

DATE November 24, 2008

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR MCKINLEY AVENUE WIDENING & SIGNALIZATION AT SE 5TH STREET, CEDAR VALLEY CORP.

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 McKinley Avenue Widening & Signalization at SE 5th Street, 06-2003-020, in accordance with the contract approved between Cedar Valley Corp., Stephen R. Jackson, President, 2637 Wagner Road, Waterloo, IA 50703, under Roll Call No. 07-491, of March 12, 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 \$1,103,841.93 is the total cost, of which \$1,045,538.35 has been paid the Contractor, and \$3,111.48 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$55,192.10 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.

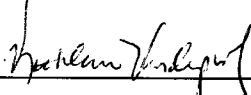
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such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

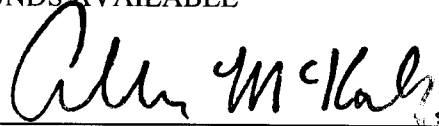
Moved by _____ to adopt.

FORM APPROVED:

FUNDS AVAILABLE



Kathleen Vanderpool
Deputy City Attorney



Allen McKinley
Des Moines Finance Director

Funding Source: 2008-2009 CIP, Page Street-24, McKinley Avenue Widening - Fleur Drive to E. Indianola Avenue, STR212, Various Funding, Being:

\$974,862.28 in G. O. Bonds, and \$128,979.65 from the Des Moines Water Works for Division 2 water main reconstruction including Bid Items 22 - 37 and part of Bid Items 6, 7, and 51.

Roll Call Number

Agenda Item Number

★

_____ **9D**

Date November 24, 2008

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

CERTIFICATE

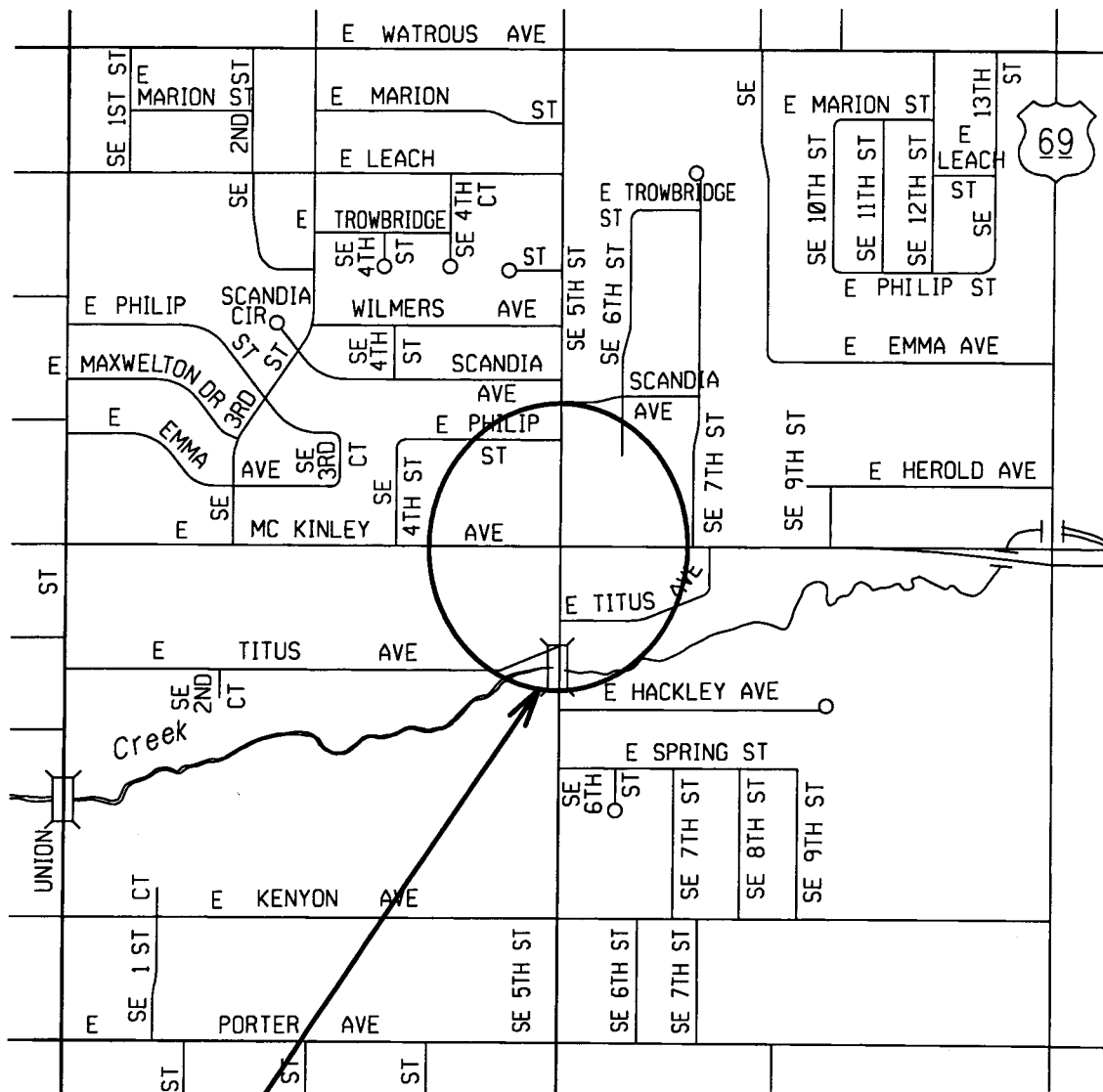
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

