

DATE November 20, 2006

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR GRAY'S LAKE NORTHWEST ENTRANCE MODIFICATIONS, ELDER CORPORATION

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 Gray's Lake Northwest Entrance Modifications, 11-2006-009, in accordance with the contract approved between Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA 50327, under Roll Call No. 06-1391, of July 10, 2006, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

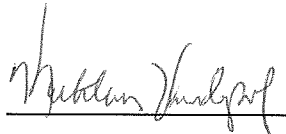
BE IT FURTHER RESOLVED: That \$31,686.00 is the total cost, of which \$28,443.00 has been paid the Contractor, and \$1,658.70 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$1,584.30 is to be paid at the end of thirty days, provided no claims 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.

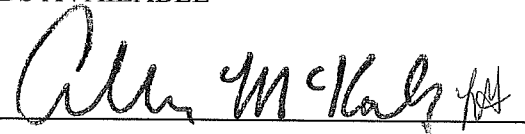
Moved by _____ to adopt.

FORM APPROVED:



Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE



Allen McKinley
Des Moines Finance Director

Funding Source: 2006-2007 CIP, Page Park-7, Gray's Lake Park Improvements, PKS140, Being: FY-2006 G. O. Bonds

★ Roll Call Number

Agenda Item Number

9

Date November 20, 2006

REB

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

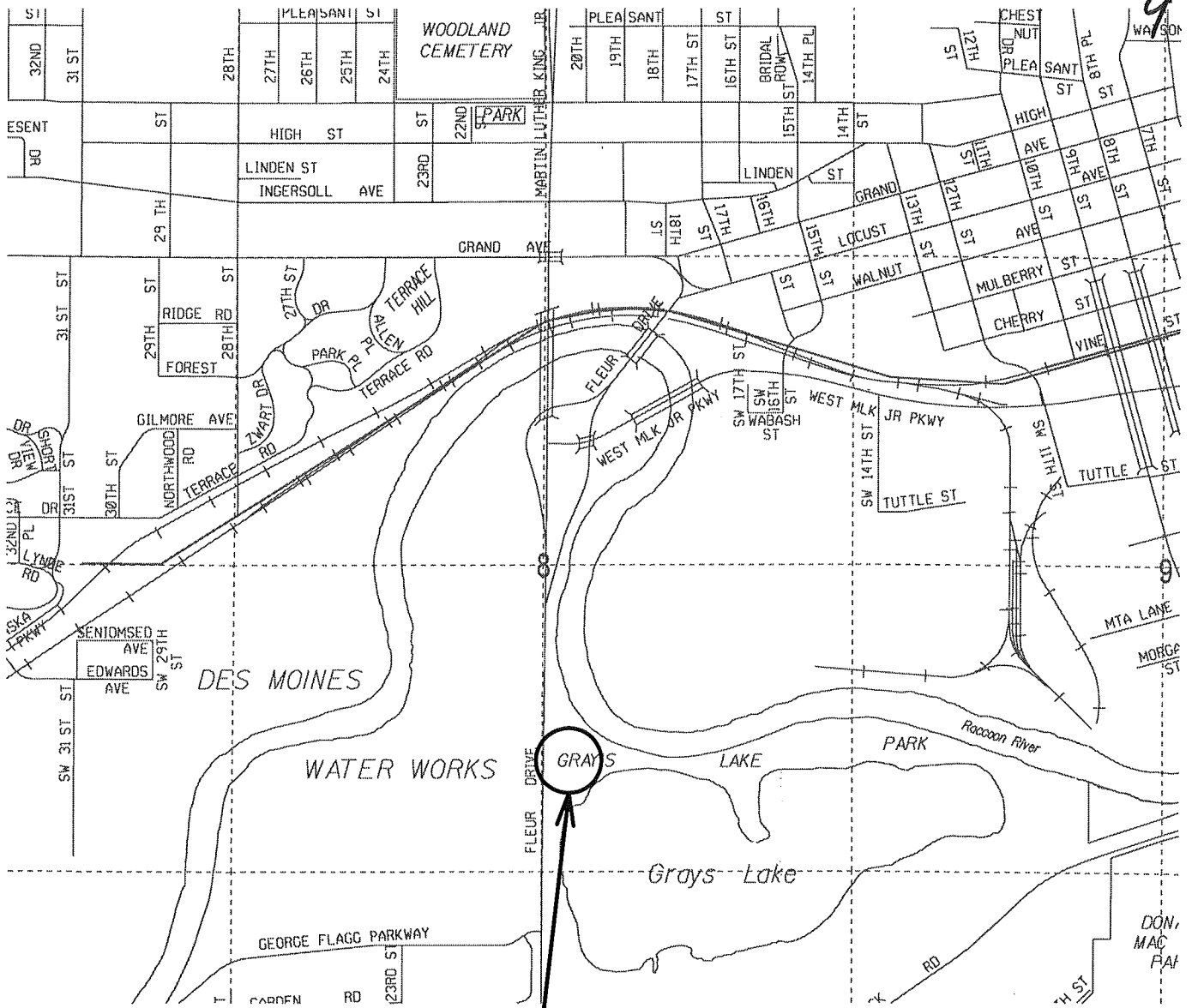
CERTIFICATE

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.

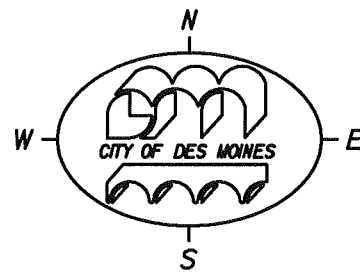
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk



**PROJECT
LOCATION**



**GRAY'S LAKE NORTHWEST
ENTRANCE MODIFICATIONS
ACTIVITY I.D. 11-2006-009**

PROJECT SUMMARY

Gray's Lake Northwest Entrance Mod

Activity ID 11-2006-009

On July 10, 2006, under Roll Call No. 06-1390, the City Council awarded the contract for the above improvement to Elder Corporation in the amount of \$31,500.00, for constructing a right turn lane, pedestrian ramp, relocating entrance gates, surface restoration, and other incidental items. The project is located at the Northwest Entrance to Gray's Lake along Fleur Drive.

