

10B

DATE November 19, 2007

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT  
FOR RILEY PARK IMPROVEMENTS - PHASE 2, JOHNSON CONCRETE & PETROLEUM CONST.  
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 Riley Park Improvements - Phase 2, 11-2006-014, in accordance with the contract approved between Johnson Concrete & Petroleum Const. Inc., Robert L. Johnson, President, 107 Arthur Avenue, Des Moines, IA 50313, under Roll Call No. 06-1049, of May 22, 2006, 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 \$190,014.90 is the total cost, of which \$174,966.25 has been paid the Contractor, and \$5,547.90 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$9,500.75 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.

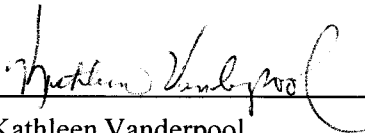
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such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

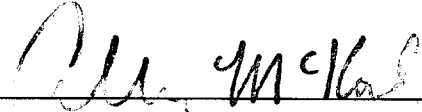
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

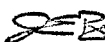
Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:

FUNDS AVAILABLE

  
\_\_\_\_\_  
Kathleen Vanderpool  
Deputy City Attorney

  
\_\_\_\_\_  
Allen McKinley  
Des Moines Finance Director

 Funding Source: 2007-2008 CIP, Page Park-19, Park Redevelopment, PKS100, G. O. Bonds

★ Roll Call Number

Agenda Item Number

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Date November 19, 2007

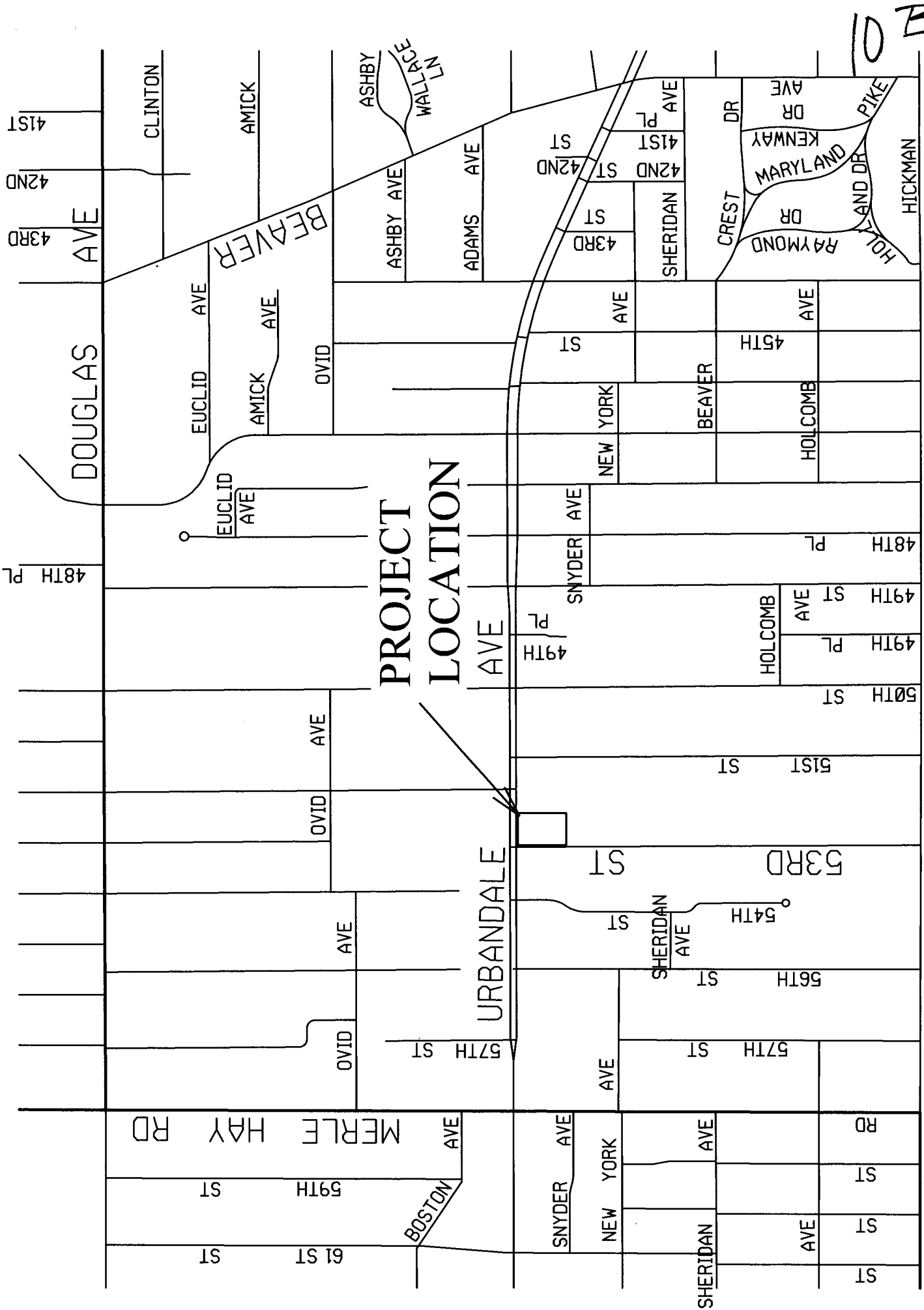
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED		APPROVED		
				Mayor