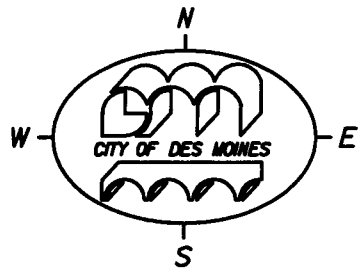
_____ Mayor

_____ City Clerk

9D



**PROJECT
LOCATION**



**MCKINLEY AVENUE WIDENING AND
SIGNALIZATION AT S.E. 5TH STREET
ACTIVITY I.D. 06-2003-020**

9D

PROJECT SUMMARY

McKinley Ave Widening & Signal at SE 5th

Activity ID 06-2003-020

On March 12, 2007, under Roll Call 07-490, the City Council awarded the contract for the above improvement to Cedar Valley Corp. in the amount of \$1,097,339.60, for the construction of left turn lanes and traffic signals at SE 5th Street.

Tabulated below is a history of project change orders.

Change Order No.	Description	Initiated By	Amount
1	3/22/2007 Add "Sidewalk Closed" signage	Contractor	\$500.00
2	4/26/2007 Trim branches from Blue Spruce trees	Contractor	\$425.00
3	10/23/2007 Area intake and grading. Fence construction.	Contractor	\$9,814.80
4	11/7/2007 Dormant seeding	Contractor	\$2,090.00
5	11/13/2007 Post Office sign and mobilization	Contractor	\$2,117.50
6	12/3/2007 Subgrade stabilization, subbase change, and ditch cleaning.	Contractor	(\$4,342.62)
7	1/8/2008 Pavement core, restocking storm structures, subgrade fabric and manhole modification.	Contractor	\$5,944.81
8	Adjust contract quantities to final asbuilt quantities.	Engineering	(\$10,047.16)

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November 24, 2008

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the McKinley Avenue Widening & Signalization at SE 5th Street, Cedar Valley Corp..

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$1,103,841.93 As-Built Contract Cost

Funding Source: 2008-2009 CIP, Page Street-24, McKinley Avenue Widening - Fleur Drive to E. Indianola Avenue, STR212, Various Funding, Being: \$974,862.28 in G. O. Bonds, and \$128,979.65 from the Des Moines Water Works for Division 2 water main reconstruction including Bid Items 22 - 37 and part of Bid Items 6, 7, and 51.

CERTIFICATION OF COMPLETION:

On March 12, 2007, under Roll Call No. 07-491, the City Council awarded a contract to Cedar Valley Corp., Stephen R. Jackson, President, 2637 Wagner Road, Waterloo, IA 50703 for the construction of the following improvement:

McKinley Avenue Widening & Signalization at SE 5th Street, 06-2003-020

The improvement includes widening and reconstructing McKinley Avenue with 10-inch thick full-depth portland cement concrete; widening and reconstructing S.E. 5th Street with 10-inch thick full-depth portland cement concrete; together with pavement removal, excavation, water main construction, storm drainage, subdrain, aggregate subbase, driveways, sodding, traffic signals, and miscellaneous associated work including cleanup; in accordance with the contract documents, including Plan File Nos. 471-132/214, on McKinley Avenue at SE 5th Street, Des Moines, Iowa

I hereby certify that the construction of said McKinley Avenue Widening & Signalization at SE 5th Street, Activity ID 06-2003-020, 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 May 21, 2007, 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, 1978, 1981
2003

I further certify that \$1,103,841.93 is the total cost of said improvement, of which \$1,045,538.35 has been paid the Contractor and \$3,111.48 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$55,192.10 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 7/09/08 to 11/6/08
PARTIAL PAYMENT NO. 11 (Final)

PROJECT: MCKINLEY AVENUE WIDENING & SIGNALIZATION AT SE 5TH STREET
CONTRACTOR: CEDAR VALLEY CORP.

