

DATE December 21, 2009

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR HICKMAN ROAD RESURFACING - 30TH STREET TO MERLE HAY ROAD, DES MOINES
ASPHALT & PAVING CO.**

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 Hickman Road Resurfacing - 30th Street to Merle Hay Road, 06-2007-003, in accordance with the contract approved between Des Moines Asphalt & Paving Co., James D. Gauger, President, P.O. Box 3365, 5550 NE 22nd Street, Suite 100, Des Moines, IA 50316, under Roll Call No. 07-915, of May 7, 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 \$1,478,955.39 is the total construction cost of which \$1453,953.60, has been paid to the Contractor, with a \$4,998.21 reimbursement from the Contractor for overpayment, and with a final partial payment of \$0.00 to be paid now, and the remaining balance of \$30,000.00 be paid at the end of thirty days, provided no claims or liens have been filed against said project, and provided that a release of this payment has been approved by the Iowa Department of Transportation through the Department of Engineering for the City of Des Moines, Iowa. Said Engineering Department shall not release this payment until all project audits have been completed, and any monetary penalties resulting from audit deficiencies shall be deducted from said balance of \$30,000.00 before being released to the Contractor.

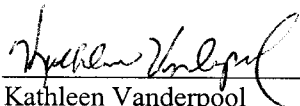
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such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

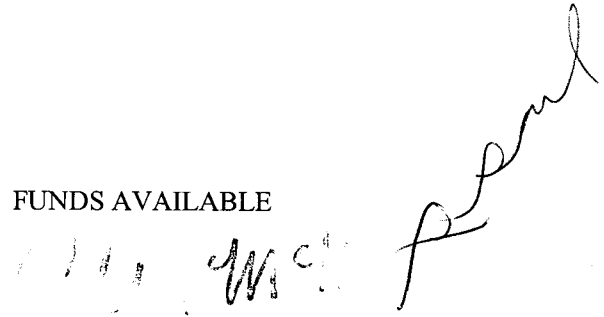
Moved by _____ to adopt.

FORM APPROVED:

FUNDS AVAILABLE



Kathleen Vanderpool
Deputy City Attorney



Allen McKinley
Des Moines Finance Director

★ **Roll Call Number**

Agenda Item Number

7B

DATE December 21, 2009

Funding Source: 2009-2010 CIP, Page Street-32, Rehabilitation and Preservation of Major Roadways, STR222, Various Funding, Being:

- \$536,000 in 80% Federal STP funds for construction costs for Beaver Avenue to Merle Hay Road only (max \$536,000) under STP-U-1945(725)--70-77 with \$297,817.15 in G. O. Bonds;
- \$360,000 in 80% Federal STP funds for construction costs from 30th Street to Beaver Avenue only (max \$360,000) under STP-U-1945(726)--70-77 with \$196,072.82 in G. O. Bonds; and
- \$70,000 in Traffic Safety Improvement Program funds for pavement markings installed with STP-U-1945(725 & 726)--70-77 under CS-TSF-1945(728)--85-77 (max \$70,000) with \$19,065.42 in G. O. Bonds