**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



**PROJECT  
LOCATION**

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# PROJECT SUMMARY

Riley Park Improvements - Ph. 2

Activity ID 11-2006-014

On May 22, 2006, under Roll Call No. 06-1049, the City Council awarded the contract for the above improvements to Johnson Concrete & Petroleum Const., Inc., in the amount of \$189,616.00, to install new playground equipment and sidewalk at Riley Park.

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	Adjust contract item amounts to as-built quantities. Add drain pipes at Brody and Riley. Seal cracks at Brody.	Engineering	\$398.90
<b>Original Contract Amount</b>			\$189,616.00
<b>Total Change Orders</b>			\$398.90
<b>Percent of Change Orders to Original Contract</b>			0.21%
<b>Final Contract Amount</b>			\$190,014.90

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November 19, 2007

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the Riley Park Improvements - Phase 2, Johnson Concrete & Petroleum Const. 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: \$190,014.90 As-Built Contract Cost

Funding Source: 2007-2008 CIP, Page Park-19, Park Redevelopment, PKS100, G. O. Bonds

**CERTIFICATION OF COMPLETION:**

On May 22, 2006, under Roll Call No. 06-1049, the City Council awarded a contract to Johnson Concrete & Petroleum Const. Inc., Robert L. Johnson, President, 107 Arthur Avenue, Des Moines, IA 50313 for the construction of the following improvement:

Riley Park Improvements - Phase 2, 11-2006-014

The improvement includes installation of a shelter, modular play equipment, curb, sidewalk, benches and plumbing work; all in accordance with the contract documents, including Plan File Nos. 462-39/44 at Riley Park, 53rd Street and Urbandale Avenue, Des Moines, Iowa

I hereby certify that the construction of said Riley Park Improvements - Phase 2, Activity ID 11-2006-014, 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 August 14, 2006, and was completed on November 5, 2007.



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 \$190,014.90 is the total cost of said improvement, of which \$174,966.25 has been paid the Contractor and \$5,547.90 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$9,500.75 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 1/11/07 TO 8/20/07**  
**PARTIAL PAYMENT NO. 7 (FINAL)**

PROJECT: RILEY PARK IMPROVEMENTS - PH 2  
CONTRACTOR: JOHNSON CONCRETE & PETROLEUM  
PARTIAL PAYMENT NO. 7 (FINAL)