Activity ID: 06-2003-020
Date: 11/07/08

LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
1	Mobilization	LS	1.000	1.000	1.000	\$91,000.00
2	Clearing, Tree	IN	228.000	236.000	236.000	\$9,794.00
3	Stripping, Salvaging and Spread Topsoil	CY	900.000	900.000	900.000	\$5,589.00
4	Excavation, Class 13	CY	6,450.000	8,885.000	8,885.000	\$63,883.15
5	Core Out Excavation	CY	200.000	0.000		\$0.00
6	Pavement Removal	SY	3,345.000	3,346.000	3,346.000	\$5.18
7	Driveway Removal	SY	1,500.000	1,399.000	1,399.000	\$5.34
8	Sidewalk Removal	SY	500.000	616.000	616.000	\$3.90
9	Structure Removal	EA	5.000	9.000	9.000	\$400.00
10	Pavement Scarification	SY	252.000	354.780	354.780	\$15.00
11	Subgrade Preparation	SY	7,000.000	0.000		\$0.80
12	Modified Subbase	CY	2,400.000	0.000		\$29.28
13	Sanitary Sewer Service, Lower	EA	2.000	0.000		\$2,500.00
14	Water Service, Check Depth	EA	2.000	2.000	2.000	\$500.00
15	Lower Water Service	EA	2.000	0.000		\$2,500.00
16	Storm Sewer, 8" CMP	LF	141.000	104.000	104.000	\$50.00
17	Paved Channel	LF	15.000	15.000	15.000	\$100.00
18	Storm Sewer, 15" RCP	LF	484.000	487.000	487.000	\$60.00
19	Storm Sewer, 24" RCP	LF	548.000	627.000	627.000	\$72.50
20	Subdrain, Longitudinal, 4"	LF	2,634.000	2,667.000	2,667.000	\$8.50
21	Subdrain, Outlet, 6"	EA	18.000	17.000	17.000	\$325.00
22	Water Main, PVC 12 in. Dia	LF	1,325.000	1,335.000	1,335.000	\$48.50
23	Water Main, DI 12 in. Dia	LF	34.000	37.500	37.500	\$82.50
24	Water Main, PVC 8 in. Dia	LF	110.000	113.000	113.000	\$55.00
25	Bend, 12 in.	EA	2.000	4.000	4.000	\$225.00
26	Tee, 12 x 8 in.	EA	3.000	3.000	3.000	\$325.00
27	Solid Sleeve, 12 in.	EA	1.000	2.000	2.000	\$225.00
28	Plug, 12 in.	EA	2.000	2.000	2.000	\$100.00
29	Bend, 8 in.	EA	8.000	5.000	5.000	\$150.00

