

DATE December 17, 2007

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR SKYWALK 11C -11D, ALLIED PHASE 2 TO ALLIED GARAGE, RYAN COMPANIES US, 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 Skywalk 11C -11D, Allied Phase 2 to Allied Garage, 12-2006-007, in accordance with the contract approved between Ryan Companies US, Inc., James R. Ryan, CEO, 201 N Harison, Suite 400, Davenport, IA 52801, under Roll Call No. 06-1614, of August 7, 2006, 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 \$552,115.00 is the total cost, of which \$524,509.26 has been paid the Contractor, and \$0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$27,605.74 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:


Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE


Allen McKinley
Des Moines Finance Director

Funding Source: 2007-2008 CIP, Page Sidewalk-6, Downtown Skywalk System, SID094, Various Funding,

~~Being:~~ \$146,464.44 in private funds from Nationwide and \$405,650.56 in TIF-backed G.O. Bonds

★ **Roll Call Number**

.....

Date December 17, 2007

Agenda Item Number

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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.

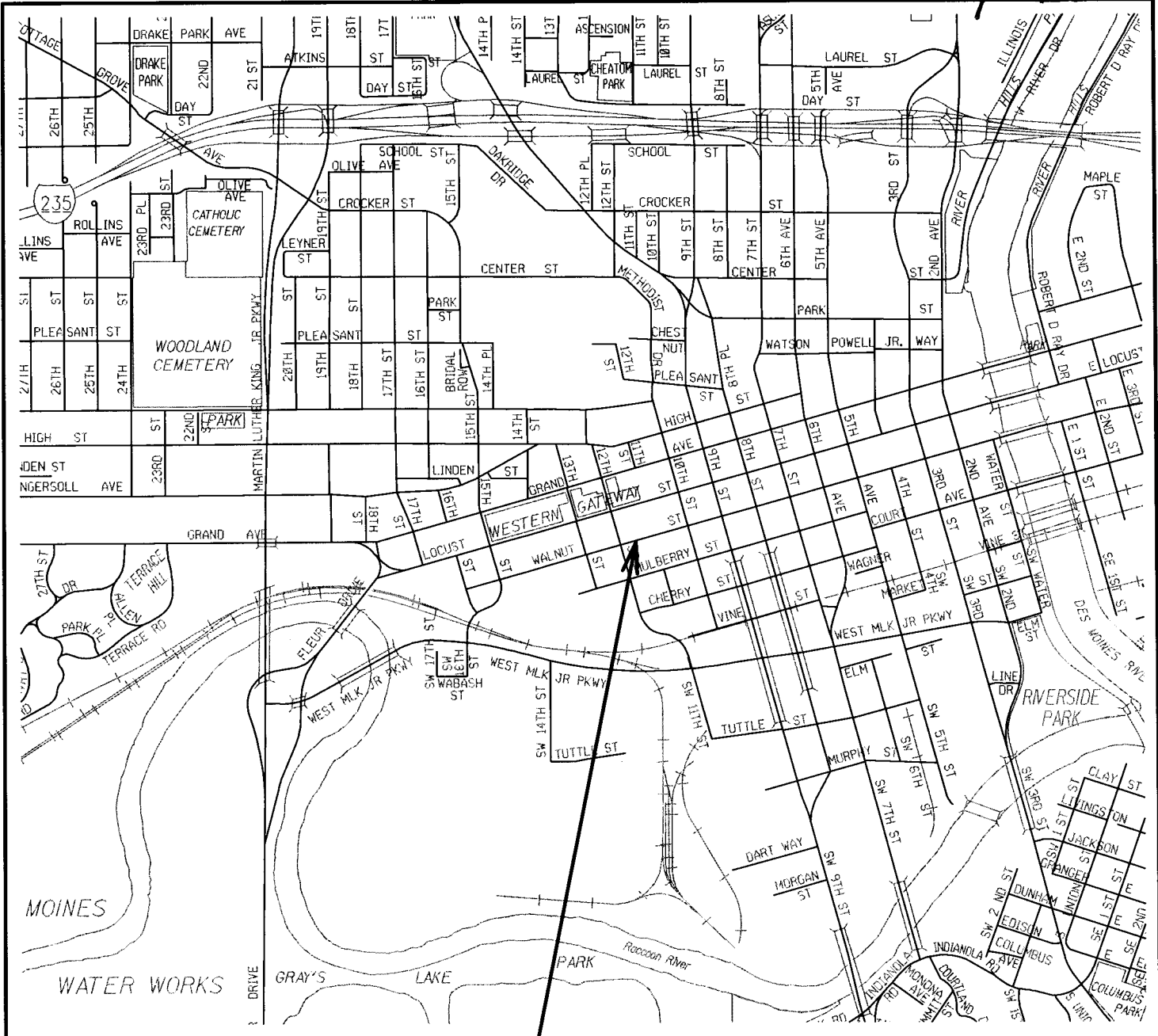
MOTION CARRIED

APPROVED

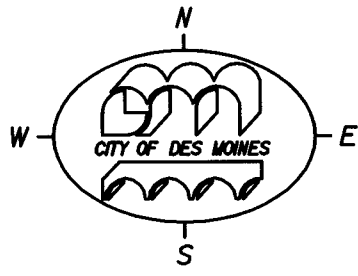
_____ Mayor

_____ City Clerk

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**PROJECT
LOCATION**



**SKYWALK BRIDGE 11C-11D
ACTIVITY I.D. 12-2006-007**

T:\ENG\Design\12\2006\007\Drawings\Loc_Map\SKYWALK LOC_MAP.DGN 27-NOV-2007 15:22

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PROJECT SUMMARY

Skywalk 11C-11D Activity ID 12-2006-007

On August 7, 2006 under Roll Call 06-1614 the City Council awarded a contract in the amount of \$556,000.00 to Ryan Companies US, Inc. for:

Skywalk 11C-11D, Allied Phase 2 to Allied Garage, Activity ID 12-2006-007

The improvement is construction of a Skywalk Bridge including steel fabrication and erection, curtain wall, concrete work, roofing, mechanical, electrical, HVAC, drywall, painting, floor coverings and finish work all accordance with the contract documents including Plan File Nos. 466-65/76 over Walnut Street east of 12th Street, Des Moines, IA.

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	11/13/2007 Substitute Air Barrier and Flashings.	Consultant	(\$3,885.00)
Original Contract Amount			\$556,000.00
Total Change Orders			(\$3,885.00)
Percent of Change Orders to Original Contract			-0.70%
Final Contract Amount			\$552,115.00

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December 17, 2007

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Skywalk 11C -11D, Allied Phase 2 to Allied Garage, Ryan Companies US, 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: \$552,115.00 As-Built Contract Cost

