

DATE December 22, 2008

ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT FOR 2008 SIDEWALK REPLACEMENT PROGRAM, TI-ZACK CONCRETE, 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 2008 Sidewalk Replacement Program, 09-2008-002, in accordance with the contract approved between Ti-Zack Concrete, Inc., Steve J. Rutt, President, 39352 221st Avenue, LeCenter, MN 56057, under Roll Call No. 08-1370, of July 28, 2008, 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 \$254,835.84 is the total cost, of which \$217,725.13 has been paid the Contractor, and \$24,368.92 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$12,741.79 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.

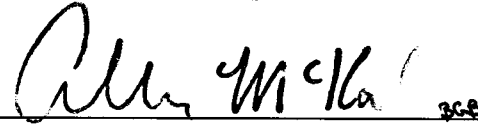
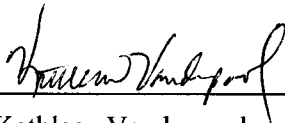
BE IT FURTHER RESOLVED: That the Engineering Department be and is hereby authorized and directed to notify all persons and firms with outstanding Chapter 573 claims against said project, that the project has been given final acceptance as completed by this City Council, that they have 60 days from such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

M Funding Source: 2008-2009 CIP, Page Sidewalk-5, City-wide Sidewalk Replacement, STR084, G. O. Bonds

Roll Call Number

★

Agenda Item Number

10D

Date December 22, 2008

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

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PROJECT SUMMARY

2008 Sidewalk Replacement Program

Activity ID 09-2008-002

On July 28, 2008, under Roll Call No. 08-1370, the City Council awarded the contract for the above improvements to Ti-Zack Concrete, Inc., in the amount of \$229,190.00, to reconstruct Class 'A' and Class 'B' Portland cement concrete sidewalks four(4) inches thick (six(6) inches thick at driveways), together with all necessary appurtenances; in accordance with the contract documents at:

Various locations City-wide. Sidewalks will be replaced at locations inspected by Public Works and replacement of all sidewalks approved by City Council by separate action. Handicapped accessible ramps will also be constructed in the vicinity where sidewalks will be replaced.

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	10/17/2008 To add sidewalk along 2nd Avenue from Euclid Avenue to Aurora Avenue.	Engineering	\$20,079.00
2	12/1/2008 As-Built change order to adjust quantities.	Engineering	\$5,566.84
Original Contract Amount			\$229,190.00
Total Change Orders			\$25,645.84
Percent of Change Orders to Original Contract			11.19%
Final Contract Amount			\$254,835.84

107D

December 22, 2008

CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the 2008 Sidewalk Replacement Program, Ti-Zack Concrete, 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: \$254,835.84 As-Built Contract Cost

Funding Source: 2008-2009 CIP, Page Sidewalk-5, City-wide Sidewalk Replacement, STR084, G. O. Bonds

CERTIFICATION OF COMPLETION:

On July 28, 2008, under Roll Call No. 08-1370, the City Council awarded a contract to Ti-Zack Concrete, Inc., Steve J. Rutt, President, 39352 221st Avenue, LeCenter, MN 56057 for the construction of the following improvement:

2008 Sidewalk Replacement Program, 09-2008-002

The improvement includes reconstruction of Class A and Class B Portland cement concrete sidewalks four (4) inches thick, (six (6) inches thick at driveways), together with all appurtenances; in accordance with the contract documents at various locations City-wide. Sidewalk will be replaced at locations inspected by the Public Works Department. Handicapped accessible ramps will also be constructed in the vicinity where sidewalks will be replaced.

I hereby certify that the construction of said 2008 Sidewalk Replacement Program, Activity ID 09-2008-002, 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 September 24, 2008, and was completed on December 8, 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

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I further certify that \$254,835.84 is the total cost of said improvement, of which \$217,725.13 has been paid the Contractor and \$24,368.92 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$12,741.79 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