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LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
30	Tee, 8 x 8 in.	EA	1.000	1.000	1.000	\$225.00
31	Solid Sleeve, 8 in.	EA	3.000	1.000	1.000	\$150.00
32	Fire Hydrant Assemblies	EA	5.000	5.000	5.000	\$17,500.00
33	Valve, Gate Mechanical Joint 12 in.	EA	1.000	1.000	1.000	\$1,500.00
34	Valve, Gate Mechanical Joint 8 in.	EA	2.000	2.000	2.000	\$2,000.00
35	Prepare Excavation for Tapping Sleeve & Valve	EA	2.000	2.000	2.000	\$4,000.00
36	Water Service Transfer, 1-inch	EA	15.000	15.000	15.000	\$22,500.00
37	Foundation Rock	TON	30.000	30.000	30.000	\$600.00
38	Manhole, Storm, Type M-A	EA	4.000	4.000	4.000	\$11,200.00
39	Manhole, Connection to Existing	EA	1.000	0.000		\$0.00
40	Chimney Seal	EA	5.000	5.000	5.000	\$2,500.00
41	Sewer, Removal	LF	469.000	576.000	576.000	\$5,760.00
42	Intake, Type M-D	EA	6.000	5.000	5.000	\$12,500.00
43	Intake, Type M-E	EA	3.000	3.000	3.000	\$10,500.00
44	Intake, Type M-H	EA	5.000	5.000	5.000	\$10,000.00
45	Type A Casting	EA	2.000	3.000	3.000	\$1,800.00
46	Type B Casting	EA	2.000	1.000	1.000	\$825.00
47	Type F Casting	EA	1.000	1.000	1.000	\$825.00
48	PCC Pavement, CI C 13, 10"	SY	6,100.000	5,964.000	5,964.000	\$234,862.32
49	Curb and Gutter, Remove and Replace, PCC, 18"	LF	21.000	21.000	21.000	\$420.00
50	Driveway Surfacing, HMA Millings	TON	380.000	591.040	591.040	\$10,786.48
51	HMA Pavement	TON	885.000	810.510	810.510	\$68,893.35
52	Driveway, PCC, 7"	SY	1,250.000	1,237.000	1,237.000	\$37,110.00
53	Sidewalk, PCC, 4"	SY	1,100.000	1,189.000	1,189.000	\$27,347.00
54	Handicapped Ramps, W/Truncated Domes	SY	50.000	56.000	56.000	\$4,480.00
55	Painted Pavement Markings	STA	59.000	78.380	78.380	\$3,723.05
56	Painted Symbol and Legend	EA	12.000	12.000	12.000	\$600.00
57	Sodding	SQ	500.000	764.000	764.000	\$21,774.00
58	Watering, Sod	MGAL	300.000	300.000	300.000	\$3,150.00
59	Traffic Control	LS	1.000	1.000	1.000	\$6,500.00
60	Traffic Signalization	LS	1.000	1.000	1.000	\$105,000.00
61	Project Sign, Small	EA	1.000	1.000	1.000	\$200.00
62	Inlet Filter, Type 1	EA	13.000	4.000	4.000	\$360.00
63	Silt Fence	LF	2,000.000	526.000	526.000	\$867.90
64	Mulching	Acre	1.000	0.000		\$400.00
65	Erosion Control	LS	1.000	1.000	1.000	\$2,800.00
66	Field Office	EA	1.000	0.000		\$2,500.00
67	Remove & Relocate Chain Link Fence	LF	140.000	228.000	228.000	\$3,819.00

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LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
1.01	Sidewalk Closed Sign	EA		8.000	8.000	\$500.00
2.01	Tree trimming	LS		1.000	1.000	\$425.00
3.01	RCP Area Intake	EA		1.000	1.000	\$2,750.00
3.02	Construct 60" Chain Link Fence	LF		180.000	335.000	\$3,487.35
3.03	Reset access gate	LS		1.000	1.000	\$231.00
3.04	Remove existing fence	LF		180.000	180.000	\$900.00
4.01	Dormant seeding	SQ		200.000	200.000	\$2,090.00
5.01	Post Office road sign	LS		1.000	1.000	\$357.50
5.02	Traffic painting mobilization	LS		1.000	1.000	\$1,760.00
6.01	Subgrade/subbase replacement and stabilization	LS		1.000	1.000	\$53,722.16
6.02	Ditch cleaning	LS		1.000	1.000	\$299.57
7.01	8" diameter pavement core	LS		1.000	1.000	\$250.00
7.02	Manhole and intake restocking	LS		1.000	1.000	\$2,126.58
7.03	Subgrade fabric	LS		1.000	1.000	\$3,118.23
7.04	Storm manhole modification	LS		1.000	1.000	\$450.00
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$1,103,841.93			
	PARTIAL PAYMENT NO. 1		\$11,117.85			
	PARTIAL PAYMENT NO. 2		\$93,167.69			
	PARTIAL PAYMENT NO. 3		\$200,431.38			
	PARTIAL PAYMENT NO. 4		\$79,926.69			
	PARTIAL PAYMENT NO. 5		\$328,843.69			
	PARTIAL PAYMENT NO. 6		\$200,530.94			
	PARTIAL PAYMENT NO. 7		\$32,007.92			
	PARTIAL PAYMENT NO. 8		\$88,308.57			
	PARTIAL PAYMENT NO. 9		\$6,225.62			
	PARTIAL PAYMENT NO. 10		\$4,978.00			
	THIS PARTIAL PAYMENT		\$3,111.48			
	TOTAL PARTIAL PAYMENTS		\$1,048,649.83			
	BALANCE		\$55,192.10			
	TOTAL					\$1,103,841.93
	RETAINAGE					\$55,192.10
	TOTAL LESS RETAINAGE					\$1,048,649.83
	LESS PREVIOUS PAYMENT					\$1,045,538.35
	AMOUNT DUE					\$3,111.48

PREPARED BY: *Open Learning*

CHECKED BY: *[Signature]*

CEDAR VALLEY: *David M. Murray*

PARTIAL PAYMENT NO. 11 (Final)