Funding Source: 2007-2008 CIP, Page Sidewalk-6, Downtown Skywalk System, SID094, Various Funding, Being:
\$146,464.44 in private funds from Nationwide and \$405,650.56 in TIF-backed G.O. Bonds

CERTIFICATION OF COMPLETION:

On August 7, 2006, under Roll Call No. 06-1614, the City Council awarded a contract to Ryan Companies US, Inc., James R. Ryan, CEO, 201 N Harison, Suite 400, Davenport, IA 52801 for the construction of the following improvement:

Skywalk 11C -11D, Allied Phase 2 to Allied Garage, 12-2006-007

The improvement includes construction of a Skywalk Bridge including steel fabrication and erection, curtain wall, concrete work, roofing, mechanical, electrical, HVAC, drywall, painting, floor coverings and finish work all in accordance with the contract documents including Plan File Nos. 466-65/76 over Walnut Street east of 12th Street, Des Moines, Iowa

I hereby certify that the construction of said Skywalk 11C -11D, Allied Phase 2 to Allied Garage, Activity ID 12-2006-007, 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 January 2, 2007, and was completed on December 7, 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, 1978, 1981
2003

I further certify that \$552,115.00 is the total cost of said improvement, of which \$524,509.26 has been paid the Contractor and \$0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$27,605.74 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

APPLICATION AND CERTIFICATE FOR PAYMENT

To: City of Des Moines
400 Robert D. Ray Drive
Des Moines, IA 50309-1814

PROJECT: Skywalk 11C-11D, Allied Phase 2 to Allied Garage

APPLICATION NO:

APPLICATION DATE: 11/6/2007
PERIOD FROM: N/A
PERIOD TO: N/A

ATTN: Mark Hutchens

FROM (CONTRACTOR): RYAN COMPANIES US, INC.
50 SOUTH TENTH STREET, SUITE 300
MINNEAPOLIS, MN 55403

Contract Number: 14211
Project Number: SID094

RYAN PROJECT NO: 1641-000

CONTRACT FOR: Skywalk 11C-11D

CONTRACTOR'S APPLICATION FOR PAYMENT

CHANGE ORDER SUMMARY		ADDITIONS	DEDUCTIONS
Change Orders approved in previous months by Owner			
TOTAL			
Approved This Month	0		3885
Number			
Date Approved			
1	November 1, 2007		
TOTALS		0	3,885
Net change by Change Orders			(3,885)

ORIGINAL CONTRACT SUM	\$556,000.00
Net change by Change Orders	-\$3,885.00
CONTRACT SUM TO DATE	\$552,115.00
TOTAL COMPLETED & STORED TO DATE	\$552,115.00
RETAINAGE (5%)	\$27,605.75
TOTAL EARNED LESS RETAINAGE	\$524,509.25
LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$524,509.25
CURRENT PAYMENT DUE	\$0.00
AMOUNT DUE FROM PREVIOUS APPLICATION #	
TOTAL AMOUNT DUE	\$0.00

12.11.
12/10/07

ARCHITECT: THREESIXTY ARCHITECTURE

By: Shawn T. King DATE: 11/08/07

CONTRACTOR: RYAN COMPANIES US, INC.

