

DATE November 10, 2008

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 2007 EXPANDED STREET RESURFACING PROGRAM - CONTRACT 4, 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 4, 06-2007-014, 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. 07-1460, 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 \$945,082.52 is the total cost, of which \$894,130.23 has been paid the Contractor, and \$3,698.16 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$47,254.13 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.

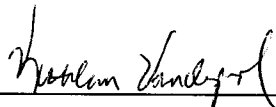
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such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

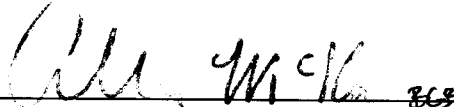
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

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

FORM APPROVED:

FUNDS AVAILABLE

  
\_\_\_\_\_

  
\_\_\_\_\_

Kathleen Vanderpool  
Deputy City Attorney

Allen McKinley  
Des Moines Finance Director

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**

13

**Date** November 10, 2008

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

**CERTIFICATE**

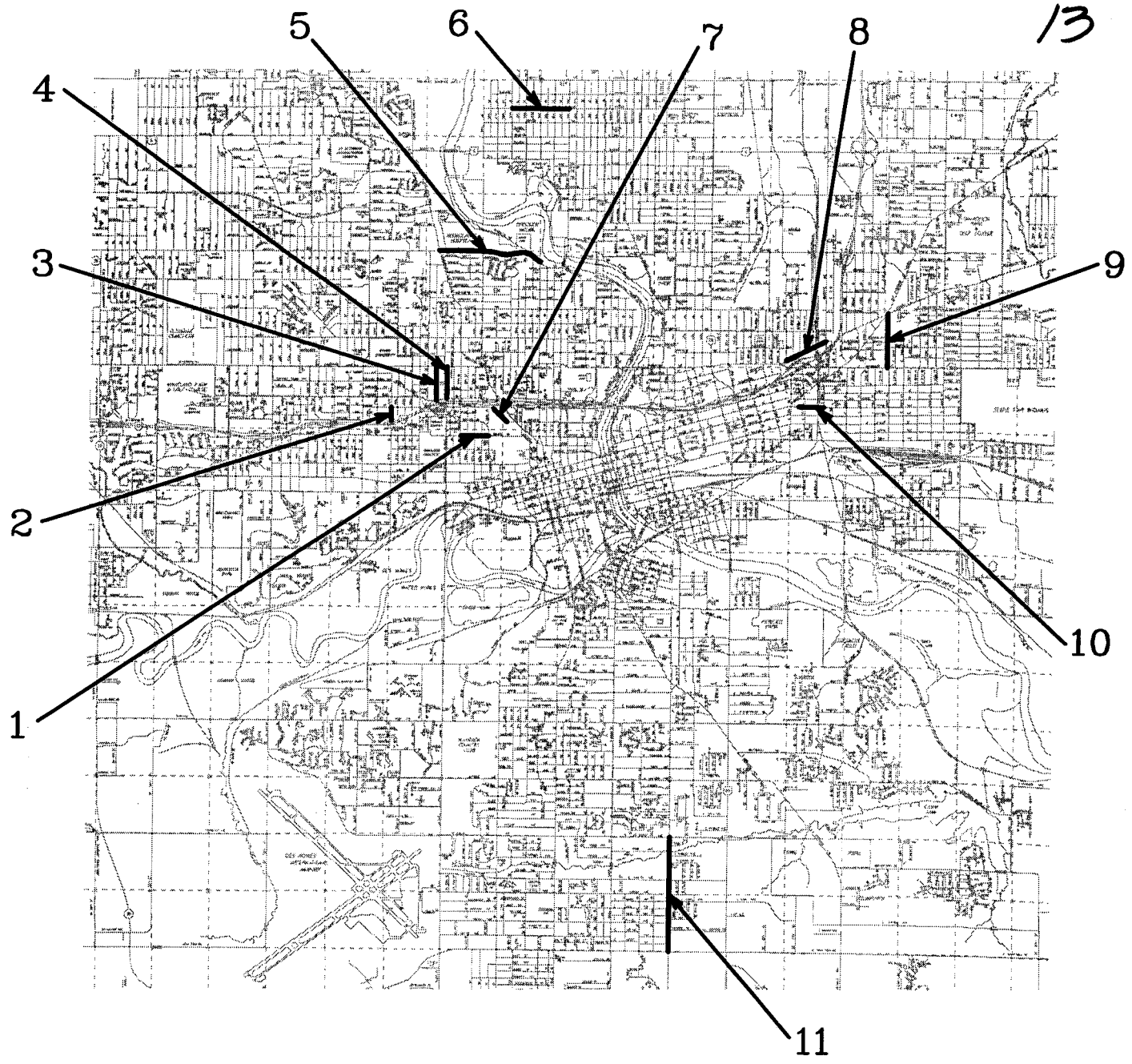
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