CS-TSF-1945(728)--85-77, STP-U-1945(725)--70-77, STP-U-1945(726)--70-77

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

MOTION CARRIED

APPROVED

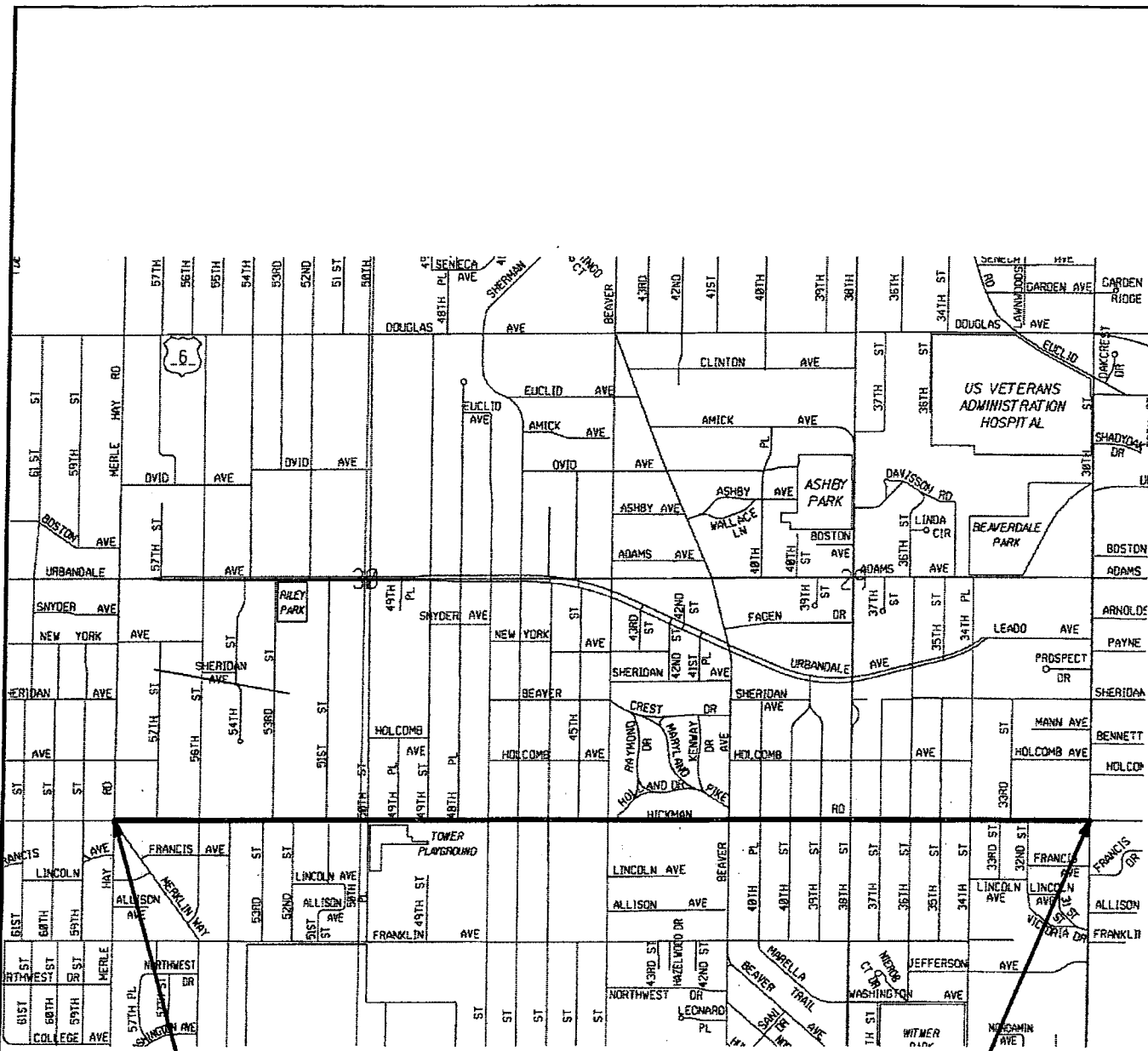
Mayor

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.

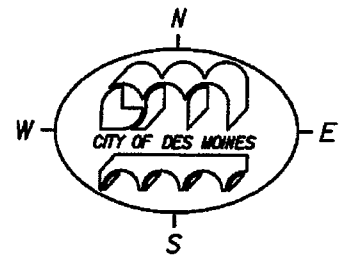
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

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END PROJECT
BEGIN PROJECT



HICKMAN ROAD RESURFACING (30TH ST. TO MERLE HAY RD.) ACTIVITY I.D. 06-2007-003

PROJECT SUMMARY

Hickman Rd. Resurfacing - 30th St. to MH

Activity ID 06-2007-003

The improvement includes patching of existing street, furnish and place 3 inches of hotmix asphalt, and furnish and place pavement markings, and other incidental items; in accordance with the contract documents, including Plan File Nos. 472-001/036 on Hickman Road from 30th Street to Merle Hay Road, Des Moines, Iowa.