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	10/17/2006 Contractor provided a cost deduct for the Parks Department backfilling and compacting the curb. Adjust contract quantities to match as-built quantities.	Engineering	\$186.00
Original Contract Amount			\$31,500.00
Total Change Orders			\$186.00
Percent of Change Orders to Original Contract			0.59%
Final Contract Amount			\$31,686.00

November 20, 2006

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Gray's Lake Northwest Entrance Modifications, Elder Corporation.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$31,686.00 As-Built Contract Cost

Funding Source: 2006-2007 CIP, Page Park-7, Gray's Lake Park Improvements, PKS140, Being:
FY-2006 G. O. Bonds

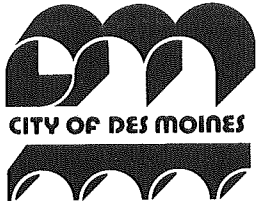
CERTIFICATION OF COMPLETION:

On July 10, 2006, under Roll Call No. 06-1391, the City Council awarded a contract to Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA 50327 for the construction of the following improvement:

Gray's Lake Northwest Entrance Modifications, 11-2006-009

The improvement includes construction of a right turn lane, pedestrian ramp, and other incidental items; in accordance with the contract documents, including Plans File Nos. 462-086/093, on the Northwest Entrance to Gray's Lake Park along Fleur Drive, Des Moines, Iowa.

I hereby certify that the construction of said Gray's Lake Northwest Entrance Modifications, Activity ID 11-2006-009, 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 July 26, 2006, and was completed on October 13, 2006.



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 further certify that \$31,686.00 is the total cost of said improvement, of which \$28,443.00 has been paid the Contractor and \$1,658.70 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$1,584.30 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 cursive script that reads "Jeb E. Brewer". The signature is written in black ink and is positioned above the printed name and title.

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