By: Mark Hutchens DATE: 11/9/07

State of: IOWA County of: Polk
Subscribed and sworn to before me this 8th day of November, 2007
Notary Public: Kristin Petersen
My Commission expires: 5/15/10



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CONTINUATION SHEET
 AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing
 Contractor's signed Certification is attached.
 In tabulations below, amounts are stated to the nearest dollar.
 Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NUMBER: 7
 APPLICATION DATE: 11/6/2007
 PERIOD FROM: N/A
 TO: N/A

A ITEM No.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D CHANGE ORDER	E REVISED VALUE	F PREVIOUS APPLICATIONS	G WORK COMPLETED		H This Application Stored Materials (not in D or E)	I Total Completed and Stored To Date (D+E+F)	J % (G/I)	K Balance To Finish (C-G)
						Work in Place	Stored Materials				
1	General Conditions	\$3,138.00	\$0.00	\$3,138.00	\$3,138.00	\$0.00	\$0.00	\$0.00	\$3,138.00	100.00%	\$0.00
2	Cast in Place Concrete	\$26,539.00	\$0.00	\$26,539.00	\$26,539.00	\$0.00	\$0.00	\$0.00	\$26,539.00	100.00%	\$0.00
3	Structural Steel Fabrication	\$99,850.00	\$0.00	\$99,850.00	\$99,850.00	\$0.00	\$0.00	\$0.00	\$99,850.00	100.00%	\$0.00
4	Structural Steel Erection	\$47,895.00	\$0.00	\$47,895.00	\$47,895.00	\$0.00	\$0.00	\$0.00	\$47,895.00	100.00%	\$0.00
5	Carpentry	\$700.00	\$0.00	\$700.00	\$700.00	\$0.00	\$0.00	\$0.00	\$700.00	100.00%	\$0.00
6	Roofing	\$17,320.00	\$0.00	\$17,320.00	\$17,320.00	\$0.00	\$0.00	\$0.00	\$17,320.00	100.00%	\$0.00
7	Glass and Glazing	\$209,000.00	\$0.00	\$209,000.00	\$209,000.00	\$0.00	\$0.00	\$0.00	\$209,000.00	100.00%	\$0.00
8	Gypsum Board Assemblies	\$55,965.00	\$0.00	\$55,965.00	\$55,965.00	\$0.00	\$0.00	\$0.00	\$55,965.00	100.00%	\$0.00
9	Carpet	\$10,733.00	\$0.00	\$10,733.00	\$10,733.00	\$0.00	\$0.00	\$0.00	\$10,733.00	100.00%	\$0.00
10	Painting	\$1,420.00	\$0.00	\$1,420.00	\$1,420.00	\$0.00	\$0.00	\$0.00	\$1,420.00	100.00%	\$0.00
11	Fire Protection	\$6,050.00	\$0.00	\$6,050.00	\$6,050.00	\$0.00	\$0.00	\$0.00	\$6,050.00	100.00%	\$0.00
12	HVAC Systems	\$48,350.00	\$0.00	\$48,350.00	\$48,350.00	\$0.00	\$0.00	\$0.00	\$48,350.00	100.00%	\$0.00
13	Electrical Systems	\$3,701.00	\$0.00	\$3,701.00	\$3,701.00	\$0.00	\$0.00	\$0.00	\$3,701.00	100.00%	\$0.00
14	Building Permit	\$3,585.00	\$0.00	\$3,585.00	\$3,585.00	\$0.00	\$0.00	\$0.00	\$3,585.00	100.00%	\$0.00
15	GL Insurance	\$1,583.00	\$0.00	\$1,583.00	\$1,583.00	\$0.00	\$0.00	\$0.00	\$1,583.00	100.00%	\$0.00
16	Performance Bond	\$4,240.00	\$0.00	\$4,240.00	\$4,240.00	\$0.00	\$0.00	\$0.00	\$4,240.00	100.00%	\$0.00
17	Overhead and Profit	\$15,931.00	\$0.00	\$15,931.00	\$15,931.00	\$0.00	\$0.00	\$0.00	\$15,931.00	100.00%	\$0.00
18	Design Revisions (C. O. #1)	\$0.00	-\$3,885.00	-\$3,885.00	-\$3,885.00	\$0.00	\$0.00	\$0.00	-\$3,885.00	100.00%	\$0.00
	Total	\$556,000.00	-\$3,885.00	\$552,115.00	\$552,115.00	\$0.00	\$0.00	\$0.00	\$552,115.00	100.00%	\$0.00