

DATE November 24, 2008

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 1624 PENNSYLVANIA AVENUE STORM SEWER REPAIR, REILLY CONSTRUCTION COMPANY, 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 1624 Pennsylvania Avenue Storm Sewer Repair, 08-2008-003, in accordance with the contract approved between Reilly Construction Company, Inc., Chris R. Reilly, President, 110 Main Street, PO Box 99, Ossian, IA 52161, under Roll Call No. 08-428, of March 10, 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 \$86,067.29 is the total cost, of which \$78,397.66 has been paid the Contractor, and \$3,366.27 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$4,303.36 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.

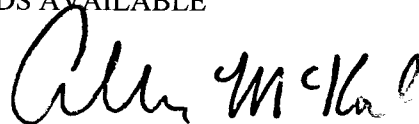
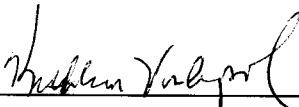
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such 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 Storm-4, City-wide Storm Water Utility Projects, STE057, Storm Water Utility Funds

**Roll Call Number**

**Agenda Item Number**



9C

**Date** November 24, 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.

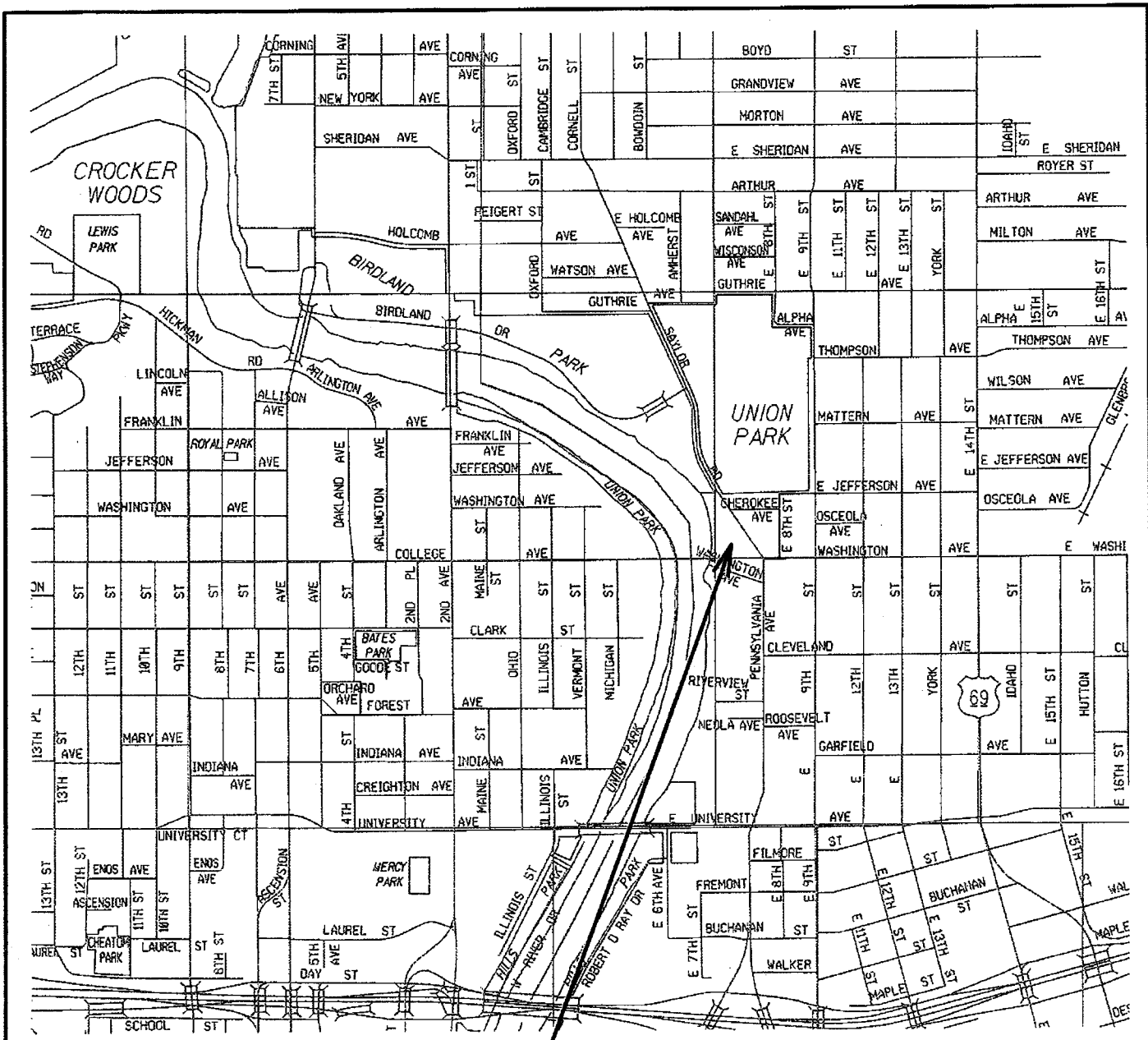
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