MOTION CARRIED APPROVED

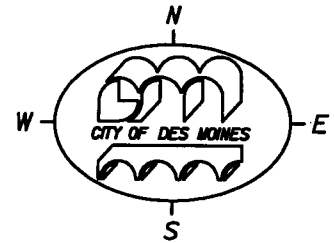
\_\_\_\_\_ Mayor

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



### PROJECT LOCATIONS

- 1 Center St - 15th St to 19th St
- 2 28th St - I 235 to School St
- 3 22nd St - Day St to University Ave
- 4 21st St - DE south of Atkins St to University Ave
- 5 Hickman Rd - 9th St to ML King Jr Pkwy
- 6 Madison Ave - 6th Ave to 12th St
- 7 Oakridge Dr - Crocker St to 15th St
- 8 Easton Blvd - Stewart St to Delaware Ave
- 9 E 25th St - E University Ave to Easton Blvd
- 10 E Grand Ave - E 18th St to E 20th Ct
- 11 SE 5th St - E McKinley Ave to E Army Post Rd



**2007 EXPANDED STREET RESURFACING  
 PROGRAM - CONTRACT 4  
 ACTIVITY I.D. 06-2007-014**

# PROJECT SUMMARY

## 2007 Exp Street Resurfacing Contract 4

### Activity ID 06-2007-014

On July 23, 2007, by Roll Call No. 07-1460, the City Council awarded the contract for the above construction to Des Moines Asphalt & Paving Co. The 2007 Expanded Street Resurfacing Program - Contract 4, Activity ID 06-2007-014, 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. 473-119/135, at the following locations:

- 1 Center St - 15th St to 19th St
- 2 28th St - I 235 to School St
- 3 22nd St - Day St to University Ave
- 4 21st St - DE south of Atkins St to University Ave
- 5 Hickman Rd - 9th St to ML King Jr Pkwy
- 6 Madison Ave - 6th Ave to 12th St
- 7 Oakridge Dr - Crocker St to 15th St
- 8 Easton Blvd - Stewart St to Delaware Ave
- 9 E 25th St - E University Ave to Easton Blvd
- 10 E Grand Ave - E 18th St to E 20th Ct
- 11 SE 5th St - E McKinley Ave to E Army Post Rd

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	10/9/2007 Increase quantity of hot mix asphalt to as-built quantity for Center St, 22nd St, 21st St, Madison Ave, Oakridge Dr, 28th St, Easton Blvd, and E Grand Ave.	Engineering	\$22,311.12
2	4/16/2008 To provide Railroad Flaggers while resurfacing Easton Blvd.	Engineering	\$2,363.28
3	10/6/2008 Adjust all quantities to final agreed upon quantities.	Engineering	(\$42,043.58)
<b>Original Contract Amount</b>			\$962,451.70
<b>Total Change Orders</b>			(\$17,369.18)
<b>Percent of Change Orders to Original Contract</b>			-1.80%
<b>Final Contract Amount</b>			\$945,082.52

November 10, 2008

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the 2007 Expanded Street Resurfacing Program - Contract 4, 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: \$945,082.52 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 July 23, 2007, under Roll Call No. 07-1460, 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 4, 06-2007-014

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. 473-119/135, at the following locations in Des Moines, Iowa:

- Center Street from 15th Street to 19th Street
- 28th Street from I 235 to School Street
- 22nd Street from Day Street to University Avenue
- 21st Street from Dead end south of Atkins Street to University Avenue
- Hickman Road from 9th Street to ML King Jr. Parkway
- Madison Avenue from 6th Avenue to 12th Street
- Oakridge Drive from Crocker Street to 15th Street
- Easton Blvd from Stewart Street to Delaware Avenue
- E 25th St from E University Avenue to Easton Blvd
- E Grand Avenue from E 18th Street to E 20th Court
- SE 5th Street from E McKinley Avenue to E Army Post Road

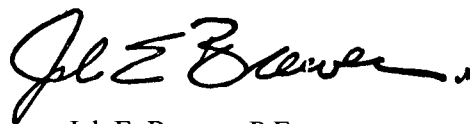


ENGINEERING DEPARTMENT  
 CITY HALL  
 400 ROBERT D. RAY DRIVE  
 DES MOINES, IOWA 50309-1891  
 (515) 283-4920  
 FAX (515) 283-4112

ALL-AMERICA CITY  
 1949, 1976, 1981  
 2003

I hereby certify that the construction of said 2007 Expanded Street Resurfacing Program - Contract 4, Activity ID 06-2007-014, 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 5, 2007, and was completed on October 27, 2008.

