

DATE November 24, 2008

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 3510 SW 5TH STREET EMERGENCY STORM & SANITARY SEWER REPAIR, VAN HAUEN & ASSOCIATES, 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 3510 SW 5th Street Emergency Storm & Sanitary Sewer Repair, 08-2009-002, in accordance with the contract approved between Van Hauen & Associates, Inc., Mark Van Hauen, CEO/Vice President, 13615 NW 54th Avenue, Grimes, IA 50111, under Roll Call No. 08-1543, of August 25, 2008, 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 \$31,000.00 is the total cost, of which \$26,125.00 has been paid the Contractor, and \$3,325.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$1,550.00 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.

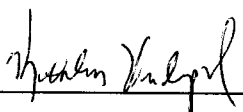
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such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

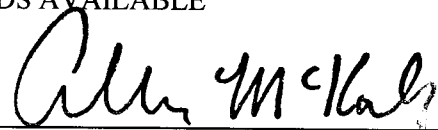
Moved by _____ to adopt.

FORM APPROVED:

FUNDS AVAILABLE



Kathleen Vanderpool
Deputy City Attorney



Allen McKinley
Des Moines Finance Director

♣ Funding Source: 2008/2009 CIP, Operating Budget, STE057, Storm Water Utility Funds

Roll Call Number

Agenda Item Number

★

9B

Date November 24, 2008

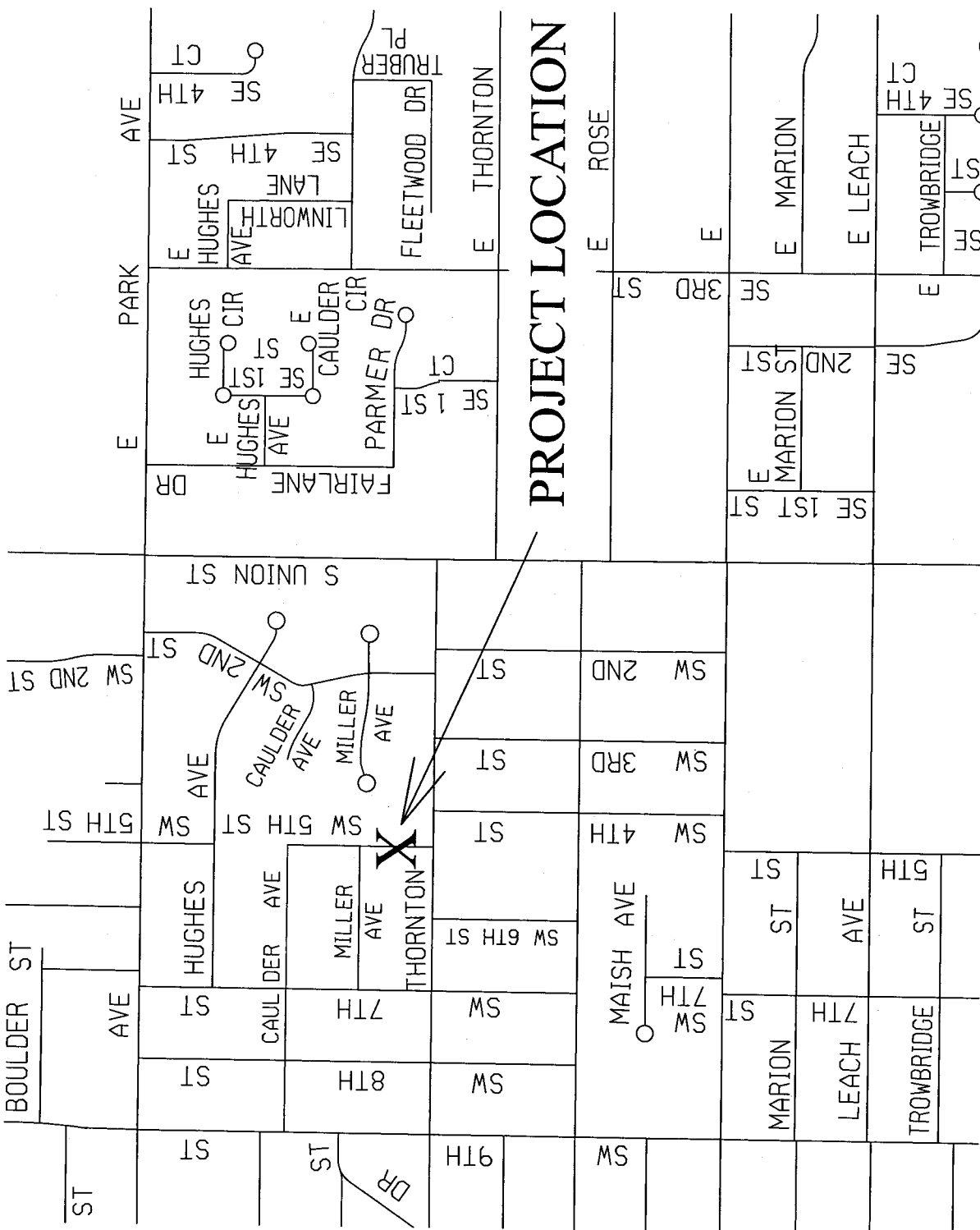
| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|----------|--------|
| COWNIE | | | | |
| COLEMAN | | | | |
| HENSLEY | | | | |
| KIERNAN | | | | |
| MAHAFFEY | | | | |
| MEYER | | | | |
| VLASSIS | | | | |
| TOTAL | | | | |
| MOTION CARRIED | | | APPROVED | |
| _____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

