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DATE December 17, 2007

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR AGRIMERGENT TECHNOLOGY PARK – CLEARING & GRUBBING CONTRACT NO. 2, J. PETTIECORD 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 Agrimergent Technology Park – Clearing & Grubbing Contract No. 2, 25-2007-031, in accordance with the contract approved between J. Pettiecord Inc., Jeff L. Pettiecord, President, 5043 NE 22nd Street, Des Moines, IA 50313, under Roll Call No. 07-598, of March 26, 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 \$661,177.51 is the total cost, of which \$519,503.46 has been paid the Contractor, and \$108,615.17 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$33,058.88 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.

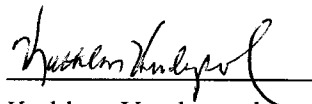
BE IT FURTHER RESOLVED: That the City Manager be and is hereby authorized and directed to certify the Pollution Prevention Plan Inspection Summary and the NPDES Stormwater General Permit Notice of Discontinuation for the above referenced project on behalf of the City of Des Moines and submit said documents to the Iowa Department of Natural Resources.

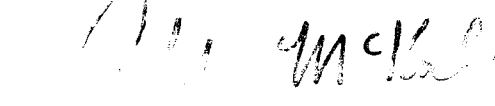
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

Moved by _____ to adopt.

FORM APPROVED:

FUNDS AVAILABLE


Kathleen Vanderpool
Deputy City Attorney


Allen McKinley
Des Moines Finance Director

Funding Source: 2007-2008 CIP, Page Economic Dev-5, SE Ag Park Area, URR035, Being: TIF-Backed G. O. Bonds