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	8/20/2007 Increase base repair quantities on Hickman Road from Beaver Avenue to Merle Hay Road.	Engineering	\$113,776.02
2	8/20/2007 Increase base repair quantities on Hickman Road from 30th Street to Beaver Avenue.	Engineering	\$59,484.65
3	12/28/2007 Beaver Avenue to Merle Hay Road - raise manholes on Iowa DOT Project No. STP-U-1945(725)--70-77	Engineering	\$8,114.15
4	12/28/2007 30th Street to Beaver Avenue - raise manholes on Iowa DOT Project No. STP-U-1945(726)--70-77	Engineering	\$11,877.70
5	5/23/2008 Repair traffic signal cable and splices damaged by milling operations.	Engineering	\$500.00
6	5/22/2009 Adjust additional manhole castings to grade.	Engineering	\$15,527.03
7	10/22/2009 Adjust quantities to final agreed upon quantities.	Engineering	(\$24,283.06)

<u>Change Order No.</u>	<u>Description</u>	<u>Initiated By</u>	<u>Amount</u>
	Original Contract Amount		\$1,293,958.90
	Total Change Orders		\$184,996.49
	Percent of Change Orders to Original Contract		14.30%
	Final Contract Amount		\$1,478,955.39

December 21, 2009



CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Hickman Road Resurfacing - 30th Street to Merle Hay Road, Des Moines Asphalt & Paving Co..

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$1,478,955.39 As-Built Contract Cost

Funding Source: 2009-2010 CIP, Page Street-32, Rehabilitation and Preservation of Major Roadways, STR222, Various Funding, Being:

- \$536,000 in 80% Federal STP funds for construction costs for Beaver Avenue to Merle Hay Road only (max \$536,000) under STP-U-1945(725)--70-77 with \$297,817.15 in G. O. Bonds;
- \$360,000 in 80% Federal STP funds for construction costs from 30th Street to Beaver Avenue only (max \$360,000) under STP-U-1945(726)--70-77 with \$196,072.82 in G. O. Bonds; and
- \$70,000 in Traffic Safety Improvement Program funds for pavement markings installed with STP-U-1945(725 & 726)--70-77 under CS-TSF-1945(728)--85-77 (max \$70,000) with \$19,065.42 in G. O. Bonds

CERTIFICATION OF COMPLETION:

On May 7, 2007, under Roll Call No. 07-915, the City Council awarded a contract to Des Moines Asphalt & Paving Co., James D. Gauger, President, P.O. Box 3365, 5550 NE 22nd Street, Suite 100, Des Moines, IA 50316 for the construction of the following improvement:

Hickman Road Resurfacing - 30th Street to Merle Hay Road, 06-2007-003

The improvement includes patching of existing street, furnish and place 3 inches of hot mix asphalt, and furnish and place pavement markings, and other incidental items; in accordance with the contract documents, including Plan File Nos. 472-001/036 on Hickman Road from 30th Street to Merle Hay Road, Des Moines, Iowa

I hereby certify that the construction of said Hickman Road Resurfacing - 30th Street to Merle Hay Road, Activity ID 06-2007-003, 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 June 5, 2007, and was completed on December 14, 2009.

I further certify that \$1,478,955.39 is the total cost of said improvement, of which \$1,453,953.60 has been paid the Contractor, with a \$4,998.21 reimbursement from the Contractor for overpayment and \$0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$30,000.00 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

FOR WORK DONE FROM 10/02/08 to 12/15/09

FINAL PAYMENT (Partial Payment No. 6)

