



Roll Call Number

Agenda Item Number

9

DATE December 7, 2009

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR 2008 STORM SEWER REPAIR CONTRACT 2, THE UNDERGROUND COMPANY, LTD.**

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 2008 Storm Sewer Repair Contract 2, 08-2008-002, in accordance with the contract approved between The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047, under Roll Call No. 09-425, of March 9, 2009, 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 \$260,070.29 is the total cost, of which \$233,089.28 has been paid the Contractor, and \$13,977.50 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$13,003.51 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code chapter 573.

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: 2009-2010 CIP, Page Storm-4, City-wide Storm Water Utility Projects, STE057, Storm Water Utility Funds



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

MOTION CARRIED

APPROVED

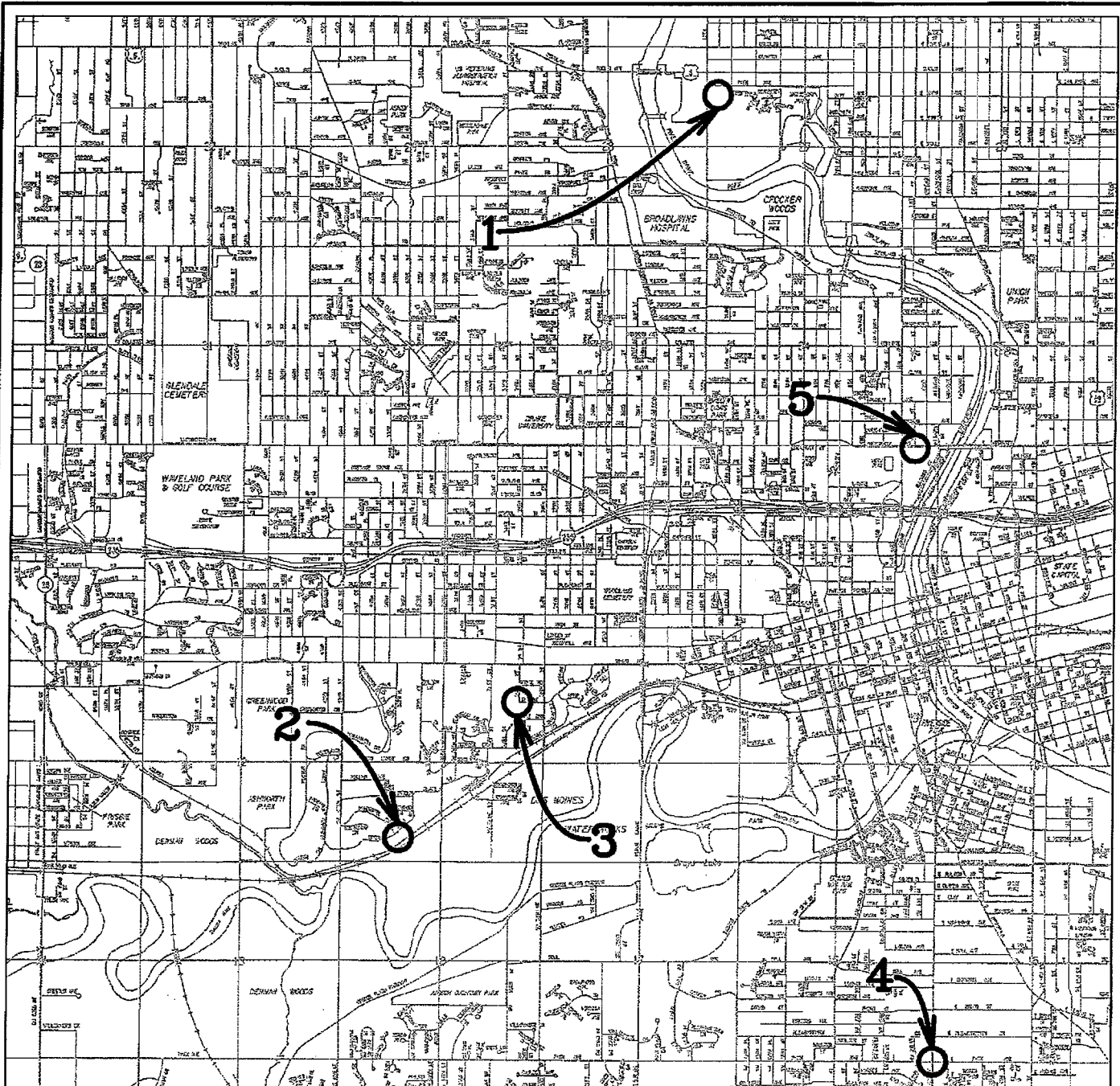
Mayor

CERTIFICATE

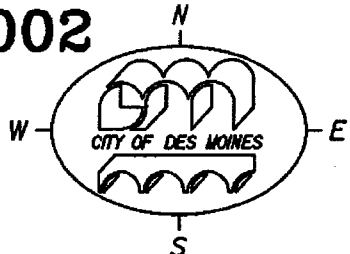
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

City Clerk



**2008 STORM SEWER REPAIR CONTRACT 2
ACTIVITY I.D. 08-2008-002**



- 1 - OAK PARK AVE
- 2 - MUSKOGEE AVE & RIVER OAKS DR
- 3 - 29TH ST & FOREST DR
- 4 - S. UNION ST & PARK AVE
- 5 - UNIVERSITY AVE & MAINE ST

PROJECT SUMMARY

2008 Storm Sewer Repair Contract 2

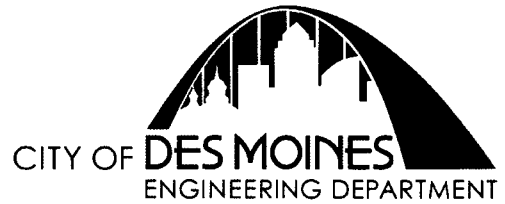
Activity ID 08-2008-002

On March 9, 2009 under Roll Call No. 09-424 the City Council awarded the contract for the above improvement to The Underground Company, Ltd. in the amount of \$211,686.30 for construction of storm sewers, manholes, intakes, restoration of pavement & landscaping, 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	4/17/2009 Additional storm sewer repair work at 9th Street & Oak Park Avenue as requested by Public Works	User	\$20,280.00
2	5/19/2009 Additional manhole tie down at the intersection of University Avenue and 2nd Avenue requested by USACE.	Regulator	\$7,980.00
3	6/17/2009 Changes in type of ScourStop installation.	Engineering	(\$1,248.35)
