

DATE October 25, 2010

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR COWNIE SOCCER FIELDS IMPROVEMENTS - PHASE 3, ELDER CORPORATION**

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 Cownie Soccer Fields Improvements - Phase 3, 11-2009-010, in accordance with the contract approved between Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA 50327, under Roll Call No. 09-1043, of June 8, 2009, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

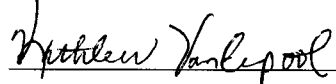
BE IT FURTHER RESOLVED: That \$898,054.51 is the total cost, of which \$798,442.15 has been paid the Contractor, and \$54,709.63 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$44,902.73 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code Chapter 573.

BE IT FURTHER RESOLVED: That the 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.

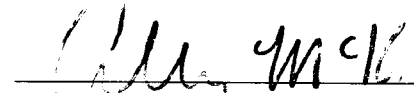
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.


Moved by _____ to adopt.

FORM APPROVED:


Kathleen Vanderpool
Deputy City Attorney

FUNDS AVAILABLE


Allen McKinley
Des Moines Finance Director

 Funding Source: 20120-2011 CIP, Page Park-23, Soccer Complex, PKS159, G. O. Bonds

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|----------|------|------|--------|
| COWNIE | | | | |
| COLEMAN | | | | |
| GREISS | | | | |
| HENSLEY | | | | |
| MAHAFFEY | | | | |
| MEYER | | | | |
| MOORE | | | | |
| TOTAL | | | | |
| MOTION CARRIED | APPROVED | | | |