★ **Roll Call Number**

Agenda Item Number

_____ **9 C**

DATE December 17, 2007

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

MOTION CARRIED

APPROVED

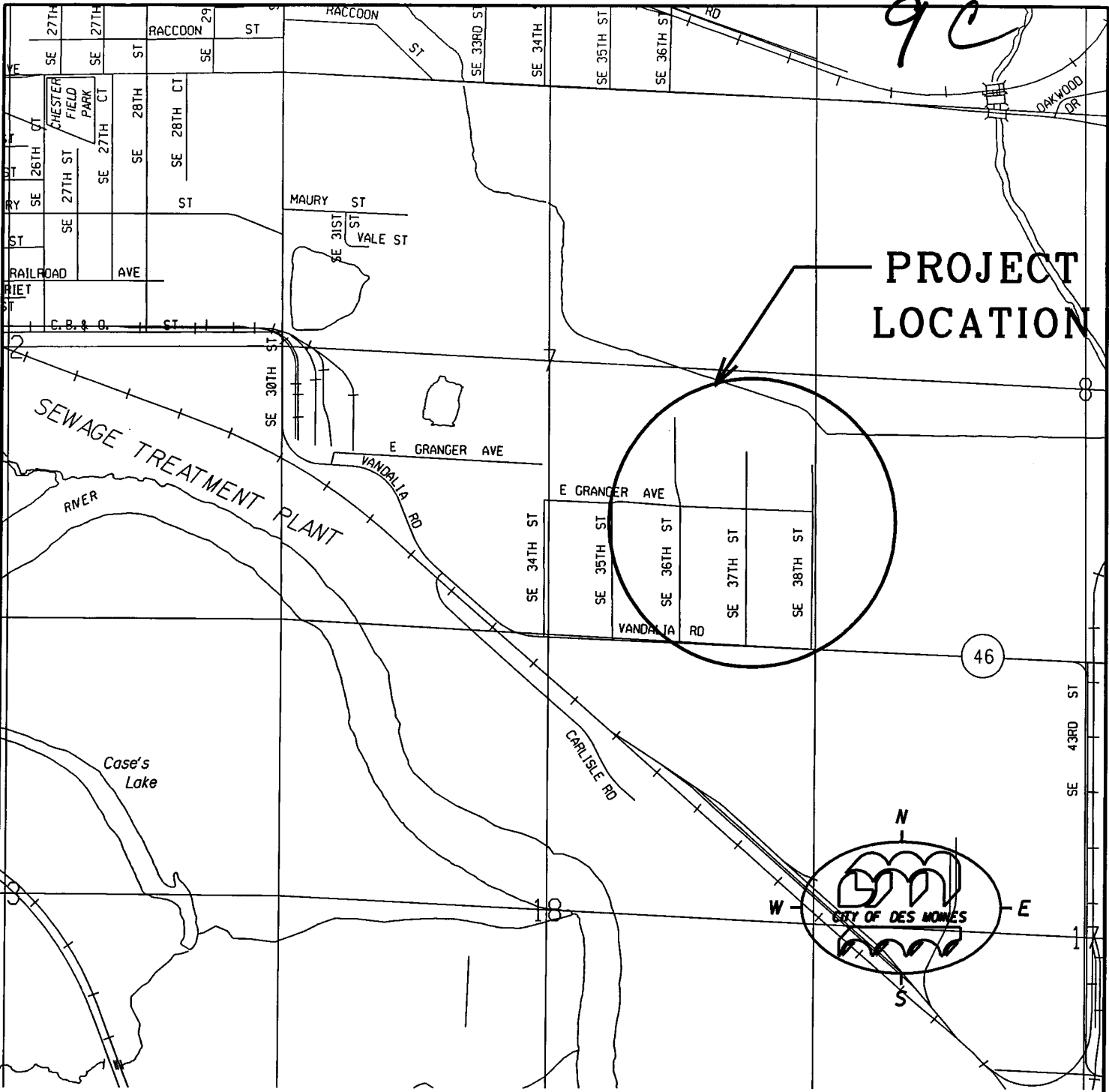
Mayor

I, Diane Rauh, City Clerk of said City Council, hereby certify that at a meeting of the City Council, 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

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AGRIMERGENT PARK
CLEAR AND GRUB CONTRACT NO. 2
NORTH OF VANDALIA RD..
FROM S.E. 36TH ST. TO S.E. 38TH ST.
ACTIVITY I.D. 25-2007-031

\$file-dates

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Summary of Change Orders

Agrimergent Tech. Pk. Cl. & Gr. Contr. 2

Activity ID 25-2007-031

Change	Order No.	Initiated By	Description	Amount
	1	Engineering	4/20/2007 Removal of underground storage tank per IDNR Regulations.	\$18,000.00
	2	Engineering	5/18/2007 Removal and disposal of buried tires.	\$20,000.00
	3	Engineering	5/18/2007 Cost for environmental soil testing	\$10,000.00
	4	Engineering	6/12/2007 Removal of 980 CY of buried concrete & brick bat.	\$19,600.00
	5	Engineering	7/9/2007 Removal and disposal/recycle of 1,870 CY of buried foundation rubble, concrete & brick bat at 1411 SE 37th Street. Excavating, loading, and hauling 2,600 ton of buried rubble & debris with dirt mixed in, and 350 tons of contaminated soil from 1412 SE 37th Street to the Metro Park East Landfill along with backfilling & compacting of 1000 CY. Disposal of 19 drums of hazardous material at 1805 SE 37th Street.	\$101,665.00
	6	Engineering	Final change order to adjust contract quantities to final as-built quantities.	\$19,712.51
			Original Contract Amount	\$472,200.00 ✓
			Total Change Orders	\$188,977.51 ✓
			Percent of Change Orders to Original Contract	40.02%

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December 17, 2007

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Agrimergent Technology Park – Clearing & Grubbing Contract No. 2, J. Pettiecord 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: \$661,177.51 As-Built Contract Cost

Funding Source: 2007-2008 CIP, Page Economic Dev-5, SE Ag Park Area, URR035,

Being:

TIF-Backed G. O. Bonds

CERTIFICATION OF COMPLETION:

On March 26, 2007, under Roll Call No. 07-598, the City Council awarded a contract to J. Pettiecord Inc., Jeff L. Pettiecord, President, 5043 NE 22nd Street, Des Moines, IA 50313 for the construction of the following improvement:

Agrimergent Technology Park – Clearing & Grubbing Contract No. 2, 25-2007-031

The improvement includes providing all labor, material and equipment necessary for clearing and grubbing of approximately 27 acres on City-owned property, demolition of structures, disconnection of water and sewer services, removal of debris, site grading, erosion control, and seeding; in accordance with the contract documents including Plan File Nos. 469-046/049 on various City-owned properties associated with the Agrimergent Technology Park generally located north of Vandalia Road between SE 36th Street and SE 38th Street

I hereby certify that the construction of said Agrimergent Technology Park – Clearing & Grubbing Contract No. 2, Activity ID 25-2007-031, 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 29, 2007, and was completed on December 12, 2007.



