	\$0.00	
2	Sidewalk, 4" Class 'B' 2-6 SY, Remove and Replace	SY	300.000	383.410	383.410	\$39.50	\$15,144.70	
3	Sidewalk, 4" Class 'B' Over 6 SY, Remove and Replace	SY	2,500.000	2,119.770	2,119.770	\$37.00	\$78,431.49	
4	Sidewalk, Thru Driveways, 6" PCC, Remove and Replace	SY	250.000	207.770	207.770	\$42.00	\$8,726.34	
5	Sidewalk, Handicapped Ramp, 6" PCC, Remove and Replace	SY	350.000	663.370	663.370	\$41.00	\$27,198.17	
6	Detectable Warnings	SF	450.000	840.000	840.000	\$25.00	\$21,000.00	
7	Remove & Replace Curb For Cl. A Walk	LF	100.000	49.770	49.770	\$35.00	\$1,741.95	
8	Tree Root Removal	EACH	70.000	164.000	164.000	\$50.00	\$8,200.00	
9	Saw Concrete - Full Depth	LF	2,500.000	1,585.600	1,585.600	\$3.75	\$5,946.00	
10	Driveway, 6" PCC	SY	40.000	47.150	47.150	\$42.00	\$1,980.30	
11	Driveway, Removal	SY	40.000	47.190	47.190	\$10.00	\$471.90	
1.01	Fill Dirt	LOADS		24.000	24.000	\$83.58	\$2,005.92	
1.02	Top Soil	TON		10.000	10.000	\$34.20	\$342.00	
1.03	Compaction Equipment	LS		1.000	1.000	\$924.00	\$924.00	
1.04	Erosion Mat	ROLL		2.000	2.000	\$69.60	\$139.20	
1.05	Labor	LS		1.000	1.000	\$2,760.55	\$2,760.55	
2.01	Replace Rock Retaining Wall	LS		1.000	1.000	\$150.00	\$150.00	
TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS			\$175,162.52					
PARTIAL PAYMENT NO. 1			\$29,270.80					
PARTIAL PAYMENT NO. 2			\$42,228.25					
PARTIAL PAYMENT NO. 3			\$24,499.69					
PARTIAL PAYMENT NO. 4			\$17,718.59					
PARTIAL PAYMENT NO. 5			\$15,730.79					
PARTIAL PAYMENT NO. 6			\$18,497.51					
PARTIAL PAYMENT NO. 7			\$18,458.76					
THIS PARTIAL PAYMENT			\$0.00					
TOTAL PARTIAL PAYMENTS			\$166,404.39					
BALANCE			\$8,758.13					
			100.00%					
TOTAL							\$175,162.52	
RETAINAGE							\$8,758.13	
TOTAL LESS RETAINAGE							\$166,404.39	
LESS PREVIOUS PAYMENT							\$166,404.39	
AMOUNT DUE							\$0.00	

PREPARED BY: *[Signature]*

CHECKED BY: *[Signature]*