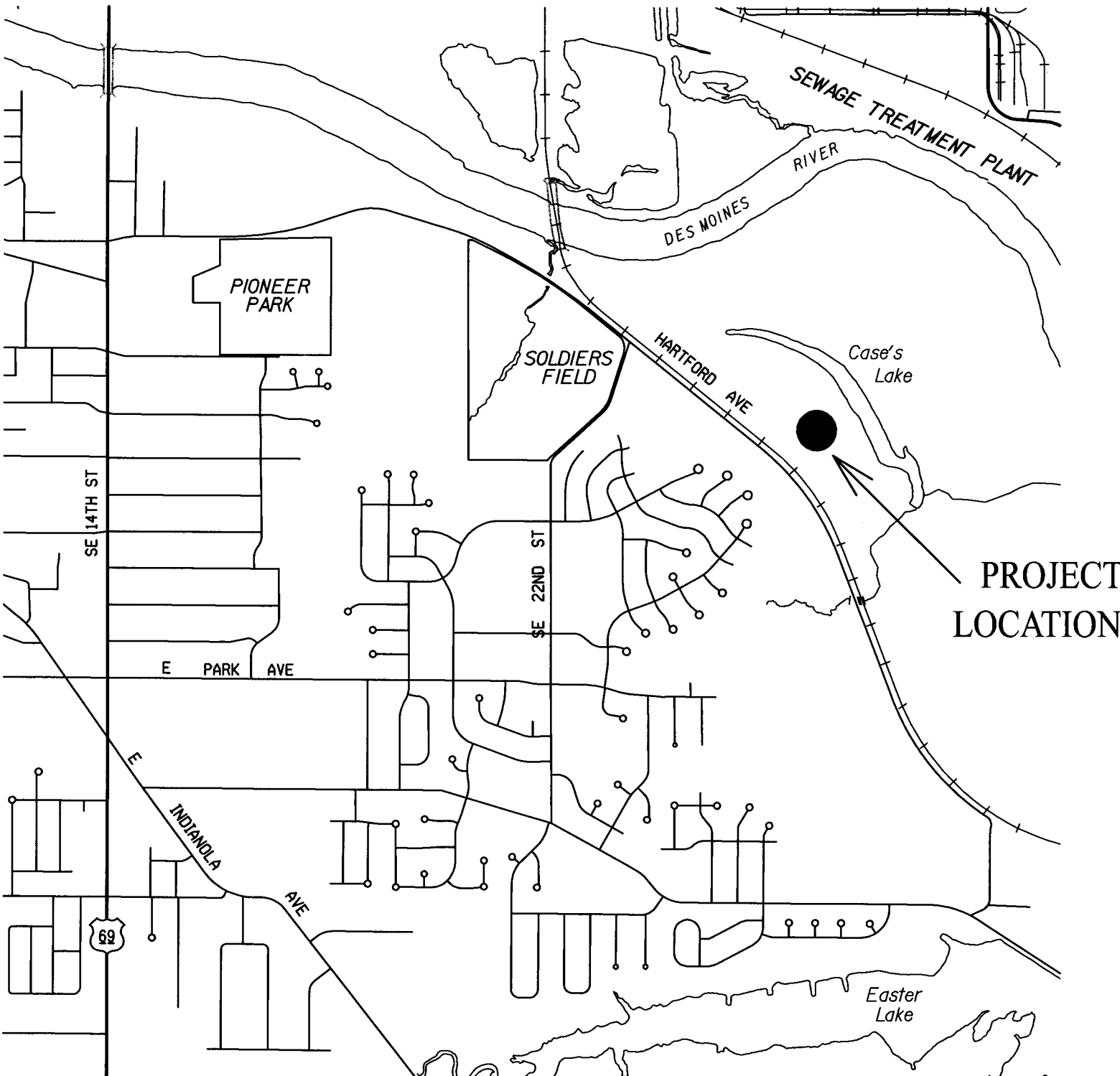
CERTIFICATE

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.

Mayor

City Clerk



COWNIE SOCCER FIELDS IMPROVEMENTS - PH. 3

ACT ID 11-2009-010

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PROJECT SUMMARY

Cownie Soccer Fields Impr. - Ph. 3

Activity ID 11-2009-010

On June 8, 2009, under Roll Call No. 09-1043, the City Council awarded the contract for the above improvements to Elder Corp., in the amount of \$709,999.99 to make drainage improvements at the Cownie Soccer Complex.

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 | 9/14/2009 Install 2" drain tiles on fields 8, 10, 11, and 12 | User | \$71,720.00 |
| 2 | 10/26/2009 Repair damage to fields 8 and 10 from horses. | User | \$90,420.00 |
| 3 | 12/15/2009 Construct service road. Modify fence. Repair elec. Lines, purchase sod, locate veins and upgrade irrigation system. | Contractor | \$17,628.35 |
| 4 | 4/21/2010 Provide sod and roller. | User | \$10,111.75 |
| 5 | Adjust contract item amounts to as-built quantities. Supply sod, move soil, modify irrigation system. | Engineering | (\$1,825.58) |
| Original Contract Amount | | | \$709,999.99 |
| Total Change Orders | | | \$188,054.52 |
| Percent of Change Orders to Original Contract | | | 26.49% |
| Final Contract Amount | | | \$898,054.51 |

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October 25, 2010

CERTIFICATION OF COMPLETION



AGENDA HEADING:

Accepting completed construction and approving final payment for the Cownie Soccer Fields Improvements - Phase 3, Elder Corporation.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$898,054.51 As-Built Contract Cost

Funding Source: 20120-2011 CIP, Page Park-23, Soccer Complex, PKS159, G. O. Bonds

CERTIFICATION OF COMPLETION:

On June 8, 2009, under Roll Call No. 09-1043, the City Council awarded a contract to Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA 50327 for the construction of the following improvement:

Cownie Soccer Fields Improvements - Phase 3, 11-2009-010

The improvement includes earthwork, sodding, subdrain installation, drainage improvements and restoration; all in accordance with the contract documents, including Plan File Nos. 504-001/008 at the Cownie Soccer Complex, 2200 E. Hartford Avenue, Des Moines, Iowa

I hereby certify that the construction of said Cownie Soccer Fields Improvements - Phase 3, Activity ID 11-2009-010, 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 15, 2009, and was completed on October 12, 2010.

I further certify that \$898,054.51 is the total cost of said improvement, of which \$798,442.15 has been paid the Contractor and \$54,709.63 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$44,902.73 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.

A handwritten signature in black ink, appearing to read "Jeb E. Brewer". The signature is fluid and cursive, with a small flourish at the end.