4	9/29/2009 Replacement of water service and concrete driveway and additional traffic control.	Engineering	\$13,959.40
5	11/10/2009 Adjustment of quantities to as-built measurements.	Engineering	\$7,412.94
Original Contract Amount			\$211,686.30
Total Change Orders			\$48,383.99
Percent of Change Orders to Original Contract			22.86%
Final Contract Amount			\$260,070.29 ✓

December 7, 2009



CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the 2008 Storm Sewer Repair Contract 2, The Underground Company, Ltd..

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$260,070.29 As-Built Contract Cost

Funding Source: 2009-2010 CIP, Page Storm-4, City-wide Storm Water Utility Projects, STE057, Storm Water Utility Funds

CERTIFICATION OF COMPLETION:

On March 9, 2009, under Roll Call No. 09-425, the City Council awarded a contract to The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047 for the construction of the following improvement:

2008 Storm Sewer Repair Contract 2, 08-2008-002

The improvement includes construction of storm sewers, manholes, intakes, restoration of pavement & landscaping, and other incidental items; in accordance with the contract documents including Plan File Nos. 495-027/064, to repair deteriorated infrastructure at 5 locations in Des Moines, Iowa, being: behind 1416 Oak Park Avenue, south of the intersection of Muskogee Avenue & River Oaks Drive, intersection of 29th Street & Forest Drive, intersection of S. Union Street & Park Avenue, and the intersection of University Avenue & Maine Street

I hereby certify that the construction of said 2008 Storm Sewer Repair Contract 2, Activity ID 08-2008-002, 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 March 17, 2009, and was completed on November 30, 2009.

I further certify that \$260,070.29 is the total cost of said improvement, of which \$233,089.28 has been paid the Contractor and \$13,977.50 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$13,003.51 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code chapter 573. The amount of completed work is shown on the attached Estimate of Construction Completed.