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 \$661,177.51 is the total cost of said improvement, of which \$519,503.46 has been paid the Contractor and \$108,615.17 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$33,058.88 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

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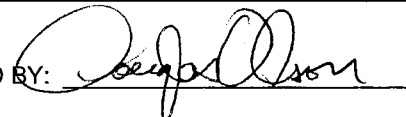
ESTIMATE FOR CONSTRUCTION COMPLETED

PARTIAL PAYMENT: NO. 4 and FINAL
 JULY 20,2007 TO DECEMBER 11, 2007

PROJECT: AGRIMERGENT TECHNOLOGY PARK - CLEARING
 & GRUBBING CONTRACT 2

ACTIVITY I.D.:25-2007-031
 PLAN FILE NO: 469-046/049
 DATE: December 11, 2007

STEP	DESCRIPTION	UNITS	TOTAL	CONSTRUCTED TO DATE	BID UNIT PRICE	AMOUNT
1	CLEARING & GRUBBING	L.S.	1	100%	\$360,000.00	\$360,000.00
2	DEMOLITION OF STRUCTURES	L.S.	1	100%	\$30,000.00	\$30,000.00
3	REMOVAL OF BURIED BUILDING FOUNDATION & RUBBLE	CY	500	500	\$40.00	\$20,000.00
4	FIELD FENCE PER IDOT SPEC. 4154	LS	1	100%	\$26,000.00	\$26,000.00
5	SEEDING W/ OATS & EROSION CONTROL MIX (APPROX. 27 ACRES)	LS	1.0	82%	\$15,000.00	\$12,300.00
6	MOBILIZATION	L.S.	1	100%	\$5,000.00	\$5,000.00
7	PROJECT SIGN	L.S.	1	100%	\$1,000.00	\$1,000.00
8	EROSION CONTROL	L.S.	1	100%	\$12,000.00	\$12,000.00
9	GATES	EA	2	2	\$1,600.00	\$3,200.00
	CHANGE ORDER NO. 1 PART B 4/18/07	L.S.	1	100%	\$18,000.00	\$18,000.00
	CHANGE ORDER NO. 2 PART B 5/15/07	L.S.	1	100%	\$20,000.00	\$20,000.00
	CHANGE ORDER NO. 3 PART B 5/15/07	L.S.	1	100%	\$10,000.00	\$10,000.00
	CHANGE ORDER NO. 4 PART B 6/7/07	L.S.	1	100%	\$19,600.00	\$19,600.00
	CHANGE ORDER NO. 5 PART B 7/2/07	L.S.	1	100%	\$101,665.00	\$101,665.00
	CHANGE ORDER NO. 6 PART B 12/11/07	L.S.	1	100%	\$22,412.51	\$22,412.51
TOTAL CONTRACT AMOUNT PLUS CHANGE ORDER					\$661,177.51	
PARTIAL PAYMENT NO. ONE					\$228,000.00	
PARTIAL PAYMENT NO.TWO					\$140,626.60	
PARTIAL PAYMENT NO.THREE					\$150,876.86	
PARTIAL PAYMENT NO.FOUR					\$108,615.17	
BALANCE TO BE PAID					\$33,058.88	

PREPARED BY: 
 CHECKED BY: _____

TOTAL	\$661,177.51	✓
RETAINAGE	\$33,058.88	✓
TOTAL LESS RETAINAGE	\$628,118.63	✓
LESS PREVIOUS PAYMENT	\$519,503.46	✓
AMOUNT DUE	\$108,615.17	✓