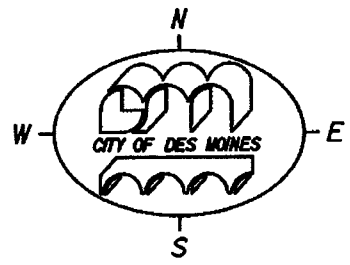
\_\_\_\_\_ Mayor

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

7:15 ENG Drawn: 08/12/08 08:53 Drawings Loc: Map V.D.C. MAP.DGN 25-JAN-2008 15:58



**PROPERTY  
LOCATION**



**1624 PENNSYLVANIA AVENUE  
STORM SEWER REPAIR  
ACTIVITY I.D. 08-2008-003**

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# PROJECT SUMMARY

## 1624 Penn Avenue Storm Sewer Repair

### Activity ID 08-2008-003

On March 10, 2008 under Roll Call No. 08-427, the City Council awarded the contract for the above improvement to Reilly Construction Company, Inc. in the amount of \$79,827.50 for replacement of existing storm sewer with new storm sewer, repair of erosion, and other incidental items.

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	8/11/2008 Addition of 3" crushed stone for under manhole UA-1 to stabilize base of manhole and remove of two additional trees because of flood damage.	Engineering	\$3,346.25
2	10/6/2008 Adjustments on quantities for storm sewer, sidewalk, silt fence, topsoil, and rip rap.	Engineering	\$2,800.10
3	10/13/2008 Adjustment to quantity because of additional removal of sidewalk.	Engineering	\$93.44
<b>Original Contract Amount</b>			\$79,827.50
<b>Total Change Orders</b>			\$6,239.79
<b>Percent of Change Orders to Original Contract</b>			7.82%
<b>Final Contract Amount</b>			\$86,067.29

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November 24, 2008

**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the 1624 Pennsylvania Avenue Storm Sewer Repair, Reilly Construction Company, 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: \$86,067.29 As-Built Contract Cost

Funding Source: 2008-2009 CIP, Page Storm-4, City-wide Storm Water Utility Projects, STE057, Storm Water Utility Funds

**CERTIFICATION OF COMPLETION:**

On March 10, 2008, under Roll Call No. 08-428, the City Council awarded a contract to Reilly Construction Company, Inc., Chris R. Reilly, President, 110 Main Street, PO Box 99, Ossian, IA 52161 for the construction of the following improvement:

1624 Pennsylvania Avenue Storm Sewer Repair, 08-2008-003

The improvement includes the construction of a 42" storm sewer, manhole, headwall, grading work, restoration, and related work; in accordance with the contract documents including Plan File Nos. 487-114/128 at the existing storm sewer between the intersection of E. Washington Avenue and Pennsylvania Avenue and the Des Moines River

I hereby certify that the construction of said 1624 Pennsylvania Avenue Storm Sewer Repair, Activity ID 08-2008-003, 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 March 17, 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

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I further certify that \$86,067.29 is the total cost of said improvement, of which \$78,397.66 has been paid the Contractor and \$3,366.27 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$4,303.36 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 mark at the end.

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