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

ENGINEERING DEPARTMENT
CITY OF DES MOINES, IOWA



ESTIMATE OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 08/31/09 TO 10/31/09
FINAL PAYMENT (PAYMENT NO. 4)

PROJECT: 2008 STORM SEWER REPAIR CONTRACT 2
CONTRACTOR: THE UNDERGROUND COMPANY, LTD.


Activity ID: 08-2008-002
Date: 11/13/09

LINE NO.	DESCRIPTION	UNIT	UNITS			UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE		
1	Clearing & Grubbing	DI	21.000	21.000	21.000	\$2.00	\$42.00
2	Clearing & Grubbing	ACRE	0.150	0.150	0.150	\$2.00	\$0.30
3	Pavement Removal	SY	32.000	32.000	32.000	\$20.00	\$640.00
4	Curb & Gutter Removal	LF	190.000	197.500	197.500	\$10.00	\$1,975.00
5	Driveway Removal	SY	33.000	99.360	99.360	\$15.00	\$1,490.40
6	Sidewalk Removal	SY	33.000	37.000	37.000	\$45.00	\$1,665.00
7	Earthwork - Muskogee	LS	1.000	1.000	1.000	\$4,000.00	\$4,000.00
8	Earthwork - Oak Park	LS	1.000	1.000	1.000	\$6,600.00	\$6,600.00
9	Fence, Remove and Replace Chain Link	LF	20.000	20.000	20.000	\$25.00	\$500.00
10	Fence, Remove and Replace Wire	LF	30.000	0.000	0.000	\$25.00	\$0.00
11	Intake Removal	EACH	3.000	5.000	5.000	\$500.00	\$2,500.00
12	Storm Sewer Removal	LF	199.000	279.000	279.000	\$10.00	\$2,790.00
13	Manhole Removal	EACH	2.000	3.000	3.000	\$600.00	\$1,800.00
14	Flowable Mortar	CY	28.000	23.000	23.000	\$208.00	\$4,784.00
15	Sewer Plug	EACH	4.000	4.000	4.000	\$50.00	\$200.00
16	Abandon Manhole	EACH	2.000	2.000	2.000	\$300.00	\$600.00
17	Tie Down Manhole Casting, Strapping	EACH	2.000	3.000	3.000	\$5,500.00	\$16,500.00
18	Conversion of Structure to Manhole	LS	1.000	1.000	1.000	\$1,100.00	\$1,100.00
19	Storm Sewer, Class III RCP, 15" Dia.	LF	313.000	314.000	314.000	\$78.00	\$24,492.00
20	Storm Sewer, Class III RCP, 18" Dia.	LF	54.000	54.000	54.000	\$80.00	\$4,320.00
21	Storm Sewer, Class III RCP, 24" Dia.	LF	116.000	176.500	176.500	\$100.00	\$17,650.00
22	Storm Sewer, Class III RCP, 30" Dia.	LF	85.000	93.000	93.000	\$106.00	\$9,858.00
23	Storm Sewer, Class III RCP, 36" Dia.	LF	18.000	18.000	18.000	\$144.00	\$2,592.00
24	Manhole, Type M-B, 40" X 40"	EACH	3.000	4.000	4.000	\$3,475.00	\$13,900.00
25	Manhole, Type M-B, 48" X 48"	EACH	1.000	1.000	1.000	\$5,010.00	\$5,010.00
26	Manhole, Type M-B, 48" X 56"	EACH	1.000	1.000	1.000	\$5,640.00	\$5,640.00
27	Intake, Type M-A	EACH	1.000	1.000	1.000	\$2,000.00	\$2,000.00
28	Intake, Type M-D	EACH	1.000	1.000	1.000	\$3,000.00	\$3,000.00
29	Intake, Type M-I	EACH	1.000	1.000	1.000	\$4,000.00	\$4,000.00