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

ESTIMATE OF CONSTRUCTION COMPLETED
FOR WORK DONE FROM 7/15/10 TO 10/4/10
PARTIAL PAYMENT NO. 7(FINAL)

ACTIVITY ID: 11-2009-010

DATE: 10/4/10

PROJECT: COWNIE SOCCER FIELDS IMPROVEMENTS - PH. 3
CONTRACTOR: ELDER CORP.

PARTIAL PAYMENT NO. 7(FINAL)

| LINE NO. | DESCRIPTION | UNIT | UNITS | | | CONSTRUCTED TO DATE | UNIT PRICE | TOTAL AMOUNT |
|----------|--|------|-----------|------------|--|---------------------|-------------|--------------|
| | | | ESTIMATED | AUTHORIZED | | | | |
| 1 | GRADING (PER FIELD) | EACH | 5 | 5 | | 5,000 | \$18,000.00 | \$90,000.00 |
| 2 | SOD - FIELDS 8, 10, 11, 12 | SQ | 4100 | 4100 | | 3,898,000 | \$29.25 | \$114,016.50 |
| 3 | SOD - FIELD 9 | SQ | 1100 | 1100 | | 1,287,000 | \$38.50 | \$49,549.50 |
| 4 | SOD - BETWEEN FIELDS | SQ | 1600 | 1600 | | 155,000 | \$14.40 | \$2,332.00 |
| 5 | TURF DRAINAGE SYSTEM (PER FIELD) | EACH | 4 | 4 | | 4,000 | \$30,500.00 | \$122,000.00 |
| 6 | SUBDRAIN, 6" | LF | 3800 | 3800 | | 3,534,000 | \$10.05 | \$35,516.70 |
| 7 | SUBDRAIN, 8" | LF | 700 | 700 | | 674,000 | \$26.75 | \$18,029.50 |
| 8 | IRRIGATION SYSTEM PLUMBING (PER FIELD) | EACH | 5 | 5 | | 5,000 | \$6,500.00 | \$32,500.00 |
| 9 | IRRIGATION SYSTEM ELECTRICAL CONTROLS | LS | 1 | 1 | | 1,000 | \$17,000.00 | \$17,000.00 |
| 10 | INTAKE CONNECTION | EACH | 20 | 20 | | 19,000 | \$154.50 | \$2,935.50 |
| 11 | IRRIGATION SYSTEM, MISC. | LS | 1 | 1 | | 1,000 | \$3,100.00 | \$3,100.00 |
| 12 | EROSION CONTROL | LS | 1 | 1 | | 1,000 | \$3,100.00 | \$3,100.00 |
| 13 | SAND (USGA) | TON | 400 | 400 | | 798,430 | \$18.00 | \$14,371.74 |
| 14 | LOWER IRRIGATION LINE (PER FIELD) | EACH | 2 | 2 | | 4,000 | \$520.00 | \$2,080.00 |
| 15 | RELOCATE EAST-WEST IRR. LINE | EACH | 5 | 5 | | 10,000 | \$520.00 | \$5,200.00 |
| 16 | 2" SUBDRAIN (FIELD 9) | LS | 1 | 1 | | 1,000 | \$64,459.99 | \$64,459.99 |
| 17 | SAND CAP (FIELD 9) | TON | 2,300,000 | 2,300,000 | | 2,486,000 | \$52.50 | \$130,515.00 |
| 18 | UTILITY LOCATES | LS | 1,000 | 1,000 | | 1,000 | \$930.00 | \$930.00 |
| CO 1.01 | 2" DRAIN TILES | EA | 4,000 | 4,000 | | 4,000 | \$17,930.00 | \$71,720.00 |
| CO 2.01 | STRIP SOD | SQ | 1,500,000 | 1,500,000 | | 1,343,000 | \$15.00 | \$20,145.00 |
| CO 2.02 | RE-GRADE FIELDS (LASER GRADE) | SQ | 1,500,000 | 1,500,000 | | 1,343,000 | \$5.00 | \$6,715.00 |
| CO 2.03 | SOD | SQ | 1,500,000 | 1,500,000 | | 1,343,000 | \$30.00 | \$40,290.00 |
| CO 2.04 | MOBILIZATION (3 SUBCONTRACTORS) | LS | 1,000 | 1,000 | | 0.619 | \$7,200.00 | \$4,456.80 |
| CO 2.05 | PRIME CONTRACTOR OVERHEAD & INSURANCE | LS | 1,000 | 1,000 | | 0.872 | \$8,220.00 | \$7,167.84 |
| CO 3.01 | CONSTRUCT SERVICE ROAD | LS | 1,000 | 1,000 | | 1,000 | \$6,435.00 | \$6,435.00 |
| CO 3.02 | MODIFY CHAIN LINK FENCE | LS | 1,000 | 1,000 | | 1,000 | \$1,171.85 | \$1,171.85 |
| CO 3.03 | REPAIR ELEC. LINE | LS | 1,000 | 1,000 | | 1,000 | \$1,912.00 | \$1,912.00 |
| CO 3.04 | PURCHASE SOD ROLLS | LS | 1,000 | 1,000 | | 1,000 | \$1,870.00 | \$1,870.00 |
| CO 3.05 | LOCATE SAND VEINS | LS | 1,000 | 1,000 | | 1,000 | \$3,305.50 | \$3,305.50 |
| CO 3.06 | IRRIGATION UPGRADES | LS | 1,000 | 1,000 | | 1,000 | \$2,934.00 | \$2,934.00 |
| CO4.01 | SOD PALLETS, MATERIAL ONLY | SQ | 400,000 | 400,000 | | 305,000 | \$14.85 | \$4,529.25 |
| CO4.02 | SOD DELIVERY | EA | 6,000 | 6,000 | | 3,000 | \$550.00 | \$1,650.00 |

