★ **Roll Call Number**

Date ....October 25, 2010.....

APPROVING EXTENSION OF TIME ON PRINCIPAL RIVERWALK
WALNUT STREET TO GRAND AVENUE, WEST SIDE

WHEREAS, Elder Corporation, Jared R. Elder II, President, 5088 E. University Avenue, Des Moines, IA, 50327, contractor for the Principal Riverwalk - Walnut Street to Grand Avenue, West Side, has requested an extension to July 31, 2011, for all work except landscaping and October 31, 2011 for all landscape work subject to Iowa Department of Transportation requirements due to delays caused by significant weather events and high water levels that have prevented storm sewer work, and
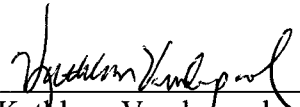
WHEREAS, the City Engineer has reviewed the request from Elder Corporation, and recommends that the City Council approve a completion date extension to July 31, 2011 for all work except landscaping and October 31, 2011, for all landscape work subject to Iowa Department of Transportation requirements, for completion of the project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the City Council receive and file the communication from Elder Corporation, accepts the City Engineer's recommendation, and hereby grants Elder Corporation, an extension of time as recommended by the City Engineer.

(Council Communication Number *10-635* attached)

Activity ID 11-2009-011

Moved by _____ to adopt.

FORM APPROVED:

Kathleen Vanderpool
Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
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

ELDER
CORPORATION

October 18, 2010

City of Des Moines Engineering
Attn: Pam Cooksey
400 Robert D Ray Drive
Des Moines, IA 50309

Re: Principal Riverwalk- Walnut Street to Grand Avenue
    Des Moines, IA
    Project No: ESL-1945-(759)—7S-77
    Contract ID: 77-1945-759

To whom it may concern:

Elder Corporation is sending this letter to request that the city of Des Moines consider extending the completion date for the above mentioned project.

Elder Corporation believes that the significant weather events and high water levels have made the completion date set forth in the contract impossible to comply with.

Although progress has been made on this project during the significant weather events, critical items on the schedule have been impossible to complete such as the storm sewer portion of the work. Revised Plans (ITC004) require that we connect the 12" DIP into the existing storm sewer at elevation 5.00 (Existing Flow Line of 96" Sewer). The Attached Graph clearly shows that the river elevations have been higher than this elevation since early March of 2010. River Elevations have peaked at 15' above this elevation several times during the construction season. Initially this work was scheduled to be completed in May of 2010. This item was the controlling item for everything on the project with the exception of the PCC Walls and the Stone Veneer. The PCC Walls and the most of the Brick Veneer were installed during this period.
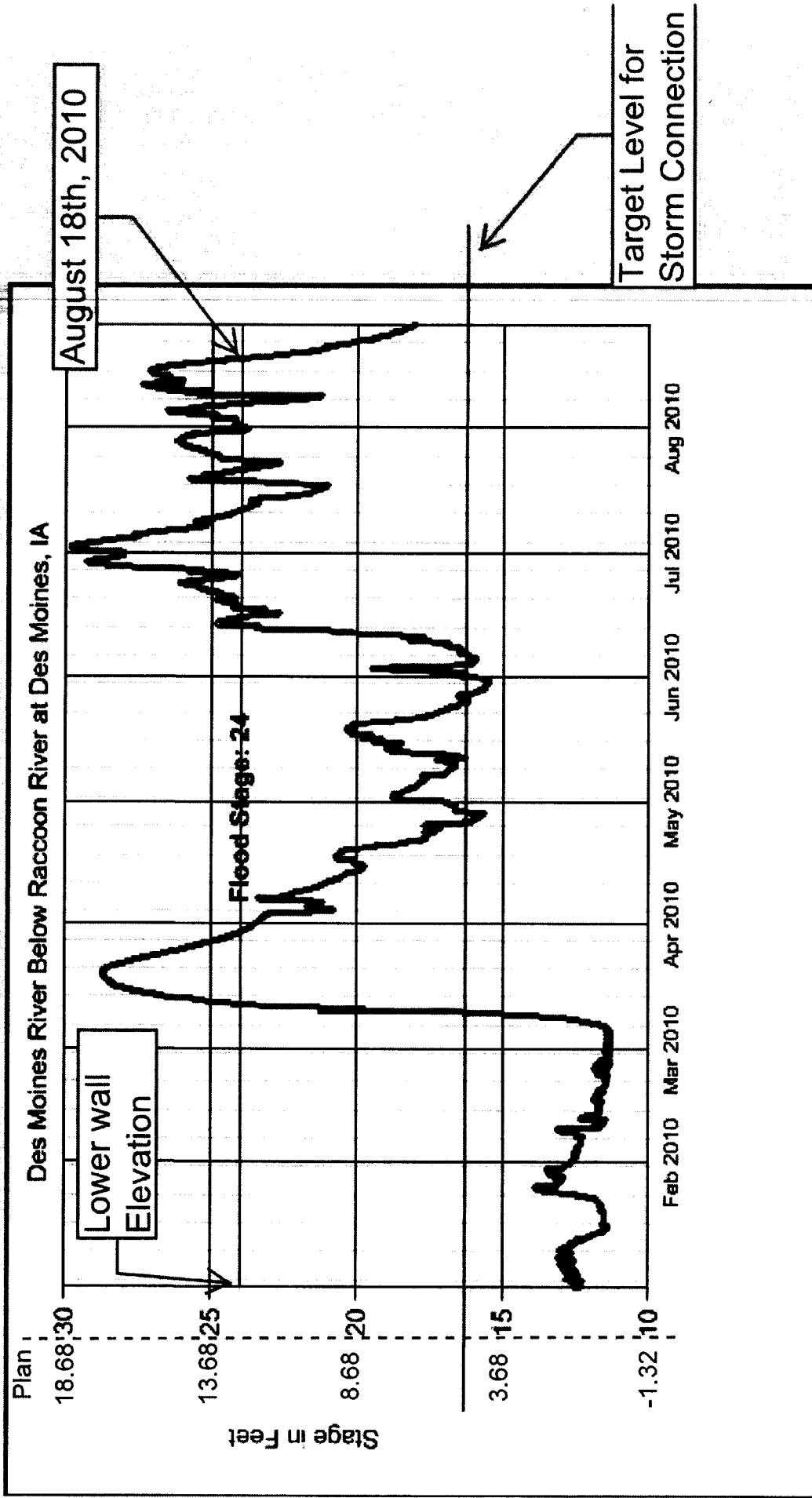
As of October 18, 2010, Elder Corporation is optimistic that we will hit our target river elevation around the 1st of November, and we will be able to re-start our construction sequencing after being delayed for over 7 months.

As a result of the delay, Elder Corporation does not feel that they can complete the contract before the completion dates set forth in the contract.

Elder Corporation is requesting that the completion date should be revised to July 31st, 2011 for all work except landscaping and October 31, 2011 for all landscape work with IDOT spec for seeding/sod time limitations to apply

Sincerely,

Brent Thompson
Project Manager

9

Des Moines River Below Raccoon River at Des Moines, IA

Plan:

Stage in Feet

Target Level for
Storm Connection

August 18th, 2010

Flood Stage: 24

Lower wall
Elevation

Stage in Feet	Date
18.68	30
13.68	25
8.68	20
3.68	15
-1.32	10

Feb 2010 Mar 2010 Apr 2010 May 2010 Jun 2010 Jul 2010 Aug 2010