

DATE February 14, 2011

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT
FOR CUMMINS PARKWAY & CLARK STREET EMERGENCY SANITARY SEWER REPAIR, THE
UNDERGROUND COMPANY, LTD.**

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 Cummins Parkway & Clark Street Emergency Sanitary Sewer Repair, 07-2011-003, in accordance with the emergency contract approved between The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047, and the City of Des Moines, which was executed by the City Manager on August 16, 2010, pursuant to Iowa Code Section 384.103(2), and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

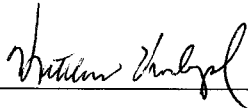
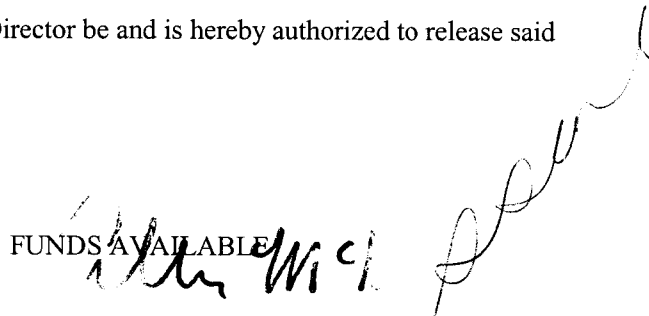
BE IT FURTHER RESOLVED: That \$31,000.00 is the total cost, of which \$25,840.00 has been paid the Contractor, and \$3,610.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$1,550.00 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code Chapter 573.

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

FB Funding Source: 2010-2011 CIP, Page Sanitary-5, City-wide Sanitary Sewers, SAE054, Sanitary Sewer Funds