LINE NO.	DESCRIPTION	UNIT	UNITS			CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED				
1	SHELTER	EACH	1	1	1.000	\$43,375.00	\$43,375.00	
2	MODULAR PLAY EQUIPMENT	EACH	1	1	1.000	\$51,866.00	\$51,866.00	
3	RESTROOM ENCLOSURE, RELOCATE	JOB	1	1	1.000	\$2,500.00	\$2,500.00	
4	CURB, 8" X 18" PCC	LF	280	280	254.000	\$24.00	\$6,096.00	
5	SIDEWALK, 5" PCC	SY	600	600	496.000	\$33.00	\$16,368.00	
6	GRADING & EARTHWORK	JOB	1	1	1.000	\$6,300.00	\$6,300.00	
7	BENCHES	EACH	4	4	4.000	\$500.00	\$2,000.00	
8	PLUMBING	JOB	1	1	1.000	\$8,800.00	\$8,800.00	
9	SHELTER SLAB & FOOTINGS	JOB	1	1	1.000	\$12,700.00	\$12,700.00	
10	ENGINEERED WOOD FIBERS	CY	150	150	180.000	\$30.00	\$5,400.00	
11	SAND, COARSE WASHED FILL	TON	80	80	80.000	\$26.00	\$2,080.00	
12	FILTER FABRIC	JOB	1	1	1.000	\$900.00	\$900.00	
13	CONCRETE REMOVAL	JOB	1	1	1.000	\$400.00	\$400.00	
14	SWING	EACH	1	1	1.000	\$3,341.00	\$3,341.00	
15	SEEDING	JOB	1	1	1.000	\$2,703.00	\$2,703.00	
16	RESTROOM ENCLOSURE SLAB	JOB	1	1	1.000	\$2,800.00	\$2,800.00	
17	PROJECT SIGN - SMALL	EACH	1	1	1.000	\$350.00	\$350.00	
18	TRASH RECEPTACLE	EACH	4	4	4.000	\$388.00	\$1,552.00	
19	WATER FOUNTAIN	EACH	1	1	1.000	\$2,700.00	\$2,700.00	
20	PICNIC TABLE	EACH	4	4	4.000	\$865.00	\$3,460.00	
21	BIKE RACK	EACH	3	3	3.000	\$200.00	\$600.00	
22	GRILL	EACH	2	2	2.000	\$1,927.00	\$3,854.00	
23	PLANTINGS	JOB	1	1	1.000	\$4,585.00	\$4,585.00	
24	PICNIC TABLE - ADA	EACH	2	2	2.000	\$865.00	\$1,730.00	
CO 1	ADJUST CONTRACT ITEM AMOUNTS TO AS-BUILT QUANTITIES							
CO 1.01	DRAIN PIPE - RILEY	JOB	1	1	1.000	\$1,919.00	\$1,919.00	
CO 1.02	DRAIN PIPE - BRODY	JOB	1	1	1.000	\$879.00	\$879.00	
CO 1.03	SEAL CRACKS - BRODY	JOB	1	1	1.000	\$756.90	\$756.90	
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS					\$190,014.90		
	PARTIAL PAYMENT NO. 1					\$54,472.05		
	PARTIAL PAYMENT NO. 2					\$25,773.50		

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PROJECT: RILEY PARK IMPROVEMENTS - PH 2  
 CONTRACTOR: JOHNSON CONCRETE & PETROLEUM

PARTIAL PAYMENT NO. 7 (FINAL)

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LINE NO.	DESCRIPTION	UNIT	UNITS		CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED			
	PARTIAL PAYMENT NO. 3		\$33,409.60				
	PARTIAL PAYMENT NO. 4		\$38,651.70				
	PARTIAL PAYMENT NO. 5		\$16,233.12				
	PARTIAL PAYMENT NO. 6		\$6,426.28				
	THIS PARTIAL PAYMENT		\$5,547.90				
	TOTAL PARTIAL PAYMENTS		\$180,514.15				
	BALANCE		\$9,500.75				
	Percent Complete	100%					
	TOTAL						\$190,014.90
	RETAINAGE						\$9,500.75
	TOTAL LESS RETAINAGE						\$180,514.15
	LESS PREVIOUS PAYMENT						\$174,966.25
	AMOUNT DUE						\$5,547.90

PARTIAL PAYMENT NO. 7 (FINAL)

PREPARED BY: 

CHECKED BY: 