Proj. Nos: STP-U-1945(725/726)--70-77
Activity ID: 06-2007-003
12/15/2009

PROJECT: HICKMAN ROAD RESURFACING - MERLE HAY ROAD TO 30TH STREET
CONTRACTOR: DES MOINES ASPHALT & PAVING

LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
STP-U-1945(725)--70-77						
DIVISION 1 (SECTION 1)						
0010	Cleaning and Preparation of Base	MILE	1.26	1.26	1.26	\$3,000.00
0020	Patches, Full-Depth Repair	SY	872.64	1873.37	1873.37	\$76.83
0030	Patches, Partial-Depth Repair	SY	486.69	554.85	554.85	\$63.00
0040	Patches By Count (Repair)	EACH	73.00	308.00	308.00	\$190.82
0050	Pavement Scarification	SY	1633.79	2001.84	2001.84	\$16.00
0060	Median, PCC, 9"	SY	46.20	46.22	46.22	\$91.58
0070	HMA (10M ESAL) Intermediate, 1/2"	TON	2200.00	2666.18	2666.18	\$49.00
0080	HMA (10M ESAL) Surf, 1/2", Fric L-3	TON	4400.00	3672.22	3672.22	\$46.50
0090	Asphalt Binder, PG 64-28	TON	396.00	394.53	394.53	\$452.75
0100	Adjustment of Fixture	EACH	85.00	59.00	59.00	\$150.00
0110	Hot Mix Asphalt Pavement Sample	LS	1.00	1.00	1.00	\$3,000.00
0120	Intake, Type M-A	EACH	1.00	3.00	3.00	\$2,940.00
0130	Intake, Type M-F	EACH	1.00	1.00	1.00	\$5,355.00
0140	Removal of Intake and Utility Access	EACH	2.00	5.00	5.00	\$735.00
0150	Loop Detector (Addition Replacement to Existing System)	EACH	4.00	5.00	5.00	\$820.05
0160	Painted Pavement Marking, Waterborne/Solvent	EACH	409.90	371.72	371.72	\$9.18
0170	Traffic Control	LS	1.00	1.00	1.00	\$8,400.00
0180	Flaggers	DAY	10.00	15.00	15.00	\$265.00
0190	Mobilization	LS	1.00	1.00	1.00	\$9,200.00
8001	Raise Manhole	EACH	0.00	24.00	24.00	\$537.65
8002	Traffic Control	LS	0.00	1.00	1.00	\$2,200.00
8003	Traffic Control (Spring 2009)	LS	0.00	1.00	1.00	\$2,200.00
DIVISION 2 (SECTION 2)						
0200	Permanent Tape Marking, Profiled Pavement Marking Tape	STA	209.67	179.27	179.27	\$204.75
0210	Permanent Tape Marking, Intersection Marking Tape	STA	25.08	24.71	24.71	\$225.75
0220	Pre-Cut Symbol and Legend	STA	26.00	30.00	30.00	\$199.50

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LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
0230	Grooves Cut for Pavement Marking	EACH	234.75	203.98	203.98	\$2,998.51
0240	Grooves Cut for Symbols & Legends	EACH	26.00	30.00	30.00	\$1,890.00
STP-U-1945(726)--70-77						
DIVISION 1 (SECTION 3)						
0250	Cleaning and Preparation of Base	MILE	0.76	0.76	0.76	\$3,000.00
0260	Patches, Full-Depth Repair	SY	688.45	934.42	934.42	\$76.84
0270	Patches, Partial-Depth Repair	SY	124.45	265.85	265.85	\$63.00
0280	Patches By Count (Repair)	EACH	26.00	179.00	179.00	\$190.82
0290	Removal of Curb	STA	0.40	0.00	0.00	\$787.50
0300	Pavement Scarification	SY	1948.45	1970.43	1970.43	\$22.00
0310	Median, PCC, 9"	SY	135.10	134.67	134.67	\$91.58
0320	HMA (10M ESAL) Intermediate, 1/2"	TON	1400.00	1597.47	1597.47	\$50.00
0330	HMA (10M ESAL) Surf, 1/2", Fric L-3	TON	2800.00	2425.93	2425.93	\$46.50
0340	Asphalt Binder, PG 64-28	TON	252.00	229.81	229.81	\$452.75
0350	Adjustment of Fixture	EACH	38.00	25.00	25.00	\$150.00
0360	Hot Mix Asphalt Pavement Sample	LS	1.00	1.00	1.00	\$3,000.00
0370	Intake, Special, Area	EACH	1.00	1.00	1.00	\$2,835.00
0380	Intake, Type M-A	EACH	4.00	5.00	5.00	\$2,940.00
0390	Removal of Intake and Utility Access	EACH	5.00	6.00	6.00	\$735.00
0400	Removal of Sidewalk	SY	83.04	3.10	3.10	\$10.50
0410	Sidewalk, PCC, 6"	SY	83.04	41.93	41.93	\$106.64
0420	Detectable Warning - Curb Ramp	SF	32.00	60.00	60.00	\$26.25
0430	Curb, Doweled PCC, As Per Plan	LF	40.00	0.00	0.00	\$31.50
0440	Loop Detector (Addition Replacement to Existing System)	EACH	6.00	5.00	5.00	\$874.30
0450	Painted Pavement Marking, Waterborne/Solvent	STA	226.58	191.20	191.20	\$9.18
0460	Traffic Control	LS	1.00	1.00	1.00	\$13,020.00
0470	Flaggers	DAY	7.00	12.00	12.00	\$265.00
0480	Mobilization	LS	1.00	1.00	1.00	\$9,200.00
8001	Raise Manhole	EACH	0.00	18.00	18.00	\$537.65
8002	Traffic Control	LS	0.00	1.00	1.00	\$2,200.00
8003	Replace Traffic Signal Cable & Splices	LS	0.00	1.00	1.00	\$500.00
DIVISION 2 (SECTION 4)						
0490	Permanent Tape Marking, Profiled Pavement Marking Tape	STA	118.97	100.84	100.84	\$204.75
0500	Permanent Tape Marking, Intersection Marking Tape	STA	23.64	35.47	35.47	\$225.75
0510	Pre-Cut Symbol and Legend	STA	19.00	20.00	20.00	\$199.50
0520	Grooves Cut for Pavement Marking	EACH	142.61	136.31	136.31	\$14.70
0530	Groove Cut for Symbol and Legend	STA	19.00	20.00	20.00	\$63.00

