

DATE December 20, 2010

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT  
FOR 2201 FOREST AVENUE CONTAMINATED SOIL REMOVAL, 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 2201 Forest Avenue Contaminated Soil Removal, 04-2010-013, 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. 10-694, of May 10, 2010, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

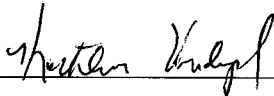
BE IT FURTHER RESOLVED: That \$52,499.35 is the total cost, of which \$48,050.38 has been paid the Contractor, and \$1,824.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$2,624.97 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code Chapter 573.

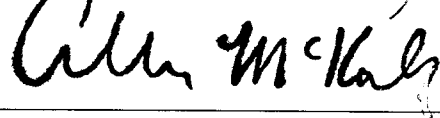
BE IT FURTHER RESOLVED: That the Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:


FUNDS AVAILABLE





Kathleen Vanderpool  
Deputy City Attorney

Allen McKinley  
Des Moines Finance Director

 Funding Source: Operating Budget, Page 70, CDD-Forest Avenue Redevelopment, CDBG2004034, Being: CDBG funds for payment of 100% of the contract cleanup cost.

HUD CDBG Funding

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GREISS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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.

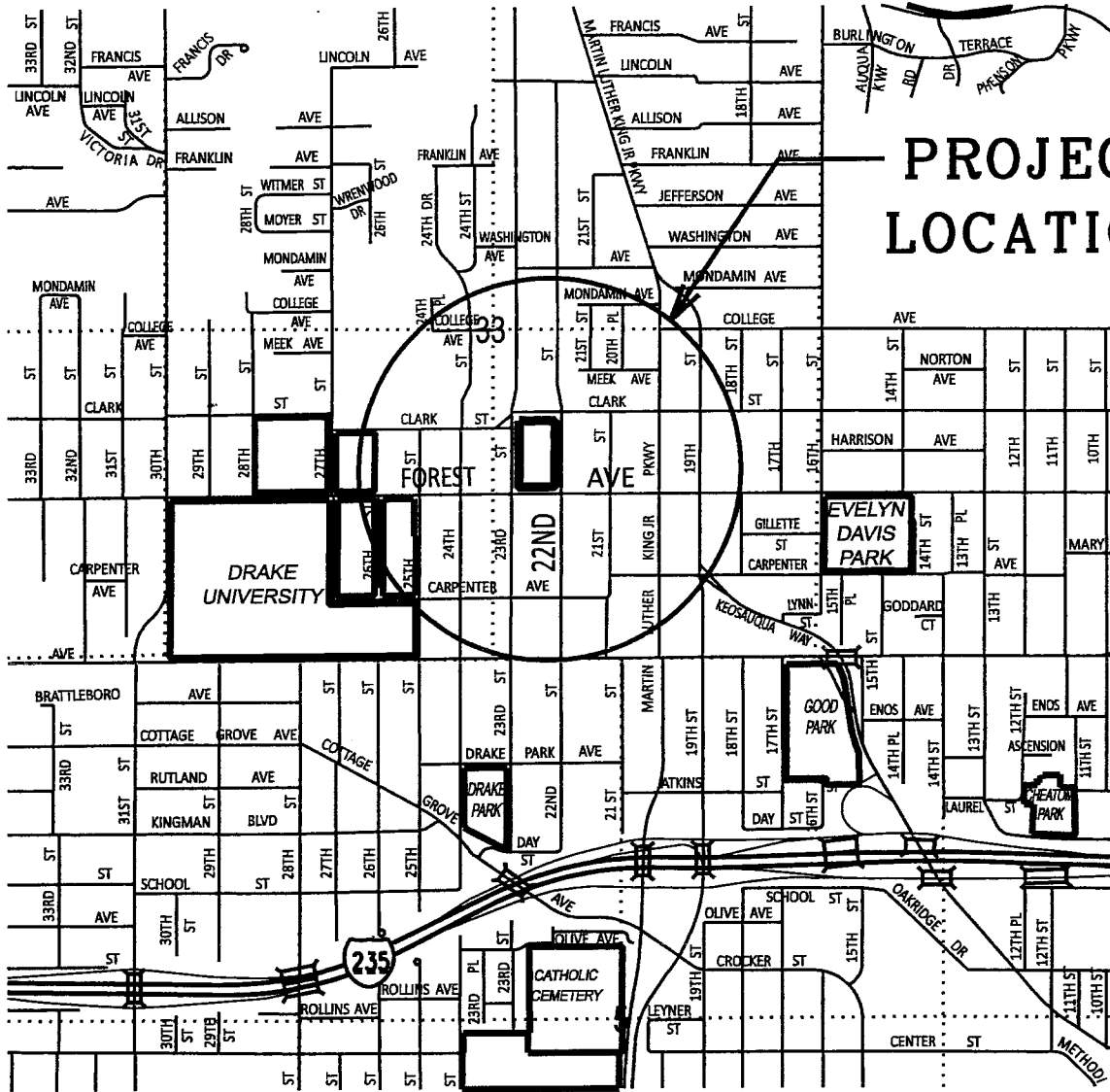
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