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PROJECT: COWNIE SOCCER FIELDS IMPROVEMENTS - PH. 3
 CONTRACTOR: ELDER CORP.

PARTIAL PAYMENT NO. 7 (FINAL)

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| LINE NO. | DESCRIPTION | UNIT | UNITS | | UNIT PRICE | TOTAL AMOUNT |
|----------|---|------|-----------|------------|--------------|--------------|
| | | | ESTIMATED | AUTHORIZED | | |
| CO4.03 | SOD ROLLER | EA | 1.000 | 1.000 | \$871.75 | \$871.75 |
| CO5.01 | STENSLAND SOD | SQ | 1.000 | 1.000 | \$935.00 | \$935.00 |
| CO5.02 | MOVE TOPSOIL PILE | LS | 1.000 | 1.000 | \$700.00 | \$700.00 |
| CO5.03 | IRRIGATION MODIFICATIONS | LS | 1.000 | 1.000 | \$13,709.09 | \$13,709.09 |
| CO 5 | ADJUST CONTRACT ITEM AMOUNTS TO AS-BUILT QUANTITIES | | | | | |
| | TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS | | | | \$898,054.51 | |
| | PARTIAL PAYMENT NO. 1 | | | | \$101,976.32 | |
| | PARTIAL PAYMENT NO. 2 | | | | \$314,223.14 | |
| | PARTIAL PAYMENT NO. 3 | | | | \$100,676.25 | |
| | PARTIAL PAYMENT NO. 4 | | | | \$145,526.98 | |
| | PARTIAL PAYMENT NO. 5 | | | | \$93,503.21 | |
| | PARTIAL PAYMENT NO. 6 | | | | \$42,536.25 | |
| | THIS PARTIAL PAYMENT | | | | \$54,709.63 | |
| | TOTAL PARTIAL PAYMENTS | | | | \$853,151.78 | |
| | BALANCE | | | | \$44,902.73 | |
| | Percent Complete | 100% | | | | |
| | TOTAL | | | | | \$898,054.51 |
| | RETAINAGE | | | | | \$44,902.73 |
| | TOTAL LESS RETAINAGE | | | | | \$853,151.78 |
| | LESS PREVIOUS PAYMENT | | | | | \$798,442.15 |
| | AMOUNT DUE | | | | | \$54,709.63 |

PARTIAL PAYMENT NO. 7 (FINAL)

PREPARED BY: 

CHECKED BY: 