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LINE NO.	DESCRIPTION	UNIT	UNITS		CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED			
30	Intake, Special - Muskogee	EACH	1,000	1,000	1,000	\$11,000.00	\$11,000.00
31	Intake, Special - Maine	EACH	1,000	1,000	1,000	\$3,000.00	\$3,000.00
32	FES, 24" Class III RCP with Footing	EACH	1,000	1,000	1,000	\$1,800.00	\$1,800.00
33	FES, 36" Class III RCP with Footing	EACH	1,000	1,000	1,000	\$2,000.00	\$2,000.00
34	Apron Guard, 72" FES	EACH	1,000	1,000	1,000	\$2,200.00	\$2,200.00
35	Type I Concrete Collar Connection	EACH	1,000	2,000	2,000	\$1,150.00	\$2,300.00
36	Sewer Pipe Support	EACH	1,000	3,000	3,000	\$1,150.00	\$3,450.00
37	ScourStop Erosion Control Mat	SF	676,000	476,000	476,000	\$15.00	\$7,140.00
38	Relocate Water Service	EACH	1,000	1,000	1,000	\$200.00	\$200.00
39	New Water Service	LF	50,000	125,000	125,000	\$100.00	\$12,500.00
40	Full-Depth Patch	SY	105,000	132,190	132,190	\$125.00	\$16,523.75
41	Curb & Gutter, PCC, 3.0'	LF	176,000	190,500	190,500	\$24.00	\$4,572.00
42	Curb & Gutter, PCC, 2.5'	LF	40,000	35,000	35,000	\$24.00	\$840.00
43	Pavement, PCC, 9"	SY	36,000	51,830	51,830	\$125.00	\$6,478.75
44	HMA (1M ESAL) Surface Course, 1/2 Inch Mix, L-4	TON	20,000	29,130	29,130	\$170.00	\$4,952.10
45	Surfacing, HMA Millings	TON	25,000	0,000	0,000	\$24.00	\$0.00
46	Surfacing, Class A Crushed Stone	TON	100,000	41,410	41,410	\$24.00	\$993.84
47	Sidewalk, PCC, 4"	SY	12,000	20,000	20,000	\$100.00	\$2,000.00
48	Sidewalk Ramp, PCC, 6"	SY	8,000	8,000	8,000	\$100.00	\$800.00
49	Sidewalk Ramp, PCC, 9"	SY	6,000	6,000	6,000	\$100.00	\$600.00
50	Detectable Warning, Truncated Domes	SF	24,000	36,000	36,000	\$10.00	\$360.00
51	Driveway, PCC, 8"	SY	36,000	110,300	110,300	\$75.00	\$8,272.50
52	Topsoil, Furnish and Place	CY	130,000	130,000	130,000	\$10.00	\$1,300.00
53	Sodding	SQ	110,200	110,200	110,200	\$50.00	\$5,510.00
54	Seed & Mulch	ACRE	0.450	0.450	0.450	\$1,000.00	\$450.00
55	Traffic Control	LS	1,000	1,000	1,000	\$7,000.00	\$7,000.00
56	Project Sign, Small	EACH	2,000	1,000	1,000	\$100.00	\$100.00
57	Mobilization	LS	1,000	1,000	1,000	\$3,000.00	\$3,000.00
1.01	Intake, Type M-F Modified	EACH		1,000	1,000	\$6,000.00	\$6,000.00
2.01	Traffic Control, Manhole Tie Down	LS		1,000	1,000	\$2,480.00	\$2,480.00
3.01	Pyramat Erosion Control Mat	SY		41,790	41,790	\$50.53	\$2,111.65
4.01	Additional Traffic Control	LS		1,000	1,000	\$487.00	\$487.00

LINE NO.	DESCRIPTION	UNIT	UNITS		CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED			
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$260,070.29				
	THIS PARTIAL PAYMENT		\$13,977.50				
	PARTIAL PAYMENT #1		\$189,399.74				
	PARTIAL PAYMENT #2		\$32,920.83				
	PARTIAL PAYMENT #3		\$10,768.71				
	TOTAL PARTIAL PAYMENTS		\$247,066.78				
	BALANCE		\$13,003.51				
	TOTAL						\$260,070.29
	RETAINAGE						\$13,003.51
	TOTAL LESS RETAINAGE						\$247,066.78
	LESS PREVIOUS PAYMENT						\$233,089.28
	AMOUNT DUE						\$13,977.50

PREPARED BY: 

CHECKED BY: 

FINAL PAYMENT (PAYMENT NO. 4)