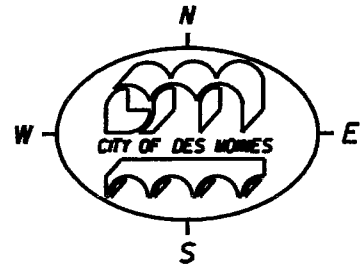
\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

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**PROJECT  
LOCATION**



**2201 FOREST AVENUE  
CONTAMINATED  
SOIL REMOVAL  
ACTIVITY ID 04-2010-013**

#file-dcase#

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# PROJECT SUMMARY

2201 Forest Ave. Contaminated Soil Rem.  
Activity ID 04-2010-013

On May 10, 2010, under Roll Call No. 10-694, the City Council awarded the contract for the above improvements to Elder Corp., in the amount of \$31,450.00 to remove contaminated soil at 2201 Forest Avenue.

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	7/28/2010 Adjust contract item amounts to as-built quantities. Remove contaminated ground water and old footings.	Engineering	\$19,129.35
2	11/3/2010 Sample ground water and provide site visits.	Contractor	\$1,920.00
<b>Original Contract Amount</b>			\$31,450.00
<b>Total Change Orders</b>			\$21,049.35
<b>Percent of Change Orders to Original Contract</b>			66.93%
<b>Final Contract Amount</b>			\$52,499.35

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Pending

**ENGINEERING DEPARTMENT  
CITY OF DES MOINES, IOWA**

Date: 10/21/2010

CHANGE ORDER AGREEMENT NO. 2

INITIATED BY:

Contractor: Elder Corp.

Contractor

Project: 2201 Forest Ave. Contaminated Soil Rem.

Activity ID: 04-2010-013

Subproject:

Activity ID:

**DESCRIPTION OF CHANGE ORDER AND PURPOSE**

Provide additional site visits for soil evaluation and sample ground water.

**SETTLEMENT FOR COST OF CHANGED WORK**

**B . ITEMS FOR WHICH CONTRACT UNIT PRICES ARE NOT ESTABLISHED:**

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>UNITS</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
2.01	WATER SAMPLE	1.000 EA	\$80.00	\$80.00
2.02	SITE VISIT	16.000 HR	\$70.00	\$1,120.00
2.03	ENVIRONMENTAL PROJECT MANAGEMENT	8.000 HR	\$90.00	\$720.00
<b>NET CHANGE PART B</b>				\$1,920.00
<b>TOTAL</b>				\$1,920.00

<b>Original Contract Amount</b>	<b>\$31,450.00</b>
<b>Previously Authorized Change Orders</b>	<b>\$19,129.35</b>
<b>Amount of Change By This Change Order</b>	<b>\$1,920.00</b>
<b>New Contract Amount Including This Change Order</b>	<b>\$52,499.35</b>
<b>Percentage of Change Orders to Original Contract</b>	<b>66.93%</b>

\_\_\_\_\_  
*David McGuffin, City Project Manager*      *Date*

\_\_\_\_\_  
*Jeb E. Brewer, City Engineer*      *Date*

\_\_\_\_\_  
*Elder Corp.*      *Date*

\_\_\_\_\_  
*Richard A. Clark, City Manager*      *Date*

Distribution:    \_\_\_ File                                  \_\_\_ Contractor: Elder Corp.  
                         \_\_\_ Inspection: Marty McKinnie    \_\_\_ Engineer: David McGuffin  
                         \_\_\_ Finance

\_\_\_\_\_  
*Roll Call No.*      *Date*

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December 20, 2010



**CERTIFICATION OF COMPLETION**

**AGENDA HEADING:**

Accepting completed construction and approving final payment for the 2201 Forest Avenue Contaminated Soil Removal, 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: \$52,499.35 As-Built Contract Cost

Funding Source: Operating Budget, Page 70, CDD-Forest Avenue Redevelopment, CDBG2004034, Being: CDBG funds for payment of 100% of the contract cleanup cost.