I further certify that \$945,082.52 is the total cost of said improvement, of which \$894,130.23 has been paid the Contractor and \$3,698.16 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$47,254.13 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.



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

**ESTIMATE OF CONSTRUCTION COMPLETED**  
**FOR WORK DONE FROM 04/18/08 TO 10/02/08**  
**FINAL PAYMENT (Partial Payment No. 4)**

**PROJECT: 2007 EXPANDED STREET RESURFACING PROGRAM- CONTRACT 4**  
**CONTRACTOR: Des Moines Asphalt & Paving Co.**

FINAL PAYMENT (Partial Payment No. 4)

LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
0001	Cleaning and Preparation of Base	MILE	4.37	4.37	4.37	\$6,992.00
0002	Pavement Scarification, 2 inch	SY	52861	58934	58934	\$85,454.30
0003	HMA (1M ESAL) Surface, 1/2", Friction L-4	TON	4430	4574.93	4574.93	\$269,920.87
0004	HMA (3M ESAL) Surface, 1/2", Friction L-4	TON	7870	7835.8	7835.8	\$493,655.40
0005	Milled Butt Joints	LS	1	1	1	\$14,630.00
0006	Manhole Adjusting Ring	EACH	41	39	39	\$5,460.00
0007	Intake Riser	EACH	20	26	26	\$3,250.00
0008	New Manhole Lid	EACH	10	0	0	\$0.00
0009	Patch by Count	EACH	6	0	0	\$0.00
0010	Patch, Full Depth	SY	150	0	0	\$0.00
0011	Remove & Replace M-A Intake	EACH	2	0	0	\$0.00
0012	Remove & Replace M-F Intake	EACH	2	0	0	\$0.00
0013	Painted Pavement Marking, Waterborne or Solvent based	STA	280	266.26	266.26	\$5,019.00
0014	Painted Symbols and Legend, Waterborne or Solvent based	EACH	12	6	6	\$324.00
0015	Painted Pavement Markings, High-build, all weather	STA	155	158.71	158.71	\$6,880.08
0016	Painted Symbols and Legend, High-build, all weather	EACH	6	7	7	\$805.00
0017	Grooves Cut for Pavement Markings	STA	155	158.71	158.71	\$4,602.59
0018	Grooves Cut for Symbols and Legends	EACH	6	7	7	\$665.00
0019	Loop Detector, Replacement, 6' by 8'	EACH	2	2	2	\$1,600.00
0020	Loop Detector, Replacement, 6' by 20'	EACH	5	8	8	\$7,200.00
0021	Traffic Control	LS	1	1	1	\$7,841.00
0022	Flaggers	DAY	60	38	38	\$13,300.00
0023	Mobilization	LS	1	1	1	\$12,920.00
0024	Project Sign, Small	EACH	22	22	22	\$2,200.00
2.01	Railroad Flagger	LS	0	1	1	\$1,996.61

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**PROJECT: 2007 EXPANDED STREET RESURFACING PROGRAM- CONTRACT 4**  
**CONTRACTOR: Des Moines Asphalt & Paving Co.**

FINAL PAYMENT (Partial Payment No. 4)

LINE NO.	DESCRIPTION	UNIT	UNITS		ESTIMATED	CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			AUTHORIZED					
2.02	Hospital Entrance Sign	LS	1		0	1	\$366.67	\$366.67
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS				\$945,082.52			
	PARTIAL PAYMENT #1				\$668,596.73			
	PARTIAL PAYMENT #2				\$221,403.40			
	PARTIAL PAYMENT #3				\$4,130.10			
	THIS PARTIAL PAYMENT				\$3,698.16			
	TOTAL PARTIAL PAYMENTS				\$897,828.39			
	BALANCE				\$47,254.13			
	TOTAL							\$945,082.52
	RETAINAGE							\$47,254.13
	TOTAL LESS RETAINAGE							\$897,828.39
	LESS PREVIOUS PAYMENT							\$894,130.23
	AMOUNT DUE							\$3,698.16

FINAL PAYMENT (Partial Payment No. 4)

PREPARED BY: Matthew Becker  
 CHECKED BY: Donny Winkler  
 CONTRACTOR: Des Moines Asphalt & Paving

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