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

MOTION CARRIED APPROVED

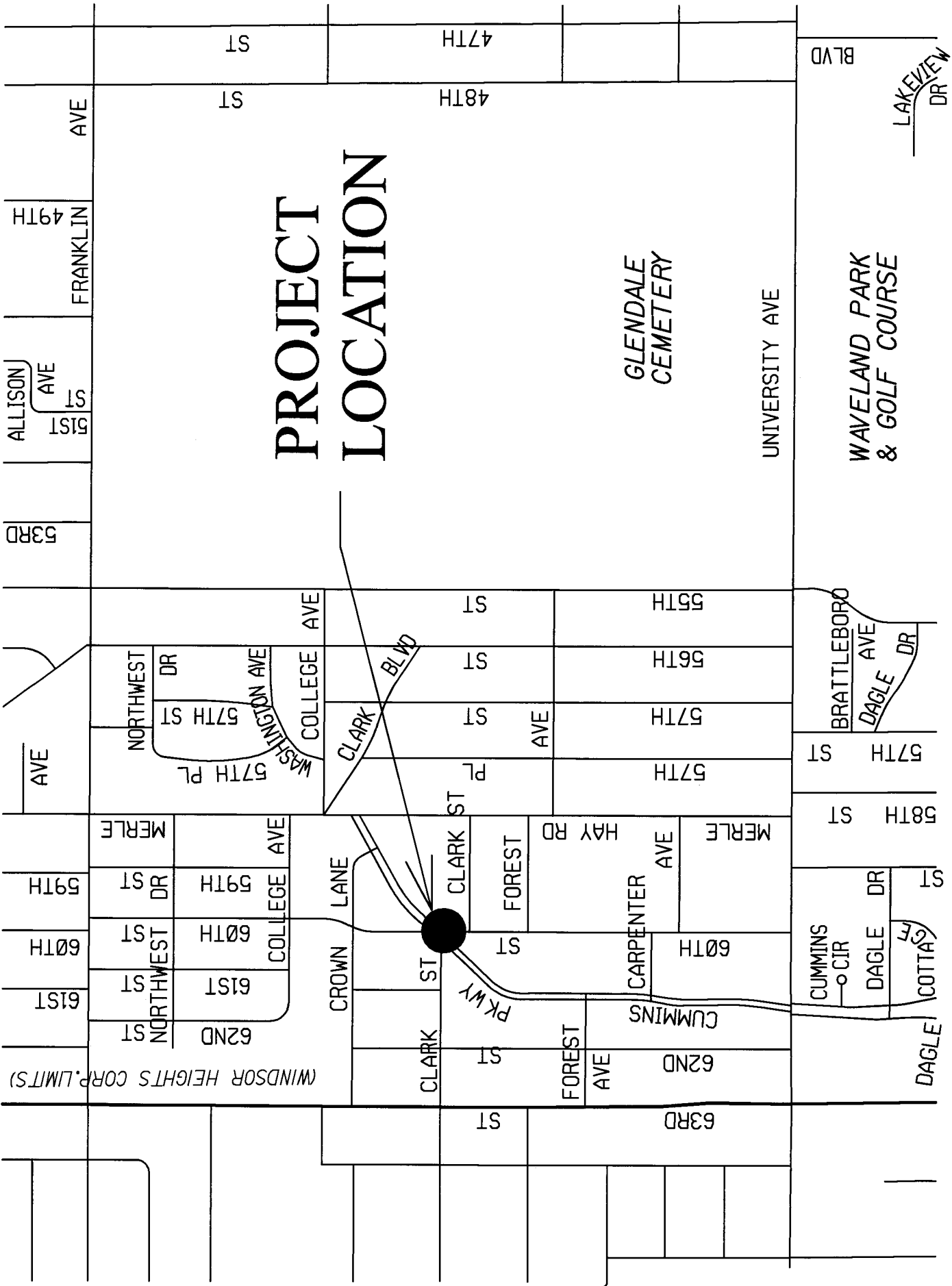
Mayor

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



CUMMINS PKWY & CLARK ST. EMERGENCY
 SANI. SEWER REPAIR ACT ID 07-2011-003

PROJECT SUMMARY

Cummins Pkwy & Clark St. Emer. Sew. Repa Activity ID 07-2011-003

On August 16, 2010, the City Manager made a Finding of Necessity to institute emergency proceedings for the Cummins Parkway & Clark Street Emergency Sanitary Sewer Repair. A contract was awarded to The Underground Company, in the amount of \$34,000.00 to make the repairs.

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	Deduct sanitary sewer connection.	Engineering	(\$3,000.00)
Original Contract Amount			\$34,000.00
Total Change Orders			(\$3,000.00)
Percent of Change Orders to Original Contract			-8.82%
Final Contract Amount			\$31,000.00

14A

February 14, 2011



CERTIFICATION OF COMPLETION

AGENDA HEADING:

Accepting completed construction and approving final payment for the Cummins Parkway & Clark Street Emergency Sanitary Sewer Repair, The Underground Company, Ltd.

SYNOPSIS:

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

FISCAL IMPACT:

Amount: \$31,000.00 As-Built Contract Cost

Funding Source: 2010-2011 CIP, Page Sanitary-5, City-wide Sanitary Sewers, SAE054, Sanitary Sewer Funds

CERTIFICATION OF COMPLETION:

On August 16, 2010, the City Manager executed an emergency contract, pursuant to Iowa Code Section 384.103(2), with The Underground Company, Ltd., Duane Burkhardt, President, 12245 Dakota Street, Carlisle, IA 50047 for the construction of the following improvement:

Cummins Parkway & Clark Street Emergency Sanitary Sewer Repair, 07-2011-003

The improvement includes emergency repair of the 12" sanitary sewer near the intersection of Cummins Parkway & Clark Street including the necessary street replacement, restoration, and traffic control.

I hereby certify that the construction of said Cummins Parkway & Clark Street Emergency Sanitary Sewer Repair, Activity ID 07-2011-003, 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 August 17, 2010, and was completed on January 26, 2011.

I further certify that \$31,000.00 is the total cost of said improvement, of which \$25,840.00 has been paid the Contractor and \$3,610.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$1,550.00 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