**CERTIFICATION OF COMPLETION:**

On May 10, 2010, under Roll Call No. 10-694, 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:

2201 Forest Avenue Contaminated Soil Removal, 04-2010-013

The improvement includes overexcavation and hauling of petroleum-contaminated soil, along with backfill of the excavation with clean soil and compaction, and all necessary appurtenances and restoration, in accordance with the contract documents at 2201 Forest Avenue, Des Moines, Iowa

I hereby certify that the construction of said 2201 Forest Avenue Contaminated Soil Removal, Activity ID 04-2010-013, 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 May 19, 2010, and was completed on December 7, 2010.

I further certify that \$52,499.35 is the total cost of said improvement, of which \$48,050.38 has been paid the Contractor and \$1,824.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$2,624.97 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

**ESTIMATE OF CONSTRUCTION COMPLETED**  
FOR WORK DONE FROM 9/15/10 TO 11/24/10  
**PARTIAL PAYMENT NO. 3 (FINAL)**

ACTIVITY ID: 04-2010-013

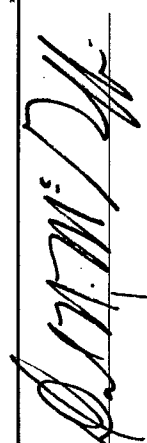
DATE: 11/24/10

**PROJECT: 2201 FOREST AVENUE CONTAMINATED SOIL REMOVAL**  
**CONTRACTOR: ELDER CORP.**

PARTIAL PAYMENT NO. 3 (FINAL)

LINE NO.	DESCRIPTION	UNIT	UNITS			TOTAL AMOUNT
			ESTIMATED	AUTHORIZED	CONSTRUCTED TO DATE	
1	MOBILIZATION	LS	1	1	1.000	\$6,700.00
2	OVEREXCAVATION, HAUL & BACKFILL	TON	1000	1000	1,808.650	\$34,364.35
3	SOIL SAMPLING, OA-1/OA-2	EA	20	20	28.000	\$2,380.00
4	REPORTING	LS	1	1	1.000	\$1,500.00
5	SEEDING	LS	1	1	1.000	\$1,800.00
6	PROJECT SIGN SMALL - STANDARD	EA	1	1	1.000	\$750.00
CO 1	ADJUST CONTRACT ITEMS TO AS-BUILT QUANTITIES					
CO1.01	REMOVE CONTAMINATED GROUND WATER	GAL	2385	2385	2,385.000	\$2,385.00
CO1.02	REMOVE FOOTINGS & DEBRIS	LOAD	2	2	2.000	\$700.00
CO2.01	WATER SAMPLE	EA	1	1	1	\$80.00
CO2.02	SITE VISIT	HR	16	16	16	\$1,120.00
CO2.03	ENVIRONMENTAL PROJECT MGMT	HR	8	8	8	\$720.00
TOTAL CONTRACT AMOUNT PLUS CHANGE ORDERS			\$52,499.35			
PARTIAL PAYMENT NO. 1			\$26,742.50			
PARTIAL PAYMENT NO. 2			\$21,307.88			
THIS PARTIAL PAYMENT			\$1,824.00			
TOTAL PARTIAL PAYMENTS			\$49,874.38			
BALANCE			\$2,624.97			
Percent Complete			100%			
TOTAL						\$52,499.35
RETAINAGE						\$2,624.97
TOTAL LESS RETAINAGE						\$49,874.38
LESS PREVIOUS PAYMENT						\$48,050.38
AMOUNT DUE						\$1,824.00

PARTIAL PAYMENT NO. 3 (FINAL)

PREPARED BY: 

CHECKED BY: 

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