3510 SW 5TH ST. EMERGENCY STORM & SANI. SEWER REPAIR
ACT. ID 08-2009-002

9B

PROJECT SUMMARY

3510 SW 5th Emergency St. & Sani. Rep.
Activity ID 08-2009-002

On August 25, 2008, Under Roll Call No. 08-1543, the City Council awarded the contract for the above improvements to Van Hauen & Assoc., Inc., in the amount of \$27,500.00, to repair the sewers at 3510 SW 5th Street.

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 | 10/17/2008 Add one M-A intake. | Engineering | \$3,500.00 |
| Original Contract Amount | | | \$27,500.00 |
| Total Change Orders | | | \$3,500.00 |
| Percent of Change Orders to Original Contract | | | 12.73% |
| Final Contract Amount | | | \$31,000.00 |

9B

November 24, 2008

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the 3510 SW 5th Street Emergency Storm & Sanitary Sewer Repair, Van Hauen & Associates, 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: \$31,000.00 As-Built Contract Cost

Funding Source: 2008/2009 CIP, Operating Budget, STE057, Storm Water Utility Funds

CERTIFICATION OF COMPLETION:

On August 25, 2008, under Roll Call No. 08-1543, the City Council awarded a contract to Van Hauen & Associates, Inc., Mark Van Hauen, CEO/Vice President, 13615 NW 54th Avenue, Grimes, IA 50111 for the construction of the following improvement:

3510 SW 5th Street Emergency Storm & Sanitary Sewer Repair, 08-2009-002

The improvement includes repair of the 15" storm sewer, 10" sanitary sewer, backfill and compaction, replacement of street, and restoration of the site in accordance with the contract documents in front of 3510 SW 5th Street, Des Moines, Iowa

I hereby certify that the construction of said 3510 SW 5th Street Emergency Storm & Sanitary Sewer Repair, Activity ID 08-2009-002, 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 August 11, 2008, and was completed on November 14, 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, 1976, 1981
2003

9B

I further certify that \$31,000.00 is the total cost of said improvement, of which \$26,125.00 has been paid the Contractor and \$3,325.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$1,550.00 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, appearing to read "Jeb E. Brewer". The signature is fluid and cursive, with a small flourish at the end.

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



ESTIMATE OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 8/11/08 to 08/21/08
PARTIAL PAYMENT NO. 2 (FINAL)

PROJECT: 3510 SW 5TH ST. EMERGENCY STORM & SANI. SEWER REPAIR
CONTRACTOR: VAN HAUEN & ASSOC.

Activity ID: 08-2009-002
Date: 09/25/08

| LINE NO. | DESCRIPTION | UNIT | UNITS | | | TOTAL AMOUNT |
|----------|--|------|-------------|------------|---------------------|--------------|
| | | | ESTIMATED | AUTHORIZED | CONSTRUCTED TO DATE | |
| 1 | 3510 SW 5TH SANI. & STORM SEWER REPAIR | LS | 1.000 | 1.000 | 1.000 | \$27,500.00 |
| | Change Order for Intake Construction | | | | | |
| Extra | MA INTAKE | EA | 1.000 | 1.000 | 1.000 | \$3,500.00 |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS | | \$31,000.00 | | | |
| | PARTIAL PAYMENT NO. 1 | | \$26,125.00 | | | |
| | THIS PARTIAL PAYMENT | | \$3,325.00 | | | |
| | TOTAL PARTIAL PAYMENTS | | \$29,450.00 | | | |
| | BALANCE (RETAINAGE) | | \$1,550.00 | | | |
| | TOTAL | | | | | \$31,000.00 |
| | RETAINAGE | | | | | \$1,550.00 |
| | TOTAL LESS RETAINAGE | | | | | \$29,450.00 |
| | LESS PREVIOUS PAYMENT | | | | | \$26,125.00 |
| | AMOUNT DUE | | | | | \$3,325.00 |

PREPARED BY: *[Signature]*
CHECKED BY: *[Signature]*

PARTIAL PAYMENT NO. 2 (FINAL)

9B