LINE NO.	DESCRIPTION	UNIT	UNITS		CONSTRUCTED TO DATE	UNIT PRICE	TOTAL AMOUNT
			ESTIMATED	AUTHORIZED			
	TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS		\$1,478,955.39				
	PARTIAL PAYMENT #1		\$1,227,883.48				
	PARTIAL PAYMENT #2		\$135,935.06				
	PARTIAL PAYMENT #3		\$21,598.58				
	PARTIAL PAYMENT #4		\$22,367.55				
	PARTIAL PAYMENT #5		\$46,168.93				
	THIS PARTIAL PAYMENT		\$0.00				
	TOTAL PARTIAL PAYMENTS		\$1,453,953.60				
	BALANCE		\$25,001.79				
	TOTAL						\$1,478,955.39
	RETAINAGE						\$30,000.00
	REIMBURSEMENT*						\$4,998.21
	TOTAL LESS RETAINAGE PLUS REIMBURSEMENT						\$1,453,953.60
	LESS PREVIOUS PAYMENT						\$1,453,953.60
	AMOUNT DUE						\$0.00

PREPARED BY: *Matthew Beck*

CHECKED BY: *[Signature]*

FINAL PAYMENT (Partial Payment No. 6)

* Reimbursement from contractor for overpayment (Check # 75825)

DIVISION 1 (SECTION 1) STP-U-1945(725)--70-77 Roadway Items - West of Beaver Ave	TOTAL	\$833,817.15	Max IDOT Reimbursement \$536,000.00
	RETAINAGE	\$16,913.64	
	TOTAL LESS RETAINAG	\$816,903.51	
	LESS PREVIOUS PAYME	\$819,721.44	
	REIMBURSEMENT*	\$2,817.93	
	AMOUNT DUE	\$0.00	
DIVISION 2 (SECTION 2) STP-U-1945(725)--70-77 Pavement Marking Items - West of Beaver Ave Funded by CS-TSF-1945(728)--85-77	TOTAL	\$53,157.32	Max IDOT Reimbursement \$42,000.00
	RETAINAGE	\$1,078.27	
	TOTAL LESS RETAINAG	\$52,079.05	
	LESS PREVIOUS PAYME	\$52,258.70	
	REIMBURSEMENT*	\$179.65	
	AMOUNT DUE	\$0.00	
DIVISION 1 (SECTION 3) STP-U-1945(726)--70-77 Roadway Items - East of Beaver Ave	TOTAL	\$556,072.82	Max IDOT Reimbursement \$360,000.00
	RETAINAGE	\$11,279.71	
	TOTAL LESS RETAINAG	\$544,793.11	
	LESS PREVIOUS PAYME	\$546,672.39	
	REIMBURSEMENT*	\$1,879.28	
	AMOUNT DUE	\$0.00	
DIVISION 2 (SECTION 4) STP-U-1945(726)--70-77 Pavement Marking Items - East of Beaver Ave Funded by CS-TSF-1945(728)--85-77	TOTAL	\$35,908.10	Max IDOT Reimbursement \$28,000.00
	RETAINAGE	\$728.38	
	TOTAL LESS RETAINAG	\$35,179.72	
	LESS PREVIOUS PAYME	\$35,301.07	
	REIMBURSEMENT*	\$121.35	
	AMOUNT DUE	\$0.00	
PROJECT TOTALS			
TOTAL	\$1,478,955.39		
RETAINAGE	\$30,000.00		
TOTAL LESS RETAINAG	\$1,448,955.39		
LESS PREVIOUS PAYME	\$1,453,953.60		
REIMBURSEMENT*	\$4,998.21		
	AMOUNT DUE	\$0.00	